HOUSE OF COMMONS DEBATES

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HOUSE OF COMMONS

Friday, March 13, 1981

The House met at 11 a.m.

• (1105)

ROUTINE PROCEEDINGS

[*English*]

MARINE TRANSPORT

WITHDRAWAL OF DART CONTAINERLINE SERVICE FROM HALIFAX—MOTION UNDER S.O. 43

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, I rise on a matter of some urgency with respect to the port of Halifax-Dartmouth. Citing rationalization and economics, Dart Containerline, together with its new partner, Canadian Pacific, have now moved from the port of Halifax approximately 30 per cent of the container business moving through Halifax. Because of the serious and obvious economic impact on the port caused by this move, I move, seconded by the hon. member for Central Nova (Mr. MacKay):

That this House requests the Minister of Transport to cause the Canadian Transport Commission to review the present and historic freight rate structure between Halifax and Montreal and, second, to initiate a review of the impact of government policies on the maintenance of what might be described as equal opportunity principles between the historic river ports and those of Saint John and Halifax.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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POST OFFICE

DELAY IN MAIL DELIVERIES—MOTION UNDER S.O. 43

Mr. Bill Wright (Calgary North): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the Postmaster General (Mr. Ouellet) rose in his place on January 30, 1981, and misled this House when he stated that for each letter which may be delivered late there are 90 or 92 which reach the addressees on time, and whereas the Postmaster General should know that if the public believes such a statement, they also believe that the Pope is an atheist, I move, seconded by the hon. member for Peace River (Mr. Cooper):

That the Postmaster General immediately assume the responsibility of his office, remedy the deplorable state of postal delivery in this country, and quit living in a dream world.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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CANADIAN BROADCASTING CORPORATION

MEASURES TO SETTLE STRIKE—MOTION UNDER S.O. 43

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, for more than four months now a contract dispute between CBC Radio Canada and its journalists has deprived citizens in Quebec of news in public affairs programs in both our languages. Recent settlements of 10 per cent to 12 per cent or more, plus fringes, have been fairly common in Crown corporations and private broadcasting. For example, Air Canada flight attendants have received 11 per cent; letter carriers have received 12 per cent, and employees of CKVR-TV in Barrie have received 11.2 per cent. Therefore, under the provisions of Standing Order 43 I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That this House urge Radio-Canada to stop stalling, move from its ridiculous last offer of 8 per cent, and offer its journalists a decent settlement before more people begin to suspect that the CBC footdragging in negotiations is designed deliberately to black out information and comment on the constitutional question and the forthcoming Quebec election.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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INCOME TAX

APPLICATION OF CAPITAL GAINS TAX TO FARMS—MOTION UNDER S.O. 43

Mr. Bud Bradley (Haldimand-Norfolk): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgency. The past Progressive Conservative government was providing for a once-in-a-lifetime capital gains tax exemption for farmers in order to help continue the attractiveness of agriculture and to provide for a type of pension for retiring farmers, those who spend their whole lives and all of their money on their farms' development. The Grits during the last election promised both exemptions and advanced valuation

days, neither of which they have followed through with to date. I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

● (1110)

That this government be directed to refer the whole issue of farm capital gains tax and valuation to a committee of this House so that a proper method can be decided upon to aid farmers in this important issue as soon as possible.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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FISHERIES

REGULATIONS GOVERNING GEORGES BANK QUOTAS—MOTION UNDER S.O. 43

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion of urgent and pressing necessity. Yesterday at the Right Hon. Prime Minister's news conference, he indicated that it was unfair to expect Canadians fishing in the Georges Bank area to practise restraint in their fishing efforts while American fishermen indiscriminately expand their operations. This has occurred in that area by anywhere from 15 per cent to 40 per cent on some species. In support of the view expressed by the Right Hon. Prime Minister I move, seconded by the hon. member for Central Nova (Mr. MacKay):

That the government instruct the Minister of Fisheries to amend his ultra restrictive 1980-81 fisheries management plan for the trawler fleet by immediately restoring the cod and pollock quotas in area 5Z, which is Georges Bank, as well as 4VSW, to the equivalent amounts permitted in 1980, since present quota allocations can only lead to eventual loss of jobs this year at sea and ashore in Nova Scotia.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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INCOME TAX

REVIEW OF CAPITAL GAINS TAXATION—MOTION UNDER S.O. 43

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, rampant inflation has greatly increased the ostensible value of real and personal property in Canada since the valuation day benchmark, set for capital gains tax purposes, approximately a decade ago. I move, seconded by the hon. member for Haldimand-Norfolk (Mr. Bradley):

That in order, at least, to mitigate the unfair and confiscatory process of taxing people on gains, based on inflation rather than any actual increase of market value due to improvements, or real appreciation, that the Minister of Finance immediately review this situation so that Canadians who have retained assets for a number of years will not have their estates and properties unfairly assessed for capital gains purposes when these gains are illusory only.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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AGRICULTURE

HERD MAINTENANCE PROGRAM—MOTION UNDER S.O. 43

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas drought-stricken livestock farmers have been frustrated by administrative procedures of the herd maintenance program, caused in part by the involvement of three federal departments and three ministers, I move, seconded by the hon. member for Prince Albert (Mr. Hovdebo):

That this House recommends use of rainfall criteria as shown by the drought map which was leaked yesterday be reconsidered, that the appeals board be given final authority to handle all claims, and that a committee be struck to investigate the handling of this program with a view to making recommendations to put together a workable program for use in future drought years.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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STATE VISIT OF UNITED STATES PRESIDENT

GALA INVITATION LIST—MOTION UNDER S.O. 43

Mr. Mel Gass (Malpeque): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. During the recent state visit of the President of the United States, opposition leaders of the provincial Grit parties, defeated Grit candidates and, in some instances, their wives, were invited to attend the gala performance honouring President and Mrs. Reagan, whereas the provincial premiers and leaders of the territorial governments were not invited. I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That this House condemn the Prime Minister for his blatant contempt and total disrespect for the premiers, the leaders of the territorial governments and those Canadians who elected them.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

CANADA MORTGAGE AND HOUSING CORPORATION

YORK CONDOMINIUM CORPORATION NO. 46—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise under the provisions of Standing Order 43. CMHC took majority control of the board of directors of York Condominium Corporation No. 46 in May of 1980, and then went on to take total control in February of this year. The CMHC lawyer stated that it was to "rejuvenate" the project and to make residents proud of the area. It has now been almost a year and there has been no rejuvenation and no pride in the project. I therefore move, seconded by the hon. member for Kitchener (Mr. Lang):

That this House instruct CMHC to place residents of York Condominium Corporation No. 46 back on its board of directors so that the residents can proudly help to rejuvenate the project and, furthermore, review its policy in these matters.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Lang: On a point of order, Madam Speaker, I did not second that motion.

Mr. Lewis: I am sorry, Madam Speaker. It should be the hon. member for Waterloo (Mr. McLean).

Madam Speaker: The motion will be corrected to indicate the hon. member for Waterloo. It still does not have the approval of the House.

* * *

● (1115)

ENERGY

SUGGESTED COMPREHENSIVE PRICING REGIME—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

The nation is experiencing a national catastrophe; energy self-sufficiency is being sacrificed to political ideology, and massive energy projects which should be proceeding are stalled due to political intransigence. The resumption of energy pricing meetings with the producing provinces is welcomed. In support of the success of such meetings, I move, seconded by the hon. member for Etobicoke Centre (Mr. Wilson):

That the federal government announce, prior to the meetings, a new proposed comprehensive pricing regime for conventional oil production, for oil sands production, heavy oil production, tertiary oil production, offshore and frontier oil production as the basis for successful negotiations with the producing provinces.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—REPORTED WINDFALL PROFITS—COLLECTION OF PETROLEUM COMPENSATION CHARGE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is for the Minister of Energy, Mines and Resources and follows some questions by my colleague, the hon. member for Etobicoke Centre, yesterday, on a provision in government policy which appears to have allowed a $172 million windfall profit to oil companies operating in Canada. The minister will have had an opportunity to be briefed more fully than he was yesterday when he responded to those questions. Will he tell the House, first of all, whether the government collected the petroleum compensation charge on the inventories the industry had on hand on December 31, 1980?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the practice which has been followed with regard to petroleum compensation charges under the latest increases from January 1 is the same as that which has been followed over the last three years, at least. There were two similar increases when the Right Hon. Leader of the Opposition was Prime Minister, and the practice has been the same.

As far as the collection is concerned, collection is taken on the product before it enters inventory, before it goes into stock. Therefore the collection is paid by the refiners on what goes into the stock or into inventory. There is no charge on what is in inventory. This is considered as income, and what happens is that the companies are paying income tax and are complaining that they are being charged income tax by the federal government on what is, in their view, and what is rightly, a purely paper profit.

Mr. Clark: Madam Speaker, what is germane in the minister's long answer, designed to conceal rather than to communicate, is the admission that there was no charge on the inventory. Will the minister now tell the House of Commons whether the industry was allowed to increase prices on those inventories by an amount equal to $2.50 per barrel?

Mr. Lalonde: Yes, Madam Speaker. I said this is the practice that has been followed for the last three years. The same practice has been maintained. The industry complains, as the hon. Leader of the Opposition knows, that the 60-day delay which is imposed for passing on increases in terms of domestic crude is much too long and the companies are losing

money on that side. While they may appear to be making some in the short run on this one, as I said they are forced to pay income tax on it, and they claim this particular arrangement is very detrimental to them. When a reduction of imports is to take place, those companies will find themselves in the situation where they will have to reduce immediately the price to the consumer while they will have paid the petroleum compensation charge on everything they have in inventory too, so they will end up losing at the other end.

● (1120)

MECHANISM TO AVOID WINDFALL PROFITS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, we have here a brand new principle introduced by the government that windfall profits are okay so long as you pay income tax on them. That is what he is telling us. He has admitted there has been a windfall profit that, by our calculation, is in the neighbourhood of $172 million, and he claims that is all right because it was done before and because they pay income tax on it. He says that the companies will be complaining; well, it is not the companies which are complaining, it is the consumers of Canada paying the $172 million who should be complaining.

The minister indicated there is a delay of 60 days before wellhead price increases are passed on, agreed to by the companies as a result of the minister exercising moral suasion. Why was a similar mechanism for a delay not put in place with regard to this situation to avoid that $172 million windfall profit?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the Right Hon. Leader of the Opposition gets very excited over purely paper or book value profits. There is aboslutely no real profit as such here, while the taxes are quite real. The companies are required to pay up to 46 per cent taxes—

An hon. Member: When? What oil company pays 46 per cent taxes?

Mr. Lalonde: —every year, on the basis of the real value added to their income but, as I said, it is purely a paper profit. There is no windfall profit as such, as indicated by the Leader of the Opposition.

NATURE OF PROFITS MADE BY OIL COMPANIES—REQUEST FOR CHANGE IN GOVERNMENT'S TAXING PRACTICE

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. He is clearly shielding his own inaction and lack of concern for the consumer by calling this a paper profit.

Would the minister please explain to me what a paper profit is? How can he describe a transaction involving a $2.50 price increase in real dollars on 70 million barrels of real oil, a total of $172 million which is paid by the consumers—how can he explain those real profits as paper profits?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, for the simple reason that that so-called profit is made on the inventory they are required to maintain, and for every barrel of oil they sell out of inventory they have to replenish it at a higher price, so it is a purely book value profit. There is no real additional money coming into the corporations.

Mr. Baker (Nepean-Carleton): Don't try to sell that nonsense at the gas pumps.

Mr. Wilson: Madam Speaker, I think the minister missed the point. The industry is not paying any more for the oil that they are replacing in inventory. The additional price increase is flowed through entirely to the government on the replacement of those inventories. The paper profit that he refers to is a real profit taken on the inventories in place prior to December 31, on which the industry levied those increases following December 31, and on which there is no petroleum compensation charge paid to the Government of Canada. Would he explain that and, while on his feet, would he make a commitment to this House that he will change this practice so that there will not be unearned windfall profits taken by the industry on the backs of the consumers?

Mr. Lalonde: Madam Speaker, we examined this matter very carefully several months ago and, as I indicated before, this has been the practice followed during the last few years, which includes the administration of my friend. Taking every factor into account, this was found to be the simplest and best way of doing this. If a better way can be found to manage the program we will certainly implement it, but at the present time under this administration, and the two previous ones, it is felt this is still the fairest way of doing it.

As to the first part of my friend's question, he knows that the refineries in this case act as tax collectors for the federal government. That $2.50 surcharge is money collected for the federal government—

Mr. Clark: That is not true.

Mr. Lalonde: —by the companies.

* * *

● (1125)

BANKS AND BANKING

SPREAD BETWEEN INTEREST PAYMENTS AND CHARGES OF CHARTERED BANKS

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, my question is directed to the Minister of Finance, and it concerns another industry which has been experiencing some paper profits. I am referring to the banking industry, and the profits are in the form of bank notes.

I would like to ask the minister whether he thinks it is appropriate that our chartered banks should be making windfall profits from the interest rate policy of the government. I

point out to the minister that the spread between what the banks pay and what they charge is now five points, that it has been five points for many months now and that, as a result of this spread, industry analysts are admitting that the banks have made windfall and inventory profits since the interest rate policy of the government was announced.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the same question was asked a few days ago and was replied to by the Minister of State for Finance. I have nothing to add except to support him in his answer that the question of bank profits must be considered over a longer term, taking into account rising interest rates and declining interest rates. When both these are taken together, it might be possible to reach a more valid judgment.

Having put that aside, I am quite interested in the point which was made in the House last week and again today, and I will be monitoring that situation very carefully.

REQUEST THAT CANADA FOLLOW BRITISH POLICY

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I thought we had a minister and not a monitor. I would like to point out to the minister that in his answer to my colleague, the hon. member for Kamloops-Shuswap, on March 2, he indicated that the reason for the windfall profits was because of the external profits which the banks were making, whereas the evidence from the industry this week is crystal clear and shows that it is not as a result of external policy; it is as a result of the difference between what the banks are paying to the Canadian consumer and what they are charging the Canadian consumer.

Since that great radical—who I know is a model to the minister of Finance—his colleague, the chancellor of the exchequer in Great Britain, Sir Geoffrey Howe, introduced a windfall profits tax in his recent budget, I would like to ask the minister, since he is following Margaret Thatcher in all the bad directions, why, for once, he cannot follow the example of Great Britain and look at the windfall profits which are the direct result of the interest rate policy which is being carried out by his government.

Mr. Baker (Nepean-Carleton): Remember, you are a Jacobite.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I have decided to run a Canadian policy. I am not going to follow the advice of the Conservative Party and decide to ape the Americans, nor do I intend to follow the advice of the hon. member for Broadview-Greenwood who surprisingly asks me to follow an economic policy which he himself has denounced as being reactionary. There is more to the policy that is being followed in the United Kingdom than this particular measure to take additional moneys from the banks. It is a very broad policy, and I do not think it is appropriate to Canada, nor do I think it is appropriate to take one single aspect of the policy of the United Kingdom and import it into this country. I thought the hon. member had passed that stage of his development.

Some hon. Members: Oh, oh!

POWER TO EFFECT ROLL BACK OF INCREASES

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I can assure the minister that I have passed whatever stage of development he is referring to, but I have not reached the point of such senility—

Some hon. Members: Hear, hear!

Mr. Rae: —that I am unable to distinguish a windfall profit, a profit which is the result of activities carried out by the Canadian banks in Canada at the expense of the Canadian consumer, and which has resulted in windfall inventory profits to our largest, most dominant and cartel-like financial institutions. I am amazed that the minister, who has been associated so long with those institutions, is unable to distinguish between the cost of doing business and a reasonable profit.

The Liberal party and the Conservative party together, when voting on the Bank Act, voted down an amendment by the New Democratic Party, a Canadian amendment proposing to deal with Canadian conditions, which said that the Minister of Finance should have the residual power to monitor and to roll back interest rate increases when they seemed to be excessive. Does the minister think that a five-point spread between what the banks charge and what they pay is excessive, and does he not think that the government should have the power to force a roll back in order to protect the Canadian consumer when the market is clearly not doing its job in protecting the Canadian consumer?

• (1130)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member knows perfectly well that one of the purposes of the revisions to the Bank Act was to provide greater competition in financial markets, not only through widening competition within Canada itself but also through the process of permitting foreign banks to compete in this country. I regard the operation of a competitive market as a much more important inducement to bringing down these spreads than accepting Sir Geoffrey Howe's proposal of putting a windfall profit tax on the banks at this particular time based not on long-term objective evidence but basically upon a propagandist thrust put forward this morning by the hon. member.

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CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—POLICY FOLLOWED BY PETRO-CANADA

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is directed to the Minister of Energy, Mines and

Resources. Last week Robert Bertrand, the director of anti-combines investigations, alleged that the oil companies continued to overcharge their customers since 1973. The government accepted these allegations, but action has been postponed for two to four years because of the reference to the Restrictive Trade Practices Commission. The Minister of Consumer and Corporate Affairs, the seatmate of the minister, said last week that Petro-Canada was Ottawa's "honest broker in the field to make sure that the consumer would be protected". In order that the Canadian consumer can get lower prices for gasoline and petroleum products, will Petro-Canada now be announcing lower prices to Canadians for its products?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, it seems to me that the question is left hanging in mid-air. The role of Petro-Canada is to ensure that it becomes a very aggressive competitor in that sector and that it will introduce an element of even stronger competition than the market has known so far. Does this mean that in certain circumstances Petro-Canada's prices will be lower than those of its competitors? That will be decided by the marketplace on a competitive basis. So there is no question of Petro-Canada systematically following a policy under which its prices would always be lower than those of any of its competitors in the market.

[*English*]

Mr. Hnatyshyn: Madam Speaker, the government seems to take the position that there has been an immense rip-off, yet the one agency over which it has any direct control refuses to take any action. As a matter of fact, John Ridsdel, a spokesman for the Crown corporation, admitted that Petro-Canada's prices are the same as those of private major oil companies. He quoted the president, Wilbert Hopper, that the company is "in business to make money".

Since one of the announced priorities of Petro-Canada was a competitive price for industry and consumers, since consumers are getting a shellacking with the prices of the government—$3.25 per barrel this year higher than it would have been under our pricing policy—and since the minister has statutory authority to instruct Petro-Canada with respect to its policies, will the minister direct Petro-Canada to lower its prices immediately to a realistic level, so that the price reduction will have an effect and consequence upon its competitors in Canada?

Mr. Lalonde: Madam Speaker, being very competitive is not contradictory to making money. Petro-Canada is in the field to be extremely competitive with any other company and to operate on a business basis. As far as the allegation of the hon. member is concerned, to begin with the price per barrel at the present time is lower than it would have been under the Conservative budget.

Mr. Baker (Nepean-Carleton): Not true.

Mr. Lalonde: I invite the hon. member to look at the facts if he wants to ensure that he is not misrepresenting the situation.

We have a report by the director of combines investigation which is before the Restrictive Trade Practices Commission. It is the report of the director after several years of investigation. The allegations contained therein will be examined by the Restrictive Trade Practices Commission, and the people against whom the allegations have been made will have an opportunity to have their say. This is the position of the government.

* * *

THE CONSTITUTION

CHARTER OF RIGHTS PROVISION RESPECTING EVIDENCE

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, my question is directed to the Minister of Justice. About three weeks ago the minister stood up in the House and told members that they were paying attention to the Canadian evidence task force with respect to the charter of rights. Members will be aware of the article which appeared in *The Globe and Mail* on Monday, entitled "Americanizing Canadian Criminal Law".

In light of the fact that the Canadian evidence task force strongly recommended against going to the so-called tainted evidence rule in the United States, why does section 24 of the charter of rights not only write the tainted evidence rule into the charter but makes it obligatory on the courts to disallow any evidence which is considered to be tainted?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I am not here to reply to the questions put by members of the constitutional committee during its hearings. This question was debated at length in committee. The hon. member did not appear before the committee to ask any questions.

Mr. Kilgour: Madam Speaker, it is clear the minister knows as much about law as he knows about finance. Will it be his policy not to answer any questions about any aspect of the charter of rights, or is he prepared to answer seriously a question which I suggest concerns a great many Canadians?

Some hon. Members: Oh, oh!

Mr. Chrétien: Madam Speaker, I was present at the committee hearings. Members who appeared before the committee asked many questions about this matter. We are now at third reading stage of this proposition; we have replied to all those questions. Never has a minister been in front of a committee as long as I have been.

Mr. Clark: You are in the House of Commons now; answer the question.

Mr. Chrétien: I was in front of that committee for more than 110 hours, and I replied to all questions on all technical

aspects of this resolution. A little arrogance from the member does not impress me at all.

Some hon. Members: Hear, hear!

* * *

FOREIGN INVESTMENT REVIEW AGENCY

REXDALE PLANT CLOSURE ANNOUNCEMENT

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, my question is directed to the Minister of Industry, Trade and Commerce. I am sure he will recall that on August 1, 1980, he announced on behalf of the government the approval of the take-over by Reynolds Industries of the United States of Canadian Canners Limited, Walmer Transport Company Limited, and Aylmer Foods Warehousing Limited. In approving that takeover, the minister indicated that there was a commitment not to close any of the operations in Canada for a minimum of two years. There was an announcement by the company of its intention to close its Rexdale plant on April 30, 1981. What action does the minister propose to take to enforce the commitment?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, this matter is being examined. If what is happening turns out to be contrary to the undertakings, I will have all the recourse provided by the law to pursue it.

Mr. Deans: Madam Speaker, could the minister elaborate ever so slightly on what recourses in fact are available to him, given that the director of corporate surveillance for FIRA indicated that there has been no violation of the agreement? How can it be that last Saturday the minister said the agreement was in place and the plant must be kept open for a minimum of two years, and the head of the corporate surveillance department said there was no violation?

Mr. Gray: Madam Speaker, I will check into the accuracy of what the hon. member says was stated by one of the officials. As far as I am concerned, I will look into it personally. If it turns out that there is a breach of the agreement, in consultation with the Minister of Justice I will see that the law is respected and enforced.

* * *

EMPLOYMENT

REDUCTION IN JOB-CREATION FUNDS

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question is directed to the Minister of Employment and Immigration. The minister will know that, in the main estimates for the coming year, job-creation funds are reduced by 37 per cent from the current year. When inflation is taken into account, they will be half what they are this year.

In view of the Canadian unemployment situation today, could the minister tell us whether or not this significant budget reduction is a consequence of his current status within cabinet, or does it shift the policy priorities of the government? Are they deliberately creating a situation where more unemployed people will continue to remain unemployed in Canada?

● (1140)

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I thank the hon. member for his question. It gives me the opportunity to draw the attention of the House to the fact that, for the ninth month in a row, the employment figures in Canada have gone up.

Some hon. Members: Hear, hear!

Mr. Axworthy: We now have a seasonally adjusted unemployment rate that is substantially lower than it has been for the last year and a half, which happens to be the time when this government came back into office.

Contrary to the kind of doom and gloom certain critics and observers have portrayed about the economic situation in Canada, we in fact are developing a very healthy employment picture. I think all Canadians should take some satisfaction in that.

Mr. Hawkes: Madam Speaker, I am sure the minister would not like to leave the wrong impression. Employment creation in Canada in the private sector is 25 per cent of what it was under the previous government. Employment creation in the public sector is about 15 times as great. That is the reason the seasonally adjusted rate stays where it is.

My question to the minister relates to what he intends to do to meet the needs of 928,000 officially unemployed Canadians and well over one million unemployed Canadians in reality. He is cutting the budget in half for the year ahead in terms of meeting their needs. Can he explain to the House why he thinks the need in the year ahead will be half as great as it was in the year in which we are currently?

Mr. Axworthy: Madam Speaker, I find it somewhat ironic that the hon. member, along with his many colleagues, were applauding vigorously the statements made by the President of the United States just two days ago. The President has, in fact, cut the entire employment training budget of the United States government. Again, I think hon. members opposite are trying to have it both ways. They are trying to have their ideological music and still play a critical game, which simply will not work.

The fact of the matter is, as I have said many times in the House before, that we are taking the employment training money and targeting it into special needs groups. We have new programs designed to deal with the problems of the handicapped, and others who have major disadvantages in the work place, to provide special training for native people, and for women in non-traditional work. We are targeting the money into the areas where it is really needed.

Oral Questions

INCOME TAX

REVIEW OF CAPITAL GAINS TAXATION—GOVERNMENT POSITION

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I have a brief question for the Minister of Finance concerning capital gains tax. Since it is approximately ten years from valuation day, and since the minister knows that when assets change hands now they are being taxed heavily on inflation, which I think he would agree is confiscatory, what plans do he and his cabinet colleagues have to revise or otherwise make more equitable the capital gains tax structure in this country?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, as the hon. member knows, shortly after the budget I released a discussion paper on capital gains, which discusses, among other things, the question of indexation or providing an inflation adjustment. I am awaiting representations and views from interested parties on that paper, and I will take them into account before another budget.

Mr. MacKay: I am curious about that answer, Madam Speaker. I wonder if the minister could elaborate slightly and say what time frame he anticipates he is looking at before he will be considering these representations. Also, does the minister agree with the statement made recently by Mr. Harris, the president of the Canadian Institute of Chartered Accountants, who points out the ironic situation where people who benefit from lotteries are not subject to capital gains while people who invest in their country are? Mr. Harris also suggests that this revision of capital gains would provide the needed stimulation to encourage the creation of new jobs. Does the minister hold to those views himself, or does he see any merit in them?

Mr. MacEachen: Madam Speaker, I would be glad to receive Mr. Harris' views directly; then I will consider them.

* * *

THE ECONOMY

QUERY RESPECTING JAPANESE-TYPE TRADING ORGANIZATIONS

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is for the Minister of Finance. In view of the fact that the Japanese economy had grown to the size of one trillion dollars by 1979, which is about half the gross national product of the United States and larger than any European country, and comparable to the Soviet Union; and in view of the fact that this economic growth is attributable to the relationship between the government and the large trading organizations, the banking establishment and the large manufacturers, will the minister initiate the same kind of arrangement in Canada?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, that is a very interesting suggestion. I understand that already there is a group of Members of Parliament studying that particular question of trading corporations. Their results will be considered by the government.

* * *

CROWN CORPORATIONS

INTRODUCTION OF LEGISLATION

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, my question is for the President of the Treasury Board. Where is the much promised omnibus Crown corporations bill?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the much promised omnibus Crown corporations bill is proceeding as it should.

Some hon. Members: Oh, oh!

Mr. Johnston: I hear some hee-haws on the other side.

Mr. Beatty: The donkeys are on that side, though.

Mr. Johnston: Madam Speaker, I assure the House that we are proceeding rapidly, I hope, to bring forward legislation. I would say the consultation process has been very effective. It has been completed and I am putting final touches on a discussion paper.

Mr. Clark: A discussion paper!

Mr. Johnston: I hope to bring the matter forward for cabinet consideration at a very early date.

Mr. Beatty: Madam Speaker, in view of the fact that the Clark government within six months was able to go from a discussion paper to a bill introduced in the House of Commons, yet the President of the Treasury Board in more than a year has been incapable of even putting a discussion paper before his cabinet, when will the minister either introduce legislation in the House or admit to the Canadian people that his claims about making progress have been a fraud?

Mr. Johnston: Madam Speaker, the Clark government did a great deal more than that in nine months.

Some hon. Members: Hear, hear!

Mr. Johnston: It disappeared.

Some hon. Members: Oh, oh!

Mr. Johnston: Besides that, Madam Speaker, a bill was brought forward. That bill had serious defects. I see no point in bringing forward another bill which has serious defects.

Mr. Baker (Nepean-Carleton): Name them.

Mr. Johnston: That is why we have been engaged in a wide consultation process, to correct those defects. That is what I am in the process of doing. I assure hon. members that very

substantial progress has been made and that the bill will be brought forward in the very near future.

Mr. Beatty: When?

* * *

CANADIAN BROADCASTING CORPORATION

DISPUTE BETWEEN CORPORATION AND QUEBEC JOURNALISTS UNION—GOVERNMENT POSITION

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I was going to address my question to the hon. member for Edmonton-Strathcona with respect to why his party supported the amendment to the charter which he is criticizing, but that would be unparliamentary, so I will not do it.

[*Translation*]

Madam Speaker, in the absence of the Minister of Communications and the Minister of Labour, I will direct my question to the Prime Minister. Considering that the management of the CBC French network has openly shown ill will in their conflict with the striking journalists in Quebec over the past four months, and keeping in mind the ridiculous offer of a salary increase of about 8 per cent, does the Prime Minister or his government intend to continue burying their head in the sand much longer and to shirk their responsibilities?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the government is not burying its head in the sand; it is allowing free negotiations to take place between the parties and it has suggested the appointment of mediators. But I am surprised to hear the hon. member say that the government should do more and intervene in these negotiations. How? Through legislation to take the right to strike away from the workers, or what? What is his proposal?

Mr. Robinson (Burnaby): Madam Speaker, according to the union and the two major political parties in Quebec, the CBC management is alleged to have offered free air time to the political parties during the election campaign, provided those parties stop boycotting current events and public affairs programs. Given such inadmissible blackmail on the part of a Crown corporation, does the Prime Minister intend to step in to put an end to that and, if not, why not?

Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour): Madam Speaker, the hon. member might be interested to know that the CBC is now negotiating with six unions representing 7,500 employees. In two of those negotiations the federal mediator has drafted his report and this afternoon it will be handed over to the parties involved. As to the blackmail referred to by the hon. member, I believe that the question ought to be directed to the Minister of Communications.

• (1150)

[*English*]

WESTERN DEVELOPMENT FUND

QUERY RESPECTING CONSULTATION WITH PROVINCIAL GOVERNMENTS

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I should like to address my question to the Minister of Finance. It concerns the commitments he made in the budget of last October. There was a commitment that he would consult with the western prairie provinces regarding the use, the programs, and the specific initiatives for the Western Development Fund. I should like to know if the minister has consulted with the governments of western Canada regarding the use of this fund and, if he has not, when will he consult with those governments in accordance with the commitment made in the budget he brought down last October in this House?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, no consultation has taken place yet. When the plans are further developed in the government, it will be then possible to consult with interested parties, including the governments, as mentioned in the budget.

Mr. McKnight: I wish to ask a supplementary question, Madam Speaker. As the minister is aware, he made a commitment to consult with the governments. We are not talking about a small amount of money, we are talking about $2 billion. This government has the authority to take $37.5 billion out of western Canada within the same time frame. Is there a change in government policy at the moment? Senator Argue, the assistant to the Minister of Transport, has said, as reported in the Saskatoon *Star Phoenix* on January 15, 1981, that "... provincial governments will be given no special significance in those consultations." Is this a change in government policy? Does the assistant to the Minister of Transport speak for the government in this matter?

Mr. MacEachen: I have not seen what Senator Argue said nor have I talked to him on this subject. Without commenting on what the hon. member has said, what has been stated in the budget stands as government policy.

* * *

AIR TRANSPORT

DIRECT AIR SERVICE BETWEEN OTTAWA AND NEW YORK

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I should like to direct a question to the Minister of Transport. I am sure the minister is heartened by reports from the United States that authorities there have been unable to find a U.S. carrier which would be interested in providing direct air service between Ottawa and the city of New York. In view of this development, and it seems to be a new development, would the minister undertake to expedite negotiations with respect to

changes that may be needed in the bilateral arrangements between Canada and the United States so that such a service can be provided as is desired by every responsible group in Canada?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, we would all like to see an agreement for direct flights between Ottawa and New York. There are two ways to do that, either through the regulatory bodies, the CAB and the CTC in Canada, which is the first way, or the second way, which is under the Canada-U.S. bilateral air agreement. I think we have to follow that last line first.

First of all we wanted to see if some American airline would like to operate under the present agreement, that is, with a single route, New York-Montreal-Ottawa, Ottawa-Montreal-New York. We could not find one, but it seems that some might be interested if the Ottawa-New York route were a separate one. This is what we are exploring now. If we do not find an American company willing to use this approach, then we will fall back on the regulatory approach, and First Air and Air Atonabee would be allowed to compete.

Mr. Baker (Nepean-Carleton): Madam Speaker, I hope it is not the purport of the minister's answer that he is looking for an American carrier to provide the service between Ottawa and New York. That is what it sounded like to me. I hope he will stand in his place and deny that.

Will the minister press the American authorities to make whatever changes are necessary to provide the services, in the bilateral agreement or elsewhere, because apparently no one is interested now? Would he also assure the House that while this search is going on and while changes are being pressed with the United States, nothing in that procedure will hold up consideration by the Canadian Transport Commission of the applications that are now before it from First Air and Air Atonabee?

Mr. Pepin: Madam Speaker, the difficulty is with the phrase, "no one is interested now". That is what I said was not the situation. It may be that an airline would be interested if the route were defined differently. I am not looking for Americans, but it seems to me that this is the first way to go. We must assure ourselves that no American airline will give a direct service. There is an agreement between Canada and the United States on that subject so obviously that has to be cleared up first. If there is somebody in the United States who wants to operate under that agreement, he has the first right to do it. That is the spirit, and the law as it exists now.

Mr. Clark: The status quo forever.

Mr. Baker (Nepean-Carleton): So there will be no change.

Mr. Pepin: It is only if that first avenue is found to be unproductive, the Americans being satisfied that they cannot use the right they have under the bilateral agreement, that we can go the other route, and that is the route of the regulatory agency. That is the law.

Mr. Baker (Nepean-Carleton): That is some Canadianization plan if I ever heard it!

* * *

FISHERIES

EAST COAST MANAGEMENT PLAN

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I have a question for the Minister of Fisheries and Oceans but unfortunately he is absent, as is the acting minister, the second acting minister, and the parliamentary secretary. I presume I should direct it to the Right Hon. Prime Minister, and I do so in light of his interest in the problem.

In the 1980-81 fisheries management plan the government shows a decrease in allocations to the Canadian trawler fleet for codfish caught on the Scotian Shelf, which includes area 5Z, or Georges Bank, of some 1,500 metric tons when compared to the previous year.

Since the Americans have now decided to abolish the 1979 fisheries management treaty covering Georges Bank, and will be catching whatever fish are available in that area until the boundary question is settled, I ask the Right Hon. Prime Minister is he making any plans to permit Canadians to do likewise?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I do not think it is correct to say that they will be catching fish without any limitation until the boundary is determined because we have an undertaking from the United States administration that, on the contrary, they will be putting forth a solid management plan which will have as its object precisely to ensure the conservation of the species.

QUERY RESPECTING POSSIBLE RESTORATION OF QUOTAS

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I have a supplementary question. I note the answer given by the Right Hon. Prime Minister and, of course, I am sure he is aware that, in the two years that have passed since this treaty was under negotiation, the Americans have increased their scallop catch from an estimated 15 per cent to 40 per cent. Scallops are now the size of your fingernail, so this is really not a conservation program.

My supplementary question deals with yet another area of fisheries which comes under the government's management. It concerns the decrease in the trawler quotas on pollock in the same general area, of something like 2,000 metric tons, which will cost Canadians about 100 man-years and some $3 million in lost productivity. Will the Prime Minister undertake to look into this matter and, we hope, restore those quotas which would be of benefit to Canadian fishermen and the Canadian economy?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, with respect, I would suggest to the hon. member that his comment at the beginning of his second question does

not contradict what I said. He is quite right; for the past two years there has been overfishing. That was one of the difficulties with the present situation when the treaty was being held up in the Senate. That is why, on this side, we have attempted to put the best possible light on the President's decision to put an end to this since they could not get the treaty through the Senate, which we profoundly regret, and since this long delay was resulting in overfishing. We have accepted the President's undertaking to withdraw the treaty, I repeat, with some considerable regret on our side.

The President undertook, and I believe he repeated in this House—at least it was repeated at the press conference, in statements to the press—that they would be putting a scallop management plan in place there. It is precisely our hope and expectation that the overfishing of the past few years will now cease.

In lieu of the treaty we will have this management plan which I cannot say we are blessing in advance. But at least we see this as a positive step on the part of the United States administration to try to solve in that way the overfishing situation, which the hon. member and the government deplore. Whether it will work out or not, I honestly cannot say. But, as I argued, it is probably fair to give the United States administration a little time, since it is a new administration, to correct a situation which was getting more and more deplorable, not only over the past two years but over the years before that during the time when the treaty was being negotiated.

● (1200)

As far as trawlers and quotas are concerned, I am afraid I will have to take notice of that on behalf of the minister.

* * *

PETITIONS

MR. FULTON—DUMPING OF TOXIC MINE TAILINGS

Madam Speaker: I have the honour to inform the House that the Clerk of House has laid upon the Table the forty-third report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Skeena (Mr. Fulton) and finds that it meets the requirements of the Standing Orders as to form.

* * *

FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS

APPOINTMENT OF SPECIAL PARLIAMENTARY TASK FORCE

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the following agreement is a result of consultations I had earlier today with representatives of the opposition parties. Members of the special committee appointed to act as a special parliamentary task force on federal-provincial fiscal arrangements are Messrs. Blaikie, Blenkarn, Breau, Herbert, Loiselle, Thacker and Weatherhead. The said committee is empowered to adjourn from place to place within Canada and the necessary staff is authorized to convene the committee.

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, there have been the usual consultations. We are prepared to have that matter go forward without debate.

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, we agree.

Madam Speaker: Is that agreed?

Some hon. Members: Agreed.

ROUTINE PROCEEDINGS

[*English*]

HOUSE OF COMMONS

TABLING OF EXTRACT OF MINUTES OF MEETING OF COMMISSIONERS OF INTERNAL ECONOMY RESPECTING EXTRA COMPENSATION TO CERTAIN EMPLOYEES

Madam Speaker: In accordance with the motion moved by the hon. member for Winnipeg North Centre (Mr. Knowles) and adopted by the House on December 19, 1980, I am pleased to table an extract from the minutes of the meeting of the Commissioners of Internal Economy held on Monday, March 3, 1981, regarding extra compensation to be paid to the House of Commons employees who worked extended hours during the lengthy session on December 18 and December 19, 1980.

Hon. members will note that the extract contains the names of those employees to whom the House wishes to express its thanks.

TABLING OF LETTER FROM MADAM SPEAKER TO MR. KNOWLES RESPECTING EXTRA COMPENSATION TO CERTAIN EMPLOYEES

Madam Speaker: I also table the letter which I addressed to the Hon. Stanley Knowles dated March 4, 1981, explaining how we devised the amounts to be paid as extra compensation to the House of Commons employees. It is in English only because it was written to the hon. member for Winnipeg North Centre (Mr. Knowles). However, if the House agrees to append it to *Hansard*, it will be translated. Is it agreed?

Some hon. Members: Agreed.

Madam Speaker: It is so ordered.

[*Editor's Note: For letter above referred to, see Appendix.*]

Order Paper Questions

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 2,009 and 2,076.

[*Text*]

MINISTERS' USE OF DND AIRCRAFT

Question No. 2,009—**Mr. Cossitt:**

1. Does the Prime Minister or a cabinet minister have to file a request for the use of a Department of National Defence aircraft and (a) if so (i) to whom is such a request made (ii) who makes the decision (iii) is the person requesting the aircraft required to state all the reasons for such usage (b) if not, what is the procedure?

2. Is usage for important government business the only criterion and, if not, for what reason?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. See question 169 answered on October 7, 1980, page 3419.

2. Yes.

DONATIONS TO THE CROWN—1973 RECORDS

Question No. 2,076—**Mr. Cossitt:**

With reference to the answer to question No. 1,707 which states in part, that total donations to the Crown during 1974-75 amounted to $29,454 (a) for what reason do records for 1973 not exist (b) what happened to the records (c) were they destroyed and, if so, on whose instructions?

Hon. J.-J. Blais (Minister of Supply and Services): (a) and (b) As a result of the department's move from Ottawa to Hull, some detailed supporting documentation covering the period prior to 1974-75 was lost and/or misplaced; a search of it was carried out in the files presently stored in "Archives" but without success.

(c) See (a) and (b) above.

(d) Not applicable.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 175 could be made an order for return, this return would be tabled immediately.

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure of the House that question No. 175 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

AUDIO-VISUAL OPERATIONS WITHIN DEPARTMENTS

Question No. 175—**Mr. Friesen:**

1. Which departments have (a) audio tape equipment (b) movie, slide, film strips, overhead projectors (c) recording studios and, in each case (i) in what quantity (ii) what is the estimated value of such equipment?

2. What was the cost of servicing this equipment in (a) 1977 (b) 1978 (i) within (ii) outside the public service?

3. Is there a central service and repair centre in the public service to repair and maintain audio tape equipment, video tape equipment, editing equipment and other equipment related to audio-visual equipment?

4. (a) How many tape recorders were purchased in (i) 1976 (ii) 1977 (iii) 1978 (iv) 1979, by department, and how many could be accounted for in November 1979 (b) what was the estimated value in each year (c) what number were lost to (i) damage (ii) other and what was the value of loss?

5. (a) Does each department have a system of inventory control (b) is a system of user signature against the serial number of the item used and, if not, what system is used?

6. How many times a year is a physical check of such equipment made?

Return tabled.

[*Translation*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Hon. Erik Nielsen (Yukon): Mr. Speaker, last night before the House rose I was trying to lay the groundwork for what I have to say on behalf of Yukon and the Northwest Territories in connection with the proposed constitutional amendment. We have, on the one hand, the policy of the government opposite, as stated by the Prime Minister (Mr. Trudeau) publicly, that Yukon will not see provincial status in his lifetime. We have on the other hand, the nationally publicized policy of this party that Yukon is a natural candidate for provincial status and will be granted that status when the people of Yukon make that request.

Under the Constitution as it now stands, there is provision in the British North America Act for the taking into the federal state of additional territories and converting them to provinces in exactly the same way that Manitoba, Saskatchewan, Alberta and British Columbia entered confederation.

With the proposals now before the House, that process is no longer possible. As for provincial status, they can forget about it in Yukon, the Western Arctic and in Nunatsiaq. It will never come. Why do I say never? It is not simply "not in my lifetime", as the Prime Minister said; it has now become never. It is never because, by the formula proposed in the constitutional proposals before us, there are two provinces with a veto, namely Quebec and Ontario. If either one of those provinces objects to the entry of any other territory into confederation, as is now provided for in the British North America Act, the territory will not get in. That is the result of the proposals before us.

Another question which concerns us greatly is that of mobility rights. There was a great deal of time, effort and expense involved in the production of the socioeconomic terms and conditions with respect to the construction of the Alaska highway natural gas pipeline, if indeed that project ever goes ahead. Those socioeconomic terms set forth a hiring preference and a mechanism by which migration could be controlled so that the impact of thousands of workers who would be foisted upon Yukon all at once in the construction stage of the pipeline would be minimized. We tried to amend that provision in the joint committee. It was rejected. We have a provision in the constitutional proposals which will negate the effect of that mechanism. When that matter was raised with the Minister of Indian Affairs and Northern Development (Mr. Munro) in a recent visit to Whitehorse, his response was, "Well, we will find a loophole". It sounded rather strange for a minister of the Crown who supports the constitutional proposals now before us to be telling the public in Yukon that a loophole would be found whereby we can get around the mobility rights of the Constitution. The fact is that when the proposals before us become law, if indeed they do, we can forget about the socioeconomic terms and conditions which would provide that protection to Yukon.

● (1210)

The other matter which concerns Yukon and the Northwest Territories greatly is the proposals contained in section 35(3), I believe it is, which deal with the attendance by elected representatives of Yukon and the Northwest Territories at federal-provincial conferences. At first blush that provision would appear to go a long way toward meeting the legitimate aspirations and desires of Yukoners and Canadians of the Northwest Territories. However, a careful reading of it will disclose immediately that all it does is maintain the status quo, because there will be no representation at the federal-provincial conferences by either Yukon or Northwest Territories unless the Prime Minister in his magnanimity deems to allow that representation at the table.

When the Minister of Indian Affairs and Northern Development was in Whitehorse recently, he said this, and I quote from page 5 of the text of his speech given to the Whitehorse Chamber of Commerce on February 14, 1981:

> Hand in hand with the economic development to which we all look forward must go political progress and evolution.

One cannot disagree with that statement. It was indeed our policy, our aggressive policy.

> For the past year, Yukoners have enjoyed full responsible government, at least in practice if not in statute.

That statement is absolutely false. Yukoners do not now enjoy, nor have they in the past year enjoyed, full responsible government either in practice or in statute.

Mr. Baker (Nepean-Carleton): Why would he say such a thing?

Mr. Nielsen: Why? Because of the deviousness of this government. It is very evident in their advertising campaign. They try to twist the minds of their listeners.

Mr. Collenette: Nonsense.

Mr. Nielsen: The parliamentary secretary says "Nonsense". All one has to do is refer back to the advertisements this government put forward at taxpayers' expense, trying to sell its constitutional package before debate even commenced in Parliament. One can refer to the energy ads which went out previously and which apparently we are going to be saddled with again, at taxpayers' expense. They do not tell the truth. That statement I just read is not the truth.

Yukoners do not have jurisdiction over laws. They do not have jurisdiction over resources. Yukoners do not have the right to introduce money measures in their own legislative assembly when even the municipalities in Yukon have such a right. The minister retains the residual power to say yea or nay to anything done by the legislative assembly, the elected representatives of the people in the Yukon. The same situation pertains in the Northwest Territories. Therefore, it is utterly false for the minister to say that full responsible government has been enjoyed in practice if not in statute.

The government recently got itself into hot water on the disposition of federal lands by not publicizing their availability and not giving all Yukoners full opportunity of bidding on their disposition. The minister said in the same speech:

> That means that the decisions of the territorial government have been made by your elected representatives.

That decision certainly was not made by the territorial representatives. It was made by the minister's public servants in Whitehorse and in Ottawa.

> It also means, obviously, that they must be held accountable for their performance.

"They" refers to the territorial legislatures. That patently is not so in the example which I have just exposed to the House. It was not the territorial government which disposed of the lands in question, it was the federal government.

Let me get back to the Constitution. After having disposed of those matters which are of direct concern to Yukoners, I want to deal with these proposals in a national way. We have been dragged, all of us, into a great constitutional crisis because of the intransigence of one man. It is doubly dangerous and doubly deplorable that that man should be the Prime Minister of Canada.

Before going into the nature and causes of the crisis, let us look at the nature of the country which is being subjected to this divisive impact of the Prime Minister's obsession with rewriting the Constitution in this fashion.

Canada is a confederation; it is not a unitary state. That is to say, there is a central government having certain powers allotted to it in the Constitution as it now stands, and there are provincial governments which in turn have power over other matters. That is clearly understood and has been clearly understood since the Constitution was devised in 1867.

The Constitution did not spring full blown into being. It was the result of protracted study by elected representatives over a protracted period of time. Prior to being passed in the form of an act in the British Parliament, it received the approval of the legislatures of the provinces which became the first members of this federal state, this partnership. Those which joined later did it in the full awareness of the terms on which they entered.

I suggest it is ridiculous to treat the Constitution as a scrap of paper representing a British act of parliament. Macdonald himself in the constitutional debates of that day referred to the BNA Act as a treaty. Certainly it was an agreement among duly constituted governments, each having its own elected legislature, as to the form and shape that the future nation of Canada should take.

At no time was it contemplated that in the future nation the central government would have the power solely and of itself to amend or change the original articles of confederation. Had that been the case, it is quite obvious that lower Canada, which was to become the province of Quebec, would never have become a partner to confederation.

The Constitution of 1867 was in no way imposed upon Canada by Britain. It was a device, an instrument, created by Canada. The work of Macdonald, Cartier, McGee, Brown, Tupper, Tilley and other Fathers of Confederation was passed into law by the parliament at Westminster because that was the only method by which colonies could assume the mantle of nationhood.

The tragedy of our time is that the Prime Minister and his party are now in a position of attempting to divest Canada of national status and return it to the status of a client state of the parliament at Westminster. To hear the Prime Minister's vague and bombastic threats of independence or of following the example of Smith of Rhodesia is to show up the falsity of his position in its true colours.

Canada has been an independent nation since 1931 when the Statute of Westminster established that Britain could no longer make laws affecting this nation. That statute and that departure simply placed the capstone on what actually existed at that time. It was merely statutory recognition of what already was the de facto situation.

At the request of the provinces, it was decided that changes to the Constitution would continue to be ratified by Westminster and that parliament would retain its function as the custodian, the trustee, and nothing more, of the BNA Act. I want to emphasize that the provinces were consulted on the constitutional implications of the Statute of Westminster. They made recommendations, and those recommendations were adhered to even though they meant a radically different approach to the constitutional content of that statute.

● (1220)

It is quite clear on examining the precedents that the provinces were regularly consulted when changes were contemplated in those matters falling within their provincial jurisdiction. This was done by Mr. St. Laurent in bringing in old age pensions, it was done by Mr. King in implementing the unemployment insurance provisions, which were the brain child of the previous Bennett government, and it was done in many more cases, I believe eight in all.

It is all very well to say, as Judge Freedman did, that consultation was not necessary. What is important is that those changes, the carrying out of these changes, was on the basis of consultation, and those charged with the carrying out of these changes did consult. They felt at the time that consultation ought to be the process in which they engaged, and they did do just that. Certainly the frequency and directness of such consultations very distinctly implied the growth and recognition of constitutional convention in these matters.

It is not my intention to enter a legalistic treatise on the growth of the constitutional convention. Anyone who is interested can read Jennings and others on the subject; Dicey is another very comprehensive publication. Suffice it to say that on almost every occasion, indeed, on every important occasion when the interests and jurisdictions of the provinces were involved, there was invariably consultation at that point. That point was made with some force by Senator Maurice Lamontagne, with a good deal more precision than I, before the special joint committee.

These are political matters, they are constitutional matters. Canada is not some newly emerging nation whose Constitution is determined by sections or clauses put down on paper in the inner reaches of the ruling class, in the bowels of the Langevin Building. Our Constitution came from the people of Canada. It came from elected members of the provincial legislatures. It was thrashed out, debated, argued over, and what went to England in the last analysis represented a consensus of the most advanced political and constitutional thinking in this nation. Canada was not given birth by a piece of paper; Canada already existed in the hearts and minds of its people. The Constitution was simply a baptismal certificate, as it were.

Macdonald made it very plain that his chief aim was to conciliate the various provincial and sectional interests and devise what he thought was a compromise, a Constitution that would be acceptable. That was a major consideration.

We now have a new ball game and a new ball. We have a Prime Minister who is determined to be captain of the team and the umpire as well; he wants to pitch and call the strikes. He tried to impose his will on the provinces, then on the country, and now on the British. The Prime Minister and his party have confronted Westminster with a rewritten, an amended, Constitution to which a majority of the provinces object. The box score on that, Sir, is that eight of the ten provinces are opposed to the action now being taken, Ontario and New Brunswick being the only two exceptions. Six of the ten provinces are fighting the action in the courts. Quebec Liberal leader Claude Ryan is totally opposed. The New Democratic provincial parties of Saskatchewan, Alberta, Manitoba and Quebec have publicly spoken against the action. Four NDP Members of Parliament have broken with their party leader and their party and will vote against the Trudeau package in the Commons. An hon. member who spoke just yesterday, the hon. member for Montmorency (Mr. Duclos), has also broken with his party and will vote against it.

The Prime Minister and his puppets are riding roughshod over the provincial governments. He has overturned the unwritten convention, or is attempting to, of 100 years. If the federal government with a majority in Parliament can unilaterally alter the Constitution against the objections of the provinces then, Sir, this is no longer a federal state. The rights of the provinces mean very little if they can be altered or subtracted from at any time by a simple decision of the federal government with a parliamentary majority.

Above all, Sir, the Prime Minister's position underlines his attitude toward confederation and to the separation of powers. Why should he consult with the provinces? They might not agree. He says the consultative process is too slow. It may be slow but it is 100 per cent democratic. If the federal government and Parliament can unilaterally amend and rewrite the Constitution in matters confided to the provinces by the BNA Act, then the BNA Act is a dead letter. Whether the Constitution is a pact or a treaty, as Macdonald called it, or a simple statute of the imperial Parliament, it is a matter for experts to determine. In any case it does not affect the issue, as I see it.

Whatever it may be, the Constitution is an understanding between the federal government and the governments of the provinces, those who signed in 1867 and whose legislatures ratified that action, and those who came in later by free choice. In no single instance was a single section or clause of the 1867 Constitution imposed on any province. They were free to accept or reject. For more than 100 years that spirit of compromise and conciliation, as Macdonald called it, was followed in all matters affecting constitutional change. That is what has been altered.

A constitutional convention having a century of practice as its mandate has now gone. The understanding that the Constitution was not the business of the central government alone, but that the provinces had very clear spheres of jurisdiction and that they would be respected, is also gone as a result of this proposal. It is this understanding, this compromise, this spirit of conciliation, which has been torn asunder by the unrestrained ego of one man.

The Prime Minister says he is not waiting for the provinces. They are too slow in agreeing with him. He says it must be done in his way. We have heard those words before, Sir, from the lips of dictators and tyrants.

The publisher of *The Globe and Mail* was taken to task for using the word "Tyrant". I am surprised there is no objection across the way to my using it. According to the dictionary, a tyrant is a person who exercises power despotically. A despot is someone who acts in an arbitrary manner. A despot does not take advice; a despot must have his own way. A despot insists on pushing his ideas to the end, riding roughshod over the rights of others. A tyrant is in the same category. A tyrant sees only one side of a coin, and usually it is the side bearing his picture. The publisher of *The Globe and Mail* may have erred a little on the side of emphasis, but in principle he was right on. It is strange, sir, how sensitive the Grits are on these things. He was attacked not for what he said but for saying it.

• (1230)

There was a suggestion in the remarks of the Minister of Energy, Mines and Resources (Mr. Lalonde), the "minister of oil", as he is now called, that there was something wrong, not quite cricket, in the publisher of *The Globe and Mail* criticizing the Prime Minister's position. Saying what he said in England was even worse. It is hard to follow this kind of reasoning. We do not find the Prime Minister or his henchmen mincing their words in their references to the Premier of Alberta or even their friend, the Premier of Saskatchewan; but when the boot is on the other foot then the shoe pinches.

An hon. Member: One-party state.

Mr. Nielsen: If there is a one-party state in this country, it is over there. They are the believers in the one-party state, the advocates of rule by divine right. Nothing could be more evident in proving that situation than what the—

Some hon. Members: Oh, oh!

Mr. Nielsen: I cannot hear hon. members; I would like to enjoy an exchange with them if they would rise—

An hon. Member: You are getting to them, Erik.

Mr. Nielsen: —and put a question. It is not what is said that pinches but the mere fact that in this bright new Grit world of friendly thought control anyone would dare raise his or her voice in protest.

It is, above all, the press whom they fear and distrust. It was not by mere coincidence that, after the Toronto *Sun* had attacked the Prime Minister and his government some years ago in biting terms, the office of that newspaper was raided. This was something not seen before in this country and something not often seen in England or the United States, or indeed any country where democracy is practised.

Perhaps the shabbiest episode in this catalogue of manipulation, evasion and half-truths which in those around the Prime Minister passes for government policy, was the put-up job—for it can be nothing else—on the British High Commissioner. So sorry and shabby and weak was this performance that even the Prime Minister has adopted a Pilate-like stance, washing his hands before the assembled media the other day in saying he had no complaints against the British High Commissioner. How does he justify the sickness of the episode in which that valuable and dedicated official's name was dragged through the mud to serve the political purpose of this government?

The government wanted to open a rift with England, they wanted to put pressure on Westminster. Think of it, Sir, this little group of time-serving wasters of our nation's patrimony putting pressure on the Mother of parliaments! That was their motive, their objective, and they have now had to back off. A member of the NDP, which is now recognized as the official annex of the Grit party, the little red rump as it has been referred to, or some sort of halfway house in this House, became involved. When the conversation with the British High Commissioner was reported, then the Grits went into action.

What was this conversation? In a reception on his own premises the British High Commissioner gave his opinion on the reaction of the British government and parliament to the constitutional package. He was doing his job, which was to put forward Britain's views. When the NDP ran back and tattled to their masters, the Grits did not for a moment hesitate to embarrass the British government and their representative here for their own purely political ends. That is what is sad, even tragic, about the whole sorry, shabby episode. A government in Canada was using an ambassador of another country as a whipping boy, and that is precisely what happened. It was a kind of diplomatic mugging engaged in by the Grits with their socialist accessories, the little red rump.

I say with regret, sir, that the position of the socialist members in this whole constitutional imbroglio has been one of slavishly following Trudeau's whistle.

The Acting Speaker (Mr. Blaker): Order, please. I know that particularly with respect to the hon. member for Yukon (Mr. Nielsen) it is hardly necessary to draw his attention to that standing rule that we refer to each other by title and riding and not by name.

Mr. Nielsen: Well, of course, Mr. Speaker, when I used the term "Trudeau" I meant the Prime Minister.

When the Prime Minister needs them, he just blows his whistle, and like Pavlov's dog they come wagging their tail, automatically salivating as they travel. Even the attorney-general of Saskatchewan, Mr. Romanow, read them a lesson a few weeks ago on the folly of the position taken by the federal socialist party under its present leadership.

An hon. Member: A little red Tory.

Mr. Nielsen: Mr. Romanow is a little red Tory. Does the parliamentary secretary say that? I am sure he would be interested in learning of that opinion.

The hon. member for Oshawa (Mr. Broadbent) and his advisers have sadly misjudged the mood of Canadians if they think the Canadian people are going to sit still for an arbitrary invasion of the powers of the provinces, which is precisely what this is. The actions of the Grit government on the Constitution are more serious than that. They represent a massive power grab, a raid by the feds, a step back toward centralization in the destruction of the power of the provinces as operational entities in this country.

If the Grit majority in this House, along with the socialists, the puppet master and the puppets, can legislate in matters belonging constitutionally to the provinces using—and we know the term for it—the British parliament to impose constraints on the provinces which they are not prepared to accept, then, Sir, the provinces have been destroyed. They will cease to exist as viable structures. Anyone who examines the situation even briefly is compelled to come to that conclusion.

But that is not all. If the Prime Minister is balked in this mania of his, if Britain says "We do not have the mandate to do these things", then the Prime Minister issues threatening noises about what will happen. If the British say that they recognize the convention of consulting the provinces, and the indications are that they will, the consensus principle that prevailed in the Statute of Westminster of 1931, in unemployment insurance, old age pensions, the retirement of judges and other instances where amendments were made affecting the rights and prerogatives of the provinces, and if they say that they cannot seek to impose on the provinces of Canada in matters of their own jurisdiction principles originating at the federal level, then they are told by this government that they have no choice. I say, sir, that is simply not so.

I see that, despite the fact I have another 20 pages left in my carefully prepared speech, I have run out of time so perhaps I can deliver the other half at another time.

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Mr. Speaker, I must say I am very pleased indeed to have the opportunity of making a few remarks with regard to this historic debate on the Constitution of our time. I congratulate all those members who have taken part in this debate ahead of me, because many of them have made signal steps in the direction in which we want to go in this nation.

It will be an historical moment when we bring the British North America Act to Canada with a charter of rights and an amending formula. We are in effect cutting the Gordian knot with the past but at the same time retaining our traditions and institutions that have served us so well over the years. After 114 years the time has come to patriate our Constitution. It is what we all want, it is what the United Kingdom wants as well, and it is the last vestige of colonialism.

● (1240)

Times have changed over the 114-year period. Particularly in the past 54 years we have tried to patriate our constitution on numerous occasions. This has been attempted by a number of prime ministers, including Mr. King, Mr. Bennett, St. Laurent, Diefenbaker and Pearson, each and every one of them without any success whatsoever.

It is important that we consider a number of aspects of this constitutional package. I do not intend to dwell at length on the preamble, because I recall a preamble that was presented at the first ministers' conference in the Convention Centre by the Conservative government of Ontario. At that time the Prime Minister (Mr. Trudeau) was prepared to accept it, but the other provinces would not agree.

I will not dwell on the charter of rights because many others are taking a great deal of time to discuss each and every aspect of that matter from many points of view and with many reasons.

So far as the amending formula is concerned, whether it be the Victoria formula of 1971 or the Vancouver formula, it would appear that in any event there will not be any agreement, certainly in the foreseeable future, between all provinces on any kind of amending formula.

Returning to the charter of rights, I want to deal with only one fundamental, basic matter, language rights.

[*Translation*]

Mr. Speaker, for the first time in Canada's history the rights to education in the language of the minority will be guaranteed throughout the country. The charter of rights and freedoms will give all Canadians the right to have their children educated in their official language where the number is sufficient to warrant it. English-speaking Canadians who will settle in Quebec will have the right to have their children educated in English, and French-speaking Canadians will at last have the right to have their children educated in French no matter where they live in Canada. By guaranteering minority language educational rights we will entrench in the constitution the agreement reached by the provincial premiers in St. Andrews in 1977 and in Montreal in 1978, to wit, and I quote:

> Every child belonging to the French or English minority has the right to receive in his or her mother tongue his or her primary and secondary schools instruction in any province where the number of children is sufficient to warrant it.

The Constitution now includes other linguistic rights concerning the use of French or English in the legislative assemblies, before the courts, in the statutes and the parliamentary documents of Quebec and Manitoba. Those rights will continue to be guaranteed by the existing constitutional provisions. In addition, at the request of the New Brunswick government, the linguistic rights will apply to that province.

The Constitution acknowledges the right to use French and English in Parliament and before federal courts. Those rights will be defined in the Canadian Charter of Rights and Freedoms. It also includes other rights which are now part of the Official Languages Act and which will be entrenched in the Constitution. French and English will be defined in the Constitution as being the official languages of Canada. In it will also be spelled out the right of the public to communicate with the headquarters or the main office of the institutions of Parliament or of the Government of Canada, or to be given services in French or in English and, in regions where the number warrants it, the public will have the same right with respect to any other office of those institutions.

[*English*]

When we look at the proposed Constitution Act of 1981, which is the resolution tabled by the Minister of Justice (Mr. Chrétien) on February 13 of this year, in considering language rights we refer specifically to a number of sections, from Section 16 to Section 22. Section 16 makes English and French the official language of Canada and of New Brunswick, with equal rights and privileges as to their use in all institutions of government at the federal level across Canada and at the provincial level in New Brunswick. The section also assures that nothing prevents Parliament or the legislatures from providing for greater equality and use of the two languages.

Section 17 of the same resolution provides that any person has the right to use either English or French in the debates and other proceedings of Parliament and the legislature of New Brunswick. This right already exists, as we know, in the provinces of Quebec and Manitoba.

Section 18 requires that the statutes, records and journals of Parliament and the legislature of New Brunswick be printed and published in both English and French and makes both language versions equally authoritative.

In Section 19 there is provision for the use of English and French in all courts established by Parliament and in the courts of New Brunswick. It entitles any person to use either language before these courts orally or in writing and to have processes issued by the courts in either language.

Further, Section 20 will give members of the public the right to use English or French in communicating with or receiving available services from any head or central office at the federal level and from any other office whenever there is a significant demand for communication or service in such language due to the nature of the office.

Section 21 preserves the existing constitutional language guarantees, whether English or French, under Section 133 of the British North America Act, which applies particularly to Quebec, and under Section 23, which refers to the Manitoba Act.

Finally, Section 22 is designed to ensure that any rights or privileges existing with respect to languages other than English or French are not impaired by provisions of the charter.

It is important to note that an amendment has already been made to Section 20 so that the courts, rather than Parliament, would ultimately determine whether other federal offices should provide bilingual services. Also, the test for the provision of services in English or French would be based on a

significant demand for services in the language required rather than on the number of persons in the area concerned using the language. The amendment would also require the provision of services where there is a reasonable requirement for services, such as at airports and train stations.

While the federal government would like to see institutional language rights at the provincial level guaranteed in the Constitution, it will not impose such rights over opposition by the provinces. The charter provides minimum guarantees in attempting to achieve the widest consensus possible from provincial governments. Thus, when the provisions for institutional language rights at the provincial level included in the draft charter tabled at the first ministers' conference in September received virtually no provincial support apart from New Brunswick, the provisions respecting the provinces were withdrawn. However, the status quo is preserved, and both Quebec and Manitoba remain bound by existing constitutional rights.

As New Brunswick officially requested that these rights apply to it, this has been provided. The amending formula has been modified to facilitate the opting-in of any province, with the concurrence of Parliament, to any or all of the provincial language provisions listed in Sections 16 to 20 of the charter which I enunciated.

As most provinces—other than Quebec, Ontario and New Brunswick—do not have sufficient judges, lawyers and other court personnel trained in French, it would not be realistic to entrench the right of an accused to be tried in his own language in criminal cases. The Criminal Code now provides this right, which is enforced in New Brunswick, Ontario and the Territories. As other provinces develop the capability, the right is provided that if a province delays too long the Attorney General of Canada may unilaterally proclaim the provision in force after two years' notice. This amendment was already made to the Criminal Code, and it was enacted in 1978.

● (1250)

Provinces are encouraged to provide the same rights in civil cases as in criminal cases. However, until there is sufficient court ability in the second language, entrenching such a right would be illusory. The right now exists constitutionally in Quebec and Manitoba and by law in New Brunswick. Ontario now provides for some civil cases to be heard in French.

I should like to refer to an article which appeared in the March 6, 1981 edition of *The Toronto Star*. It refers to Premier Davis' speech to the Empire Club and is subtitled: "Conservative premier reaffirms his support for Pierre Trudeau's Constitution package". The article indicates that one of the key elements championed over a decade by the Conservative party in the province of Ontario has been this:

> The right of parents to educate their children in whichever of their own two founding languages they choose is protected where numbers warrant.

The article continues:

> To those, both here and in Ontario and elsewhere, who would attack me for not making Ontario officially bilingual I offer a simple and direct response. Unnecessary excess that corrects no injustice serves no purpose. Understanding and commitment to fairness, on the other hand, breeds tolerance and co-operation. We will not, in Ontario, be stampeded to repeat the mistakes of others. We will chart our own path, in fairness and understanding, in the broad interest of all Ontarians.
>
> In summary, we have a package of constitutional changes that are consistent with Ontario's traditional views as well as our perception of current needs. I regret that many of my fellow premiers do not share that over-all view, but to wait for unanimity would be to wait forever.

I suppose I have received more correspondence on the matter of the supremacy of God in the Constitution than on any other aspect of the constitutional package. Personally I believe in God. I note that God is referred to in our Canadian Bill of Rights at the beginning, where it reads in part:

> The Parliament of Canada, affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions:—

Without doubt, this is still the situation in Canada. The Canadian Bill of Rights will be adhered to, in spite of the fact that there is no mention of this in the constitutional package. Also I point out that God is referred to in our national anthem, "O Canada", in line 7 which reads as follows:

> God keep our land glorious and free!

Mr. Beatty: Sing it.

Mr. Robinson (Etobicoke-Lakeshore): Perhaps we should all sing it. Every day before question period in the House we have prayers; we mention God. The Lord's Prayer is recited every day, and I have no indication that this will change. The people of the country do not realize that we recite the Lord's Prayer every day before commencing our deliberations in Parliament. It is important for these people to know that we recite the Lord's Prayer and give God precedence in the chamber.

The hon. member for Edmonton East (Mr. Yurko) summarized it well when he said, as reported on page 8107 of *Hansard* of March 10, 1981:

> My belief in God is secure; it does not need to be enshrined in secular documents. It is now enshrined in the greatest of all constitutions—the Good Book.

God is there today and He always will be. Our Constitution must include a preamble which mentions God and other spiritual and national values. I am sure that such a preamble will be adopted in the course of the continuing constitutional discussions.

I should like to refer to another aspect of the constitutional package which is of great concern to me, particularly as a practising lawyer. An article appeared in *The Globe and Mail* on March 11, 1981, written by Mr. Roderick M. McLeod, who is a spokesman for the Canadian Association of Crown Counsel and assistant deputy attorney general of Ontario. Mr. McLeod contended that the provision in the charter of rights —Clause 24(2)—empowering the courts to exclude illegally obtained evidence in certain circumstances will result in the adoption by Canadian courts of the American rule of automatic exclusion of illegally obtained evidence. This is simply not the case.

According to Mr. McLeod, in the United States, the doctrine of excluding evidence obtained in contravention of the U.S. bill of rights—protection against unreasonable searches and seizures and the right to remain silent in the absence of counsel—has been developed by courts as an absolute rule designed to prevent law enforcement officers from violating a constitutionally protected right of individuals. The rule operates automatically in every case regardless of how minor the breach of the right and regardless of whether the admission of the evidence would cast doubt on the integrity of the administration of justice. This is why, in the *Williams* case referred to by Mr. McLeod, the accused was set free even though, on the facts of that case there did not appear to be a serious breach of his constitutional rights.

Mr. McLeod says that the situation in Canada, under the proposed provisions of Clause 24(2) of the charter, would be rather different. Clause 24(2) provides that a court shall exclude evidence obtained in contravention of a charter right—e.g., by an illegal search or seizure or by evidence obtained from an accused who has been denied counsel—only where it is established, having regard to all the circumstances, that admission of the evidence would bring the administration of justice into disrepute. Consequently there would be no rule of automatic exclusion of illegally obtained evidence. The accused would have to establish to the satisfaction of the court that the illegality of the manner in which the evidence was obtained was of such a serious nature that using it would bring the administration of justice into disrepute. The circumstances which the court would consider in reaching a decision would include (a), the extent to which human dignity and social values were breached in obtaining the evidence; (b), the seriousness of the case; (c), the importance of the evidence; (d), whether the harm to the accused was inflicted wilfully or not; and (e), whether there were circumstances justifying the illegal action, such as a situation of urgency where the evidence would have been destroyed or lost.

In other words, says Mr. McLeod, the underlying principles of the proposed charter "exclusionary rule" are twofold. First, to ensure a proper balance between effective law enforcement activities and the fair administration of justice; and second, to avoid the courts becoming parties to activities which are serious violations of charter rights.

By providing the test of "bringing the administration of justice into disrepute", we are clearly signalling to the courts that we do not want the adoption of the automatic and absolute exclusionary rule of the United States, but one which operates to curtail the use of evidence where it has been obtained in flagrant violation of charter rights.

May I call it one o'clock, Mr. Speaker?

The Acting Speaker (Mr. Blaker): I take it the hon. member for Etobicoke-Lakeshore (Mr. Robinson) has not completed his remarks.

Mr. Robinson (Etobicoke-Lakeshore): No, I have not, Mr. Speaker.

The Acting Speaker (Mr. Blaker): Then the Chair will recognize the hon. member at two o'clock in order for him to complete his intervention.

It being one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

The Acting Speaker (Mr. McRae): Order, please. When the House rose at one o'clock, the hon. member for Etobicoke-Lakeshore had the floor.

Mr. Robinson (Etobicoke-Lakeshore): Before lunch, Mr. Speaker, I was in the midst of my remarks in reply to an article in *The Globe and Mail* of Wednesday, March 11, 1981, by Mr. Roderick M. McLeod, spokesman for the Canadian Association of Crown Counsel and assistant deputy attorney general of Ontario. I would like to continue those remarks at this time.

Mr. McLeod quotes the dissenting opinion of Chief Justice Berger in the *Williams* case, which condemns the absolute exclusion rule. This is, of course, the position of the Chief Justice because of the fact that the rule is automatic and absolute, being applied without regard to the seriousness of the breach. As the Chief Justice noted in the 1971 *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics* case, cited at 403 U.S. Reports at page 388, a United States Supreme Court case, he is opposed to the U.S. rule because it represents a "mechanically inflexible response to widely varying degrees of police error". The proposed Canadian rule would allow for flexibility in determining when the breach of rights was serious enough to justify excluding illegally obtained evidence.

Mr. McLeod also asserts that the best means to ensure that the police observe the rights of persons is by "before-the-fact direction" or subsequent prosecution or disciplinary action for illegal conduct. The simple fact is that even if such *ex post facto* action occurs, it is of little solace to the person whose rights have been infringed. As Laskin, B. remarked in his dissenting judgment in *Hogan v. The Queen*, 1975, 2 Supreme Court Reports at page 574:

> Illegalities or improprieties attending the eliciting or discovery of relevant evidence are, on the orthodox common law view, *res inter alios acta*. They are said to have their sanction in separate criminal or civil proceedings, of which there is little evidence, either as to recourse or effectiveness; or, perhaps, in internal disciplinary proceedings against offending constables, a matter on which there is no reliable data in this country.

Laskin then went on to observe with respect to constitutionally protected rights:

> It may be said that the exclusion of relevant evidence is no way to control illegal police practices and that such exclusion merely allows a wrongdoer to escape conviction. Yet where constitutional guarantees are concerned, the more pertinent consideration is whether those guarantees, as fundamentals of the

particular society, should be at the mercy of law enforcement officers and a blind eye turned to their invasion because it is more important to secure a conviction. The contention that it is the duty of the courts to get at the truth has in it too much of the philosophy of the end justifying the means; it would equally challenge the present law as to confessions and other out-of-court statements by an accused. In the United States, its Supreme Court, after weighing over many years whether other methods than exclusion of evidence should be invoked to deter illegal searches and seizures in state as well as in federal prosecutions, concluded that the constitutional guarantees could best be upheld by a rule of exclusion.

As for the propriety of the courts using the test of bringing the administration of justice into disrepute as a basis for excluding illegally obtained evidence, Chief Justice Cartwright and Justices Spence and Hall, dissenting in *The Queen v. Wray,* a 1970 case reported at page 272 of the Supreme Court Reports, were clearly of the opinion that this was a primary duty of the courts. As Mr. Justice Spence remarked:

I am most strongly of the opinion that it is the duty of every judge to guard against bringing the administration of justice into disrepute. That is a duty which lies upon him constantly and that is a duty which he must always keep firmly in mind. The proper discharge of this duty is one which, in the present day of almost riotous disregard for the administration of justice, is of paramount importance to the continued life of the state.

In the present case, the confession or statement of the accused and also the information given by the accused as to where the weapon could be found, as Aylesworth J.A. pointed out, were procured by trickery, duress and improper inducements and they were clearly inadmissible. Moreover, as the Chief Justice of this court has indicated in his reasons the purpose of exercise of such trickery was stated by the inspector of the provincial police to avoid taking a chance that the accused, as the result of speaking to his lawyer, would not take the police to the place where the gun was found.

● (1410)

Under these circumstances, I am in agreement with the chief justice when he characterized the description of the situation by the Court of Appeal as not any overstatement.

I am of the opinion that were the trial judge to have, as he very properly did, excluded as inadmissible the statement of the accused and yet have permitted the Crown to have adduced all the evidence as to the accused's accompanying the police officers and pointing out to them the place where the weapon had been thrown away, in accordance with the information which he had given to them in the excluding statement, it would not only have brought the administration of justice into disrepute but it would have been a startling disregard of the principle of British criminal law, *nemo tenetur seipsum accusare.* Surely no authority need be stated to establish that as the most basic principle in our criminal law.

Mr. McLeod also expresses concerns about the manner in which the government changed its position between July, 1980, and February, 1981, on how to deal with the exclusionary rule in the charter. The simple fact is that the government was searching for a provision that would strike a proper balance between the absolute and automatic exclusionary rule of the United States and the common law rule in Canada which, with the exception of involuntary confessions, allows the admissibility of relevant evidence even when it has been obtained by illegal or improper means.

In this regard, the Special Joint Committee on the Constitution received submissions from many groups that Mr. McLeod characterizes as "misinformed special-interest lobby groups" which advocated some provision that would permit courts to exclude illegally obtained evidence in proper cases. These groups included bodies such as the Canadian Bar Association, the B.C. Civil Liberties Association, the National Association of Women and the Law and the Canadian Civil Liberties Association. The only groups before the committee advocating the maintenance of the existing evidence rule was the Canadian Association of Chiefs of Police and the Canadian Association of Crown Counsel.

Finally, in response to the specific questions that Mr. McLeod poses in his article, the following points might be made. First, the charter is not adopting the U.S. exclusionary rule, but a test which will require the accused to show that admission of illegally obtained evidence would, in all the circumstances, bring the administration of justice into disrepute. There is nothing automatic or absolute about this rule.

Second, the results in the *Williams* case would not occur under the proposed charter rule since admitting Williams' statement would not have brought the administration of justice into disrepute.

Third, both disciplinary actions against the police and the prospect of excluding evidence in cases of flagrant violations of rights by the police are considered necessary to ensure respect for civil liberties.

Fourth, the Supreme Court will develop interpretations of the new exclusionary rule which will establish guidelines for the lower courts and Crown counsel for determining when evidence is inadmissible.

Fifth, while the task force on evidence may be recommending against the U.S. exclusionary rule, that is not the rule which is being adopted in the charter. The rule adopted in the charter is the same as that proposed by the Canada Law Reform Commission in its report on evidence in 1975.

Sixth, the wording of the proposed exclusionary rule is not inconsistent with any provision of the United Nations covenant on civil and political rights which does not deal with admissibility of evidence.

Seventh, the report of the McDonald commission on the RCMP is not relevant to rules relating to admissibility of evidence.

Eighth, the suggestion that rapists will be turned loose in the streets despite their guilt because of a technical error by the police is nonsense, since the test for exclusion in the charter would not apply to minor breaches of the charter rights.

Ninth, the government's flexibility in the development of the exclusionary rule is simply an illustration of its desire to develop the best charter possible, taking into account the views of the groups which appeared before the committee and the members of the committee themselves.

In sum, Clause 24(2) of the charter seeks to strike a proper balance between the interests of the effective administration of justice and the interests of the fair administration of justice.

Attempts by the police and Crown counsel to create in the minds of the Canadian public fears that the exclusionary rule will turn our cities into havens for criminals who would otherwise be behind bars is to do a serious disservice. The proposed rule is not the same as the exclusionary rule in the United States and should not be held forth as such.

Time does not permit me to deal with some of the other aspects of this matter that I should like to deal with, so I shall sum up by saying that this constitutional package is enormous but necessary at this time. As Canada enters the eighties with a new made-in-Canada Constitution for the century ahead, it is clear that creating a Constitution is a painful, agonizing experience, as the Fathers of Confederation found out. In some ways, what we are going through now is not unlike the process we went through in getting our Canadian flag and our national anthem. But who would want to take them away today?

We need to patriate the British North America Act, our present Constitution. We need a charter of rights and freedoms and an amending formula, and we need them now.

Mr. Albert Cooper (Peace River): Mr. Speaker, I rise today with somewhat mixed feelings. There is always pleasure in participating in a historic debate, yet for me there is a certain amount of sadness in this participation. The pleasure comes from taking part in a golden opportunity that has been presented where we can finally do something about our Constitution and where the first concrete steps toward constitutional reform can be taken.

There is still a certain amount of sadness, however, in that this golden opportunity has been seized by the government and used to achieve its political ambitions, its nearsighted visions of constitutional reform. This seizure is dangerous because the blatant attempts of the government in this direction have tended to destroy the principle upon which this country is based, that being the spirit of co-operation and consensus which is essentially known by all of us to be the federalist nature of Canada. It cannot be denied that the fundamental nature of Canada rests on the philosophy of federalism. As a government of a federation I think we should understand that the steps to good constitutional reform are, first of all, the steps of co-operation, steps of agreement, and steps of consensus. All of those are steps of unity.

Then we must ask how those steps can be taken, Mr. Speaker. I think this is fairly simple. We begin with simple patriation, followed by entrenchment of an equalization formula and an agreed upon amending formula. So we have a solution which is ludicrously simple; in fact, it is so simple that it has escaped the discerning eyes of hon. members opposite and of many, but not all, members to my left.

I believe that it is in fact possible to get agreement, not necessarily unanimity but certainly consensus, on a number of matters, such as patriation, on which we already have agreement; on equalization, which we know we have agreement for; and on an amending formula, on which we have already had substantial agreement. This would be acceptable. It would be the logical federalist approach and it would certainly be in keeping with the federalist spirit of Canada.

The government does not appear to want to maintain that federal spirit, however. It said as much on October 22, 1980, when the government and the NDP newlyweds voted against a Conservative motion which called for immediate patriation with an amending formula. That motion met with a degree of consensus and had it been given approval the Constitution would have been brought home. It would have been amended in Canada by Canadians and would have been the greatest exercise in unity in history.

That is what the majority of Canadians support. That is what the provinces support and that is certainly what the Conservative Party supports. Unfortunately, it is not what the Liberals and the NDP support. They want what the majority of Canadians do not want. In fact, recent polls indicate that 60 to 65 per cent of the Canadian population do not want unilateral action and that 80 per cent of the provinces do not want it either.

Hon. members opposite probably wonder why almost the entire nation is opposed to unilateral action. In order to attempt to answer this question I should like to ask one more question, one that is essential and with which all of us must come to grips. That question simply is: What is Canada? It is a simple question but at the same time a very difficult one. It is difficult in that we would probably receive as many different answers as we have different people.

● (1420)

For me, to describe what Canada is I have to think in terms of people and friends. For example, a friend who is a farmer in the Peace country; another friend, a banker who lives at the other end of the country in Prince Edward Island. Then I think of a friend who is a pipefitter living in Yellowknife in the Northwest Territories, and finally of a friend who lives in Vancouver and is a carpenter. Those people coming from wide regions, miles and miles apart, are Canadians and are essentially what Canada is. If I were to ask each of them what they thought of Canada, their answers would be different. Their answers would be very different because they come from different provinces and different regions. They have different lifestyles. They come from different economic strata having different desires and different goals. They have different conceptions of Canada.

Yet if we were to put them all together in one room, a very solid concise common denominator would exist. A togetherness, a camaraderie, would exist between them. It exists because they are all citizens of probably one of the most unique nations on earth. A togetherness exists even though people live thousands of miles apart. They know they live in a country traditionally willing to pull together, to co-operate and to help those in need, whether they live a thousand miles away or next door. They live in a country where consensus has been and is a way of life. It has made it possible for these friends of mine, the banker, the farmer, the pipefitter and the carpenter, to pull together, even though they may well be pulling for somewhat different goals and dreams.

It is this consensus and co-operation which allows those differences to be a unifying force, not a divisive force. The miracle of our federation is that differences can in fact be a unifying force. But what makes us a federation? It is very simply the fact that we have sovereign, democratically elected governments on two levels, provincial and federal.

We have such diverse goals and dreams, yet we expect both levels to pursue our dreams. Of course, the provincial level looks much more at regional dreams, the closer to home aspirations and things which have a close relationship interest. The second level, the national government, deals in a sense with our broader goals and our broader dreams. But that is not to say that the federal government alone acts for our national interests. The provinces, too, can act in our national interest, although this government would have us believe that only it can act in the national interest.

These two levels, each sovereign, each pursuing regional and national goals, make us a federal state and not a unitary state. We are a partnership, a cohabitation, a nation of different people from different regions coming together. We cannot escape that fact. Yet these people living together in harmony is the essential spirit of consensus and co-operation. It is that same essential federalist spirit. The Prime Minister (Mr. Trudeau) himself is well aware of what the spirit of federation is.

In 1964, in a speech at the Charlottetown conference when the Prime Minister was still a professor of law at McGill, he defined our federation as follows:

> Federation is by its very essence a compromise and a pact. It is a compromise in the sense that when national consensus on all things is not desirable or cannot readily be obtained, the area of consensus is reduced in order that a consensus on some things can be reached. It is a pact or quasi-treaty in the sense that the terms of that compromise cannot be changed unilaterally. That is not to say that the terms are fixed forever: but only that in changing them, every effort must be made not to destroy the consensus on which the federated nation rests.

He seemed to know what he was talking about. Has he now either forgotten what he once said or has he decided we should not remain a federation? Has he decided we should not remain a nation of consensus or a nation of co-operation? Instead, he wants us to be a nation of one government rule, a government that needs not to consult nor seek consensus. Instead of a government that would take those differences and turn them into a unifying force, this government is turning those differences into a divisive force. It is turning us away from the path of federalism, for if there is no consensus, there is no federation, as professor Trudeau himself stated in 1964. What there was then, and what we have now, is unilateral action. We have a unitary government with no goal either of consensus, or attempts, as the Prime Minister then put it, to "limit the field of consensus".

The question must be asked: What will the end result of unilateral action be? As the Minister of Justice (Mr. Chrétien) stated in a speech to this House on February 17, 1981, will it be that Canada will be "compensated" once the "strike and the discord and abuse" of this government's unilateral action is behind us? Will unilateral action forever sweeten future relations, as the Minister of Justice would have us believe? Will it create a mood that will lend itself to future consensus? Or will unilateral action forever taint future federal-provincial relations? Will it forever entrench a prevailing mood of tension? Will we become a wholly unitary state? These are all interesting questions and time will tell. But now is the time for us to look at the results of that.

First, I would like to read a passage from the infamous Kirby memo which outlined the possibilities for the federal government on federal-provincial negotiations on the Constitution. On unilateral action by the government, we read in the memo:

> Ministers should understand that the fight in Parliament will become very, very rough.

So much for spirit of consensus and co-operation. So much for the rewards of federalism. This "very, very rough fight" will no doubt leave a bitter taste in our mouths, a taste which will not easily be forgotten. How does this government defend unilateral action? This government says that unilateral action first is okay because it is the voice of the people, that the government has been given a mandate and therefore it is carrying out the will of the people. The government says also that it has the support of western Canada because of the NDP alliance.

Neither of those points holds water. On the first point I would remind hon. members opposite that a voter's mandate is given and applies only to a program on which the successful party campaigned, plus the administration of public affairs. As I remember, the February "18-cent election" was not a July 1 deadline election. On the second argument, that of NDP support, we all know how slipshod that support is. We know that most members of the NDP are not speaking for their constituents, they are speaking only for their leader, the hon. member for Oshawa (Mr. Broadbent) who, in turn, is just another mouthpiece for the Prime Minister.

What does the real NDP voice for the west say, the voice from Saskatchewan of Premier Allan Blakeney? He has said:

> Should we not try to ensure that patriation, if it goes ahead, is accomplished in a way that minimizes dissension? Will it serve Canada's interests, at this point in our history, to compound division with division?

That is the voice from Saskatchewan. The same thing is being repeated by the premiers in Manitoba, in Alberta and in British Columbia. Division upon division, that is the result of unilateral action. If we multiply that division upon division by decades, we can see the result of this unilateral action down the road. We can see what it would be like to turn this nation into a unitary state.

Even the ghosts of constitutional reform past against unilateral action are beginning to rear their heads. For instance, we awn look back at the Fulton-Favreau white paper. This was a Liberal task force. In that white paper we read:

> The Canadian Parliament will not directly request an amendment directly affecting federal-provincial relations without prior consultation and agreement with the provinces.

That is what was said by Liberals not so very long ago, yet these Liberals do the exact opposite. They do not seek agreement with the provinces. There is no agreement, but they do not care. There is no consensus, but again we hear them say "who cares?" I care, Mr. Speaker. Canadians care. What we do not care for is unilateral action.

However, the Prime Minister creates the illusion that he does care. For example, on November 5, 1980 the Prime

Minister told the partisan gathering of the Ontario Liberal Association the following:

The west demands a new deal from confederation and the federal government must help bring it about—I believe that for Ontarians to say no to the aspirations of the west today would be to say no to your own tomorrow.

● (1430)

Is it okay for the Prime Minister to ignore the west but not okay for Ontario? Again he can be seen as going directly against his own advice, for he is not paying attention to the aspirations of the west by moving unilaterally.

Then there are his compatriots in Quebec, the Liberal party of Quebec, headed by Claude Ryan. Does Mr. Ryan agree with the Prime Minister's unilateral action? Does the party agree with the Prime Minister? Obviously the answer is no. The message of Mr. Ryan's beige paper states that the essence of Canada is federalism.

Then we come to the leader of the New Democratic Party, the hon. member for Oshawa. Even he realizes the dangers of unilateral action. He stated on the opening day of debate on this resolution that the way the Constitution is changed is almost as important as the substance. He said: "We could have a situation of grave danger."

What caused him to change his mind? Perhaps he agrees with the Prime Minister that Canada should not be a federation, that all decisions should be made in Ottawa and that the provinces should serve no real purpose. Perhaps he agrees with the Prime Minister that Canada should instead be a republic and not a federation, as was indicated by the Prime Minister's remarks on November 23, 1979 when he stated that a republic might be better for Canada.

Is this the ultimate goal of the Prime Minister, the transformation of Canada into a republic? Is unilateral action merely the tool that will wipe the provincial governments off the face of the map? Many members opposite would say it is not so. They would tell us to read the words of Liberals in this House the day after the referendum.

I recall all too well the emotional rhetoric, the calls for reform, change, co-operation and consensus. What has happened since? The Secretary of State for External Affairs (Mr. MacGuigan) said as far back as October 21, 1977 that "fuller consultation by the federal government" is needed. He said the areas of the country must be made to feel that they are being consulted. Where is the greater consultation? Does he call a week in September greater consultation?

I return to the day after the Quebec referendum when the Prime Minister said:

What we must do is chart a new course and agree upon a common itinerary toward that common destination.

Is the July 1 deadline a common itinerary? Is this amending formula, this charter, this referendum, the common destination? He continued:

We shall constantly need the support of the Canadian people.

Where is the support? He does not have the support. He went on to say:

We are also counting on the support of all provincial governments, including that of Quebec. We shall all have to agree on the basic principles underlying our efforts. We have to be receptive to the needs and aspirations of all Canadians to stick together.

Those are his words, "to stick together". Has he lost the glue? If so, I would like to help him out. I have my own special brand of patriation glue. It will adhere to simple patriation, it will hold fast to equalization, it will bond permanently to an agreed upon amending formula. But it has a word of caution on it. It says "Danger; not to be used with unilateral action". Glue will fail to keep nations stuck together if used unilaterally.

Maybe my glue is not so good after all. I doubt that there is a glue that will work on this model we are debating here today. I cannot help but ask, where are all these words of the Prime Minister now? What happened to "aspirations of all Canadians" and "stick together" and "we all have to agree"? Perhaps those were just words to the wind and nothing more.

Then we have the words of the Minister of Justice on that same clear day in May when things looked so bright. What did he say? "But Canada is a federation." Those were his words. He also said: "We must consult the provinces." He consulted but he would not limit the area of consensus. He had the charter of rights in his hand, but in the words of the Prime Minister the charter was non-negotiable. Therefore, if the provinces did not agree with Ottawa, that was too bad for the provinces. That is the Liberal brand of consensus, the Liberal brand of federalism.

Let us take a closer look at that non-negotiable item. When we look at this charter, we must remember who it is for. It is for my friends in Vancouver, Prince Edward Island, Yellowknife and Peace River. Does this charter speak for them? Does it graciously grant them rights they do not already have? Does it make them the masters of government and not the servant? This government wants them to believe that it does these things, but I and the people of Peace River know that they have this right. They know they are not the government's for the giving. This government chooses to pretend that we are the slaves who must submit to their whim.

I and the people of Peace River have no objection to an entrenched charter of rights. What we object to is the means by which this charter is to become entrenched. We do not want this or any charter entrenched if it means sacrifice of the fundamental principle of federalism. On October 17, 1977, as recorded at page 36 of *Hansard*, the Prime Minister said that the people of western Canada—

—feel that they are not given enough opportunity to participate in setting up a national policy. They feel they are too remote from the central government in Ottawa, and left out of the centre of decisions.

The unilateral entrenchment of this charter is a typical example of what the Prime Minister referred to in that statement. Therefore, I and the people of Peace River country object to this charter. We object to the state being master, graciously granting the rights to the people who are therefore the servant. If the people say to the state that they do not want the state's charter or unilateral action, then the state must not and cannot follow through against the will of the people.

The Liberal Party accuses the Progressive Conservative Party of being hypocritical when the PC Party says the charter is desired, that patriation is desired, that equalization and an amending formula are desired, but we will not support Liberal formulas. It is the Liberals who are being hypocritical. They will not include numerous rights in the charter, such as the fundamental right of access to information and property rights, because they say there is provincial opposition. Yet the Liberal formula is opposed outright by 80 per cent of the provinces. If the government is concerned about provincial support, it would withdraw the package completely or agree to the Conservative amendment of the hon. member for Provencher (Mr. Epp). It will not do so due to its ability to speak out of both sides of its mouth.

The Conservatives support the idea of a charter, as do the people of Peace River and, I believe, of western Canada. In fact, I believe the majority of the people of Canada support it. However, there is no support for this unilateral charter. The people want a charter of rights of and for the people, of and for natives, anglophones, francophones, ethnic minorities, women, men, children, the handicapped, property owners, even provincial governments.

This charter is inadequate. The people do not want this charter because there is no consensus and no agreement. If this government supports this package, federalism will be dead and unitarianism will live. We will have a unitary state with unitary attitudes, a unitary Constitution and a unitary amending formula. Although this formula has the facade of consensus, the referendum clause turns the amending formula into a unitary amending formula.

Canadians are asking themselves about the importance of an amending formula. It is the fundamental cornerstone of future development in our political structure, the foundation of the future path of national relations and will dictate our ability to accommodate change. In fact, it will dictate how we will be able to evolve, expand and exist together in harmony as a nation. It will dictate whether or not we will continue to thrive on consensus and co-operation, or if confrontation and division will become the order of the day.

● (1440)

The amending formula chosen, if the path of consensus is the desired one, must adhere to the following very simple principles. First, it must prove practical under close scrutiny. Second, there must be a consensus on the formula itself, because without consensus on the formula, consensus after will be difficult if not impossible. Third, it has to be fair to all parties.

Let us look at the formula we are discussing here today. That formula does not adhere to either condition. Under close scrutiny basic flaws can be seen. First, a permanent veto for Ontario and Quebec is illogical if the population of the west increases as the population of the east decreases. The premise for the reason that Ontario has this veto is the number of people in that province. If that is in fact the premise, then it must also be the premise that if the population is not retained the veto must be lost, for the reason for granting this veto would no longer exist.

Since the 25 per cent veto formula is applicable to any province that has or had that percentage of the population, it is stacked against the western provinces and is in fact in favour of the central provinces.

The 1976 census showed that Quebec had 27.12 per cent of the population, and according to StatsCan Quebec will be down to between 24.6 and 23.2 per cent by the year 2001. At the same time, the population of western Canada is predicted to rise from 27.2 per cent in 1976 to 31.9 per cent by the year 2001. Thus we can see that the western provinces would be reduced to second-class citizens.

Third-class status would then be conferred upon provinces such as Saskatchewan and Manitoba. That very simply is because the western provinces can veto only if at least two of the provinces having at least 50 per cent of the population choose to do so. Manitoba and Saskatchewan together do not have 50 per cent of the population of western Canada, yet they represent 50 per cent of the western provinces. They are not equal, then, in status to Alberta and B.C., and the west as a whole is not equal in status to each of the central provinces.

The second condition I referred to was the degree of consensus the formula must meet, and again I suggest there is none. The government is implementing an amending formula that does not even meet the very conditions it dictates as the procedure for future amendments. It does not have the support of every province that has or had at least 25 per cent of the population. It does not have the support of at least two of the Atlantic provinces and it does not have the support of any of the western provinces. The Liberals and NDP are thereby giving this House and this nation a first-rate lesson in hypocrisy, because their own formula cannot even pass itself.

An alternative has been submitted by my party which meets these two fundamental conditions. This alternative, which was dismissed by the Liberals and the NDP, treats all Canadians as equals and treats the provinces as equals. It recognizes the larger provinces with the rule that at least 50 per cent of the population of Canada must support any proposed amendment. It also recognizes the eastern and western provinces as strong voices. It is also just in that there has been an amount of consensus with the provinces as to its use. Final arrangements would have to be worked out, but that is not impossible. A deal could be arranged which would be in keeping with the spirit of consensus and co-operation that is so important, and in keeping with the federalist nature of our country. No province would be relegated to second or third-class status. Negotiations between the federal and provincial governments, even though they are not automatically possible, are not impossible, and I believe strongly that with the proper attitude on both sides, attitudes that lend themselves to those two key words "co-operation" and "consensus", our efforts would bear some fruit.

Canadians have traditionally been able to operate within the framework of co-operation and consensus; why not now? In the past the provinces have sat down with the federal govern-

ment at the negotiating table and have come to agreements over pacts and have arrived at money agreements, such as various fiscal arrangements affecting the tax structure and revenue sharing, the Canada and Quebec pension plans, medicare and hospital insurance plans, welfare assistance programs, money for post-secondary education, manpower training programs—the list goes on and on—immigration policy and the many other things on which there has been agreement in the past. Why can we not expect agreement now and in the future?

This government chooses to ignore or forget the past. It chooses to go the route that would forever destroy the spirit of co-operation and consensus. Is this, as the government contends, because of the fact that the very nature of our country is changing? Is it, as the Prime Minister says, because agreement is no longer possible? My answer is, the reason agreement cannot be achieved is that this government does not want agreement, it does not want consensus and it does not want co-operation, except in the case of agreement with the provinces on the basis of its specific plans.

I should like to quote again to this House what the Premier of Saskatchewan said, and this should interest the members sitting to my left. He said in a speech to the Dalhousie law alumnae:

> The process permits a referendum where provincial legislatures fail to agree to a proposal for constitutional amendment. It is a way to temper provincial intransigence, but not federal intransigence.

The federal New Democratic Party should follow the Premier of Saskatchewan because Premier Blakeney was right in his remarks. The federal NDP should reject this package. It should reject this amending formula and its provision for the referendum. It is a referendum that would allow the federal government to bypass the provinces now as well as in the future, a referendum that would do away with co-operation and the motivation the federal government needs to reach consensus, one that would in fact do away with federalism.

For the reasons I have listed, I and the people of Peace River, the Progressive Conservative Party, eight out of ten provinces and, indeed, the majority of the people of Canada, have chosen not to support the government referendum and amendment clauses.

Let me look at the history of the referendum. We can see it has a rather marked past. It has been used in many cases to abuse the established system of government, whether that be a system of democratic government or the system of co-operation and consensus.

France in 1958, against a background of political instability, under the de Gaulle government, initiated a referendum that gave him the powers of a near dictatorship. Germany in 1934, while the Nazi party served as the force of propaganda and momentum, initiated a referendum that granted Hitler unchecked executive powers and enabled him to establish himself as a dictator. Canada in 1944, under Prime Minister Mackenzie King, initiated a referendum on conscription that split the country into two permanent factions. Had that referendum been avoided and had the government of that day acted with responsibility, we possibly would not have been left with the legacy of anti-Anglophone and anti-Francophone influences with which we have had so much difficulty dealing in the past.

Now the government wishes to entrench an amending formula complete with a referendum that will enable the government to initiate referenda on its own recognizance. The result would be to divide and conquer the people of Canada. The government would be the conqueror and the people would be the conquered.

● (1450)

It is time to stop and ask ourselves if this Parliament would be doing the right thing in passing this resolution. We are not doing the right thing if we send this document as it stands before us to the British parliament.

In conclusion, quite simply I am trying to say to this government. Let us stop and think about the spirit of our nation, about the backbone of Canada, which is federalism and the spirit of co-operation and consensus. Think about the effect unilateral action will have on that spirit. I submit it will be broken; the backbone will in fact be shattered.

I ask hon. members opposite to ask themselves what will become of Canada without the backbone of federalism, without that spirit of consensus and co-operation. Canada may still exist without it, but would there still exist the will of the people in the west, in the Atlantic provinces and in Quebec, to continue to fight for a better Canada? Or would the fight turn into one of region pitted against region, province against province and people against people? Will the loss of this spirit of co-operation, of the backbone of federalism, not result in division and conflict?

I believe that this government has a clear choice, one of consensus, of federalism, or the choice of unilateral action, of a unitary state, the choice of division. I do not think that choice is difficult. I think a five-year-old can see it, and I would ask this government to stop and listen to that five-year-old. I ask that they listen to the concerns of all Canadians.

[*Translation*]

Mr. Claude-André Lachance (Parliamentary Secretary to Minister of State (Trade)): Mr. Speaker, François Mauriac wrote on one of his Blocs-notes, and I quote:

> I remain on the side of those who mistrust the pretexts and excuses invented by the strong to ensure their domination and have us believe that might is right.

Recent history, as far as constitutional moods are concerned, compels us to be guarded, if not outright suspicious when dealing with these issues.

Some people have claimed that the hon. member for Rosemont has serious misgivings concerning the resolution under review. They are right and I mean to look into them now. They have also wondered how he would vote. That I leave for some other time. But what are these misgivings, Mr. Speaker? Through their elected representatives, the Right Hon. Prime Minister (Mr. Trudeau) invites all Canadians to join with him

in his constitutional proposal and justifies his move by the need to positively affirm the supremacy of the people in the enjoyment of their fundamental rights and assert our national autonomy in our statutes. This move which is in keeping with its underlying symbols and which all Canadian men and women should greet with pride and enthusiasm, having regard to our maturity as a nation, causes only resentment, anathema and what is worse, indifference among those towards whom it is directed.

How could this happen? As a great many other Canadians, I keep asking myself this question with nagging insistence and I formulate it at the start of my intervention in this debate which could have provided not only a futile consolation for our upside-down history, but an opportunity for mutual comprehension to those who still believe in tolerance and our collective destiny. Alas! because of the dichotomy created by a concealed antagonism and two opposite visions of our country, as well as the hardening of positions along party lines, the present debate has bogged down in abstruse rhetoric, which is both unfortunate and revealing at the same time.

First proposition. We must realize that past attempts at amending the Constitution by time-honoured methods have failed. Again, how could that have happened, Mr. Speaker? On the one hand, I think that we must definitely impute part of the blame on the protagonists themselves who, for all sorts of reasons, have been unable or unwilling to bridge the enormous gap created by partisanship, regionalism, sectarianism, distrust, mental fatigue, immobilism, egotism and egocentrism.

But in so doing, I feel we would be unfair toward those men. There is not a single woman in the lot of them, who have tried nevertheless to answer the difficult question which we ourselves, as legislators, have to discuss in the course of this debate. I feel part of the blame should also be put on those very institutions that have been used, of which the privileged and typically Canadian vehicle of the federal-provincial conferences, in an effort to reach a consensus. That mere word consensus, Mr. Speaker, sums up the dilemma we face. For, as far as I am concerned, the rule of consensus is precisely one of the main reasons why we are discussing this resolution today, a resolution that sanctions the unilateral vision of the constitutional reform, which the Canadian government decided to bring before us.

Some have suggested methods to better achieve what must be done. There has been talk of constituent assemblies, and I must say the concept really appeals to me in that I find it attractive and sparkling, that of a constituent assembly where persons elected for that specific purpose would, by virtue of their mandate, make a new Constitution, leaving it to the elected representatives to look after the nation's business. However, the problems of setting up a constituent assembly remain the same, in the final analysis, as those we have to solve today. And as things stand at present, I unfortunately no longer feel that the concept of a constituent assembly is that miracle cure, the panacea to all our ills, the ideal system through which we could solve all our problems.

Others have suggested other techniques, that of a standing, so to speak, provincial conference on the Constitution. The introduction in the constitutional resolution for the next two years of the concept of an annual federal-provincial conference could have been that constitutional entrenchment of the principle; for my part, Mr. Speaker, I would rather a time limit had not been set for that concept, that is, the principle of an annual federal-provincial conference on the Constitution, but that instead it be incorporated into our institutions, our textbooks, even though I may be accused of being slightly masochistic in my approach, since discussing the Constitution annually might be to entrench forever the melancholy constitutional mood of Canadians.

Second proposition. The unilateralism of that process and the temporary sanction of a certain vision of federalism. The federalism of seniority which the Minister of Transport (Mr. Pepin) referred to in a brilliant and pithy account coming from a man who in this debate cannot be accused of not having been through the ranks, deserves to be read and reread, analysed, digested and finally, to my mind, accepted inasmuch as that federalism of seniority under which this constitutional resolution is being presented is the only justification for the steps being taken or suggested by the government today.

Now, if it were only a matter of federalism of seniority, I would sit down immediately, and the answer would be obvious to me: I would have to vote no. But the problem is more complex. Indeed, as long as we have not determined, as Canadians, the respective balance offered by those two concepts, those two visions of Canada, that on the one hand, of the pan-Canadian federalism, the federalism of seniority which is that of the Right Hon. Prime Minister and others, and on the other hand, the federalism based on a community of communities of which the provinces are the main protagonists, and which the Progressive Conservative Party espoused in this House and also champions, then I feel it will be next to impossible to solve our constitutional problems once and for all.

● (1500)

On the other hand, if we realize as I do, all things considered, the failure of that pathetic contest last September, of that battle of leaders trying before us or before the television cameras to answers those same questions, as long as that problem is not solved, it will remain for me a constitutional status quo.

We are therefore facing an alternative which is not really one. The failure of September establishes the status quo for all practical purposes—and I will come back to that—namely, that we are ratifying a constitutional bid for power in the name of principles which may be tangent in many respects but which give us some hope of a breakthrough. However, I would

like to state again my own views on this matter which indeed amounts to Pascal's wager.

Third proposition. I do not agree with the argument to the effect that we forgo our responsibilities when we ask the parliament of Westminster to make a decision for us.

Once the concept of a federalism of seniority is accepted, if not in essence at least in its application here, it is actually the Canadian people who are dealing with this matter. Along with our colleagues opposite, we represent the Canadian people. And after we have discussed all those issues ad nauseam and made our decision, I feel it would be pointless to ask a foreign Parliament to pass judgment on our decision; it should accept it. This does not necessarily mean that this process is politically fair or not, but as far as its legitimacy is concerned, I think that there is no other alternative once our decision has been made, and the Parliament in Westminster has to agree. Fourth proposition. Some people have suggested that the resolution before us is a valid answer to the referendum commitments made to Quebec. On this assertion, I must say that I readily agree with my colleague the hon. member for Montmorency (Mr. Duclos) in answering no! This is not an answer to our referendum commitments, this is an instrument which the government is acquiring for its own use, for the use of all Canadians, rightly or wrongly, hoping that this new procedure will provide a way out of the deadlock and bring about the changes that Canadians and Quebecers want. However, when one contends that this is a final or even a partial response to our referendum commitments, personally, I do not agree.

Fifth proposition. It has been asserted that hon. members felt, or were actually pressed by considerations of a partisan nature. To be honest, Mr. Speaker, as far as I am concerned, this is not the case. I will do my utmost to explain the decision I will take when the time comes to vote. I resent somewhat the attitude taken by the Progressive Conservative Party when they decided not to vote on the first amendment they introduced. This would have given other members a chance to introduce other amendments which, in turn, could have been debated and voted on in this House.

To sit on this amendment for five weeks will result in just one thing: it will encourage the government into eventually limiting the debate. This is what I regret deeply. On the other hand, if the Conservative Party had agreed to give this House the opportunity to have a vote every three or four days, and decide on the many amendments that would have been introduced by members on both sides of the House, we would not find ourselves in this cornelian situation as we are now. Mr. Speaker, I for one would have liked to introduce amendments to this resolution, but I will not be able to do so, in the light of recent developments and considering the strategy followed by the Conservative Party.

Mr. Speaker, I would now like to come back—

An hon. Member: Question?

Mr. Lachance: Mr. Speaker, I believe I have had the courtesy, since the start of this debate, to listen to my Conservative and other colleagues without interrupting them, and I would ask the hon. member who just interrupted me to do the same with me.

And now, Mr. Speaker, I would like to analyse the resolution itself and its three main components. First, the charter of rights. We have heard a lot about the constitutional entrenchment of a charter of rights. The least that can be said is that the principle itself does not command unanimity. Some people, including a number of provincial premiers, spokesmen for academic circles and certain members of the House claim that our rights do exist and it is not necessary to entrench them in the Constitution, and there I agree with them. Those rights do exist in Canada and, despite certain unfortunate events in our history, there is no doubt that when it comes to protecting the rights of the citizens the society in which we live is the envy of many others. Other people, including other provincial premiers, this government, members of the House and representatives of the academic world claim on the contrary that the constitutional entrenchment of rights can only give them a certain solemnity which in future will enable Canadians to hail the Constitution in support of their rights.

Both arguments are valid. The fact is that we are studying a resolution which calls for entrenching our rights and, to the extent that it gives more to Canadians than it takes away from them, I endorse it. That being so, it must still be pointed out that Canadian courts have not been unduly favourable to the existing Canadian Bill of Rights. After the spectacular Drybones decision our highest court went through a legal desert.

This conservatism of our courts, particularly the Supreme Court of Canada, brings two things to my mind. On one hand, those who claim that Canadian courts will become overly active should rest easy, that is not in the traditions of our courts. On the other hand, those who claim that the courts should not be involved in politics can be reassured by the tradition of legal interpretation of those same courts. In this respect, the Pratte report in Quebec highlighted the difficulties in interpreting Clause 1 of the resolution, particularly its allegedly very vague terminology, more especially clause 1 of the charter which reads as follows, and I quote:

1. The Canadian charter of rights and freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits perscribed by law as can be demonstrably justified in a free and democratic society.

Well, Mr. Speaker, this supposedly vague language can be found in a number of Canadian statutes, for instance in the Criminal Code as it relates to search and seizure. So our Canadian courts will not be breaking new grounds when they interpret such a provision. That same provision will undoubtedly enable the courts to carry out the full intent of the legislative will of Canadian legislators within provincial legislatures or within the federal legislature of the Canadian Parliament. But a number of objections have been raised about

the charter of rights and I would like to consider now two of the main objections from a Quebecer's standpoint.

First, the restrictions that the charter would impose through the mobility rights which it confers upon the regulations and the statutes of Quebec which govern, particularly in the construction field, the entry of a worker from another province, and second, the transfers between regions within the same province. I would like to say that this provision would apply, of course, only in cases of interprovincial mobility problems, and here I make a digression. I would not want anyone in this debate to accuse me of showing my centralizing or decentralizing inclinations, because as I see it the debate does not fit into that context. I think the debate can be set in the following context by answering three questions. First, what is the desirable balance between, on the one hand, the wish of the provincial units, of the provincial entities, of the provincial partners to develop their own territory and, on the other hand, the need for the central entity to ensure a certain co-ordination of the policies? Second, what is the linguistic balance? And third, which government is best qualified to provide service to the people?

● (1510)

If there is one area where we have to consider these questions carefully, it is certainly the economy, and it is somewhat strange that a provincial government, the Quebec government, made much during the referendum campaign of its wish to join a Canadian economic market without the present political integration, of course, even though economic integration in the European Common Market is much more significant than ours. This led the federal government to table a paper in the last round of constitutional negotiations which was entitled "The Constitutional Foundations of the Canadian Economic Union". I would like to quote from this paper, Mr. Speaker:

> In spite of the weaknesses of the BNA Act, the ability of the federal authority to go against the operating rules of the economic union is limited by the fact that Parliament is issued from the Canadian electorate as a whole and any federal government must retain the support of this electorate to stay in power. Thus, any form of discrimination based on the province or area of residence, of location, of origin and of destination in federal practices, laws and regulations must be approved by a majority of the representatives of the people in the House of Commons and may therefore be deemed to be in the national interest. Political and public debates as well as the regular representations made by the provinces concerning the relative equity or inequity of federal policies and programs give nearly daily evidence of the effectiveness of this constraint.
>
> The legislatures are not subject to the same constraints when they pass discriminatory legislation because each of them is accountable only to the electorate of one province. Consequently, the effectiveness of the Canadian economic union relies perhaps too much on the specific distribution of powers between the two levels of government, which on the other hand results to a large extent from a legal interpretation. Thus, when a decree seems to restrict the authority of Parliament as regards interprovincial trade, the provinces can automatically, in view of the lack of special provisions regulating the operation of the economic union, use their legislative powers to divide the Canadian market. When the particular interests of each province determine such a use of provincial powers, the only constraint which can prevent the provinces from acting in this way is the fear that the other provinces may take retaliatory action. Obviously, this constraint is more effective in the case of less populated provinces or those with a poorer economy.

I believe, Mr. Speaker, that the economy must be a priority for both levels of government in any attempt at constitutional reform. Having said this, I do not believe that there is really a question of taking away from the provinces to give to the federal government. I am not putting this question in that spirit. On the contrary, the economic issue is perhaps the one where the lack of agencies or entities likely to promote a better co-ordination between the two levels of government is the most dramatic. We have on the one hand the executive of a province and the federal executive, and on the other hand, the provincial legislative bodies and the federal legislative body.

However, as concerns the economy, there does not really exist any institution, Mr. Speaker, which can promote the co-ordination of regional objectives and integrate them within a pan-Canadian concept or vision of our economic development. I think that this question should be placed on the agenda of a federal-provincial conference in the very near future, and having said this, if there is one right in the charter which I believe to be basic and on which I have no sympathy with the objections of the Quebec government, it is certainly the right to mobility. This must be considered a basic right if we want to maintain an economic union in Canada, remove restrictions on the flow of capital and expertise and reduce as much as possible any action that the provinces and the federal government may take in certain cases to promote purely local objectives in relation to a national market. Discussions, on these matters, will have to take place as soon as possible in order to achieve true economic integration in Canada, at least to the same extent as our European partners within their economic community.

The other objection relates to language rights, and my colleague for Montmorency-Orléans dealt with that matter at length. First of all, I should like to say, Mr. Speaker, that this resolution by providing the entrenchment of language rights suggests a great vision of Canada. Unfortunately, I do not share that vision because basically I agree with what the Pepin-Robarts report said, namely, that as far as language rights are concerned, the legislative action, the main impact, should come from the provinces. We agree in principle; in practice, I should like to point out a number of differences. I feel that this resolution at last gives French-Speaking minorities outside Quebec an opportunity to assert their rights in a restrictive way in some cases, I admit. My colleague from Montmorency-Orléans referred in particular to educational institutions and the fact that although we entrench the rights to those educational facilities the right to control them is not mentioned. That is a very serious problem. However, I think that those language rights, when we entrenched them in Section 23 of the resolution we were mainly concerned with the rights of francophones outside Quebec because, let us be realistic, the English-speaking minority in Quebec enjoys all

those rights to a large extent and Quebec meets the conditions set out in Section 23.

On the other hand, my colleague from Montmorency-Orléans put forward the argument that in the very long term, in 15, 20 or 25 years, Quebec could become another Alberta and that as a result of the significant number of Canadians from other regions, even English-speaking Canadians, who would come and settle in Quebec, that linguistic balance could be upset. I should like to say, Mr. Speaker, that I think the survival of the French language in Quebec is an established fact. Since the quiet revolution, since French-speaking Quebecers took over their own economic, social and political levers, I think we now have in Quebec a flourishing and growing French-speaking society. On the other hand, there is outside Quebec a francophone community which is having much difficulty, to say the least. If we can give those francophones, through this resolution, the opportunity to gain sufficient strength so that in due time, within their own province, they can assert their rights without a constitutional or federal prop, it's all the better. Meanwhile, if that influx does come ten or 15 years from now, it would always be possible to consider amending the Constitution.

I am much more concerned about the present than the distant future, and though the immediate impact will be negligible on Quebec, according to all statistics available, it could be, hopefully, largely beneficial to the francophones outside Quebec in promoting their aspirations in reaching that degree of survival Quebec has now more than achieved in respect of the promotion of French.

Mr. Speaker, it has often been said that it will be difficult to amend the Constitution, especially in its charter components. Let's be fair and honest between ourselves. I for one believe that if some day the provinces were to decide they prefer to take back all the control and promotion in the language area, I do not see how the central government could object to it, and that amendment which could come up ten or 15 years from now, on the instigation of one province or another, could very likely pass. But, be that as it may, unlike my colleague from Montmorency-Orléans, I do not see in that provision the same implication, the same dangerous aspect as he does, and that is why I do not share his concerns on this issue. I would also have liked to make a detailed study of that Pratte report which stated that the charter will have a negative impact on a multiplicity of laws. Some mentioned that as many as 100 Quebec laws could be affected by the various provisions of the charter of rights and freedoms. Some refer to section 23 of Bill 101. I made my position clear on that issue. Reference is made to libel laws. There again, the Quebec charter of rights ensures the same rights to the freedom of expression as the Canadian charter.

• (1520)

So how could the Quebec government eventually complain that this new right, which supposedly will be entrenched in the new Constitution, will run counter to a provincial provision, when their own charter, which is one of the most comprehensive in the whole Canadian political system, guarantees this same right? Hence, it will be possible for our courts to interpret it in relation to the rights that are guaranteed and to the infringements of certains laws with regard to this charter. There has been some talk about anonymous pamphlets, and the same applies. Reference has been made to freedom of association and Quebec unions. On these issues, it is always the test of reasonableness that will be applied, and I have tried to show earlier that the Canadian courts would probably implement, given their history and their jurisprudence, clearly stated wishes expressed in political circles. There is a whole list of them, but finally, Mr. Speaker, if you consider all those rights that could be affected, that is in a first group, you can already see that the Quebec charter of rights enshrines such a right and that the Canadian charter of rights only gives them a new dimension. Already it is at the provincial level, and then actually, where there is absolutely no problem in allowing Quebec citizens to bring the issue before the courts, the law concerned could eventually be challenged before the courts, but it will be the test of reasonableness that will be applied, given the well-known conservatism of the courts.

The second provision of the charter on which I wish to dwell for a moment is that which deals with federal-provincial conferences and those two scheduled in the two coming years. Earlier, I dealt with this matter at the beginning of my speech. I would simply like to say how important and even essential it is for Canada to review these institutions, and this, on a priority basis. I was shocked and disappointed by the government's about-face on the old Clause 44 of the Senate resolution. Hon. members will remember that under such Clause 44 the Senate would have been given six month suspensive veto on constitutional matters. That provision has now been deleted from Clause 44, and the Senate is now the only Canadian body to hold an absolute veto, at least in theory, on any constitutional amendment. Any other deadlock can be broken one way or another, either by a referendum, through agreements on by a group of provinces. But if by any chance the Senate decided that some provision, some constitutional amendment agreed upon by all partners were not acceptable to them, they are the only body under the Constitution to wield that absolute veto.

Knowing the doubtful legitimacy, to say the least, of that institution in terms of representation, I feel strongly enough about this to state it is odious. And I must suggest that on that provision I would welcome an amendment to reintroduce Clause 44 if I could not do it myself, and also I would hope that in the near future we either withdraw that veto or reform the Senate into a house of the federation, a council of the federation or a house of the provinces, or any other form proposed by

either the province or various groups, to ensure better representation in the upper chamber, at the regional level and at the legitimacy level.

Concerning the amendment procedure, my colleague from Montmorency-Orléans studied the question. In my view the basic question is that the Victoria charter enshrines a perpetual Quebec veto, and I must indicate on this matter that I have a rather regional approach. Despite submission by the Quebec government that there exists in any case a convention under which no constitutional amendment can be approved without Quebec's agreement, there is no such obligation either in fact, in practice, in law or in our books. Under the Victoria charter it would finally exist. I need not remind my colleagues, Mr. Speaker, that for Quebec this is vital, considering that famous difference referred to on language, cultural and other levels, to have at least on these questions—and eventually some veto might be considered for those matters only, but this is another story—to have a final veto as I said on any amendment depriving it in effect of the tools needed to promote its own difference at the cultural and language levels.

Further, I understand very well the frustration of some of my colleagues from other provinces that do not have that veto. In that respect, the Victoria formula is not perfect. But the alternative is a consensus, some other type of formula. In any event, the provinces—and this in my view ultimately justifies the proposed amending formula—will have two years to agree among themselves on an acceptable formula. I listened with interest the proposal made by the hon. member for Edmonton East (Mr. Yurko) in his contribution. He was then advocating a regrouping based on population rather than a regrouping on a regional basis. A group of provinces which would account for 25 per cent of the population anywhere in Canada would then have a veto right. I must admit that I very much agree with this formula, which is in my opinion a better arrangement than the one suggested here which has a purely regional basis. Let me give you one simple example, Mr. Speaker. Let us assume that Newfoundland has jurisdictional problems concerning its offshore resources, would it not be logical for this province to join in a common front with Alberta and Saskatchewan, for instance? On the other hand, British Columbia, faced with fishing problems, could join in with New Brunswick and Nova Scotia.

In summary, regional considerations are sometimes artificial. I like the formula put forward by the hon. member for Edmonton East. With respect to the referendum, I believe, or the deadlock-breaking mechanism, again I shall be voting against amendment put forward by the Progressive Conservative Party. Why? Because I believe there must be some kind of constitutional deadlock-breaking process. Besides, I would certainly agree to give all the provinces an equal right to resort to the referendum process should there develop a deadlock. In fact, as you know it, Mr. Speaker, insincerity knows no such preferences that it should always be on the same side.

I am about to conclude, Mr. Speaker. At the very beginning of my speech, I referred to the Pascalian wager; that is, whether unilateral action on the one hand and the temporary consecration of this seniority federalism on the other hand were justified in the present situation. As far as I am concerned, the Pascalian wager goes along the following lines: Should I vote againts it, or in other words, should this resolution be defeated in the House, we shall be going back to the September conference, to the failure of constitutional talks, and being a realistic man, I do not agree with those who say that the exercise can be started afresh. The bona fide commitment which followed the Quebec referendum did not succeed in overcoming these problems, in bringing about a consensus. I do not see how we could succeed now. On the other hand, this constitutional bid for power, Mr. Speaker, can lead to either one of two things: either it fails and the bitterness created by this proposal would therefore put us right back to square one. And then, we will have as well a failure on our hands. So, and that is my contention, Mr. Speaker, this "coup de force", will bring about a change. How will that be effected? Within two years, we will have an amending formula which will be either good or bad, but that is not the point. The point is that we will have an amending formula which can be used to improve things. By then, we will have the will to use that new tool to make changes be it only to react against the negative attitude of some people about the content of the formula. This is my view, Mr. Speaker, I have no other choice.

My colleague from Montmorency-Orléans said that he would rather have the status quo than the resolution. I say that this resolution is better than the status quo and that is why, in spite of very serious reservations, I will vote for it. In closing, I would like to add a few comments about Clause 133. I know that some hon. members from Ontario on this side of the House have serious reservations about the lack of a provision in the resolution, making 133 applicable to and enforceable in their province.

It is to be hoped, Mr. Speaker, that the election soon to be held in that province will give those on the provincial political scene a more generous view of the voters they wish to win over, and that they will not resort to hiding behind a hypothetical backlash for the purpose of discarding their responsibilities. In this regard, I congratulate Mr. Hatfield for his action, which I believe to be such that it will contribute to the progress of the constitutional debate. Mr. Speaker, I shall close with a quotation. As you know, the Quebec members of this House have been accused by their fellow Quebecers of being traitors. As much as I accept such criticisms—somewhat like an artist will accept any criticism, whether good or bad—I still find them hurtful and painful. I therefore want to close by quoting from remarks made by the hon. Minister of Transport (Mr. Pepin) on October 21, 1980, as reported on page 3892 of *Hansard:*

> Compromise, said the late Hon. Guy Favreau, is "the meeting point between the thoughts of two intelligent beings". As John Kennedy wrote in "Profiles in Courage":

Compromise does not mean cowardice. Indeed, it is frequently the compromisers and conciliators who are faced with the severest tests of political courage as they oppose the extremist views.

The content of the resolution before us is a compromise between those who wanted more and those who wanted less and those who wanted both more and less. It may not fully satisfy every one of us—or any one of us for that matter—but it should be accepted, in my view, by the greatest number of people as a first step.

I have learned throughout the years that to compromise with others, one must first compromise with himself. I cannot ask others to give if I remain ungiving in my own first choices of means toward an end which I share with others.

So, I am compromising, as I should.

● (1530)

[*English*]

Mr. Terry Sargeant (Selkirk-Interlake): Mr. Speaker, like hon. members who have spoken before me, I am pleased, proud and even a bit humble about participating in this debate. I suppose my main worry is that at this point almost everything has been said and most of the substantive points have been addressed by those who have gone before me. Nevertheless, Mr. Speaker, I feel I can offer some new points of view and perhaps reinforce some that have been expressed by my colleagues.

I share the concern expressed by many about why we are doing this now, why are we spending so much of the very important and very limited time of the House and its members in debating the Constitution when there are so many other issues critical to the well-being of the country. I think of our beleaguered economy, our disgracefully high unemployment and our energy situation, among others.

From the replies to questionnaires that I sent out in my constituency, it is clear that the issue of most concern is none of the foregoing, and it is certainly not the Constitution. As a matter of information, it is the threat posed by the Garrison diversion project in North Dakota.

In the first caucus meeting of our party after the constitutional proposal was presented last October, I argued the point that the government was using this issue as a whitewash in order to divert attention from the fact that it had no answers for the more important and more immediate concerns of Canadians. Since neither I nor my party call the shots in this House, we had to play the constitutional game. I do not think I need point out just how outstanding many of my caucus colleagues were at playing this game. The package before us today is vastly superior to that which was presented last October. In no small part that is due to the fine work done by my colleagues.

Some hon. Members: Hear, hear!

Mr. Sargeant: Before I address the substance of this package I should like to put some of my background thoughts on record. As a springboard into this dissertation, I should like to quote the final sentence of the speech given in this debate by my friend, the hon. member for Nunatsiaq (Mr. Ittinuar). He said: "Only together can we build a great nation."

What are we doing when we construct a constitution, Mr. Speaker? The Oxford Dictionary defines a constitution as a body of fundamental principles according to which a state is governed. That is a little bland. A constitution is, or should be, a body of principles upon which we build a nation. The BNA Act of 1867 was such a document. So was the American constitution of some 200 years ago. Will this document of 1981 be the same? I think the answer is both yes and no, the difference lying in what kind of nation we want to build.

Permit me to digress a little, Mr. Speaker. At the turn of the century, the prime minister of the day, Sir Wilfrid Laurier, whom I considered to have been not a bad sort even though he was a Liberal, said that the twentieth century would belong to Canada. And well it should have and could have, Mr. Speaker, had it not been squandered by successive Liberal and Tory governments. These Liberal and Tory governments allowed our natural resources and our industrial complex, our very economic well-being, to be pillaged by non-Canadian interests to the point where today we are the most foreign controlled of the so-called western economies.

My vision of what Canada should and could be is very different from what Liberal and Tory governments have made of this country.

Let me take you back to 1967, the year of our centennial as a nation. I graduated from university that year, the first class of the post war boom babies to do so. We were in the ascendancy. At about that time, those of us under 25 made up about half of the population of North America. We marched to the drum of the new left, seeing this as the natural evolution of the world our forebearers had built and our parents had fought to preserve. We recognized the incredible potential of Canada and planned to be part of the development of that potential. If the first 67 years of this century had not really belonged to Canada, nobody could have convinced me or my peers in 1967, that the next 67 years would not belong to us.

As well, 1967 was a year of nationalistic fervour. We put our country on display to the world and the world gave its approval. I recall all too well making the trek from Winnipeg to Montreal on two different occasions, once by thumb, once by car, to see Expo. I remember my pride at singing O Canada in the middle of the evening in a then popular bar on St. Catherines Street. Everyone in the place put down his beer, stood up, and joined in the singing. It was great to be a Canadian that summer. We had common bonds. We visited our brothers and sisters across the land, getting to know and appreciate the differences in our lands. And we had the future by the tail. Canada would finally claim the twentieth century as its own.

All this while, I was not even a Canadian citizen. Even though I had lived here all but the first year of my life and knew no other place, I had been born in Australia, and although a Canadian in fact, I was not by law. That changed in the spring of 1968 when I swore allegiance to this country.

It was in these years of the late 1960s that I started to develop my vision of Canada. At that time, the then prime minister, Mike Pearson, just before he left office, started a new

round of constitutional reassessment, another move to repatriate the BNA Act. This round started by Pearson is just now reaching its culmination.

I mentioned earlier that my vision of Canada is vastly different from that which has been created by our inept governments of the last century. In the same manner, my vision of the ideal constitution is equally different.

I also said earlier that a constitution should be a document upon which to build a nation. I do not see any evidence in this document for building the kind of Canada I would like to see. I should qualify that and say that I do not see enough evidence in this document for building the kind of Canada I would like to see.

There are some historically important measures in it. I refer specifically to the provisions for equalization, to the bill of rights and its guarantee of rights to women, to the handicapped, to multicultural groups among others, to the recognition of the duality of this country, and to the recognition of aboriginal rights. I consider these to be major points. And for these important reasons I will support this package. But at the same time, it is still a capital "L" Liberal document. I for one do not want to build a capital "L" Liberal Canada. Were I drafting a constitution for Canada, I would reflect more the philosophy of Thomas More than that of Machiavelli.

I would include all of the specific points I just mentioned. But rather than institutionalizing a nation built on laissez-faire capitalism, I would want to be able to build a nation based on egalitarianism. Canada has that potential.

● (1540)

Consider the size of our country. Consider the incredible wealth we have here in minerals, oil and gas, forestry and human resources. There is no reason why in a land such as Canada one particular man should be able to cover his driveway in crushed meteorite because it is not dusty while another man, such as one man in my riding, lives in an underground hovel covered with logs and earth. You can bet that is dusty. There is no reason why Indians in northwestern Ontario should be forced to live on mercury-polluted fish, or why a man is forced to sleep on the streets in Vancouver. In Canada, there is simply no excuse for this.

In constructing the Constitution now, we are laying the foundation for building the Canada of the future. I still believe in the potential of Canada that I had in mind in the 1960s. I believe that we can and must build that kind of nation. The question remains whether this Constitution gives us a good enough foundation to do that. I think it goes only part way.

I have serious reservations about the process we have all been following in this particular act of constitutional construction. I do not refer necessarily to unilateral action. While on the one hand I might have preferred an approach that was not unilateral, I can accept, intellectually, the need and the legitimacy for such unilateral action. I will return to this point in a few moments.

In the opening of his comments, my friend, the hon. member for Hamilton Mountain (Mr. Deans) said:

> I have listened to many points of view, and I have found it sometimes difficult to determine exactly how much of what is being said is real, how much is partisan, how much is misinformation. I assume it is all said honestly—

I agree with his sentiments up to the last point. I cannot assume it is all said honestly.

If all of us in this process had been dealing honestly, we would not have the conflicts and divisions that we see today. If what we all said had been real, non-partisan and informed, we would be much closer to agreement than we are today. I speak not only of the members of this House but also of members of the Senate, members of the provincial legislatures and of the many academics, journalists and others who have offered their thoughts on the subject.

In this House, I have seen members of the party to my right act in what I consider to be only partisan interests. Out of the House, I need only refer to the ads placed in newspapers throughout the country by the Conservative Party pandering to the prejudices of many.

I have seen the government members opposite act in what I consider to be nothing more than self-serving cynicism. To me the need for including guarantees of rights for women, the handicapped and natives should have been self-evident, not just so hon. members could secure a few more votes.

I have seen some members of the Senate—a body which, as constituted at present, I consider to be unjust and perverse—balk because their already unjustified power was to be slightly reduced. I have seen provincial premiers act purely in self-interest, not in the interest of the country as a whole. One is reminded of Mark Antony's address to the Romans. In part it read:

> They that have done this deed are honourable:
> What private griefs they have, alas, I know not,
> That made them do it: they are wise and honourable,
> And will, no doubt, with reasons answer you.

We know full well that Brutus, Cassius and Casca were not honourable men. I fear that a more fitting epithet for many of us involved in this process might be in the last lines of the same speech when Mark Antony says:

> Now let it work. Mischief, thou art afoot,
> Take thou what course thou wilt!

In recent years, and more so in recent months, we have heard much of western alienation. Let us not kid ourselves, it does exist. While I cannot subscribe to the methods used by many western Tories and by many western oil interests in their approach to the matter, as a westerner, I know full well that this alienation must be addressed very soon. The address cannot be made only in economic terms. It must be made in terms of the distribution of power and, more important, in terms of attitude.

For example, in 1867 and 1870, just after lands which are now the prairie provinces were bought from the Hudson's Bay Company, Louis Riel, the Metis, and the Scottish settlers at Red River were forced to take action in self-preservation when

an influx of Upper Canadians felt that since they had bought the territory, they could take over the properties of those who had lived there for half a century and more. That was example number one. This plundering has continued for more than a century. It must stop now if we are to build the nation of the next century which many of us envisage. This Constitution could have addressed this situation much better. What this constitutional process of 1980 and 1981 needs is some visionaries.

I find it ironic that in his introduction of President Reagan in this House on Wednesday, the Prime Minister (Mr. Trudeau) spoke of the Polish people using both revolution and evolution in working out their own destiny, the irony being that his own document for Canada's destiny contains nothing revolutionary and not enough that is evolutionary at a time when Canada cries out for a creative, peaceful revolution. It is basically a dull document.

In 1981, Canada needs the vision of men like John A. Macdonald, George Etienne Cartier or George Brown, or for that matter Thomas Jefferson or George Washington. With all due respect to the excellent and hard work that many members of this House put into our Constitution of 1981, I have seen but one person whom I consider to have vision in the process of nation building. I am referring to my friend, the hon. member for Nunatsiaq who has the decided advantage of representing an entire race, the Canadian Inuit who will now be able to participate fully in building their own place in the Canadian nation.

Had the government been adventurous and adopted a daring visionary approach in drafting this Constitution, Canada would have been much better served.

In these few opening comments I have tried to outline briefly my vision of Canada and my reservations about the ability of this Constitution to allow us to attain that vision. I have said that I would have liked to have seen a much different type of package. But I recognize that my desire is limited by the fact that this is a Liberal document. I also recognize that it is a document which has been improved greatly by the work of many opposition members and of many Canadian individuals and groups who participated in the process.

Let me say at this point that I have long believed in the need for our country to have its own Constitution. Since my childhood I have been interested in politics. As a youngster in elementary school I knew that Canada did not have a Constitution. I certainly did not understand the full ramifications of what a Constitution meant, but I knew that we would be better off with our own Constitution. I well remember in my third year political science course reading about such things as JCPC and learning that until 1949 the ultimate court in Canada was not even in our country, that it was a judicial council of the Privy Council of England. I wondered why this was the case.

I am quite receptive to the idea and I favour patriation as soon as possible. It is for this reason that, although I recognize the many limitations of this package, I also recognize its many strengths. I will, therefore, support it.

I should like now to address a few comments to those strengths. First, I want to comment on the matter of unilateral action. I mentioned earlier that intellectually I can support both the need and legitimacy for such action. I also mentioned that I would have liked to have seen a broader base of support. I do not think there is any argument on that point. All of us would like to have seen the premiers and the Tories support the package. But I cannot support a need for unanimity. So long as the premiers insisted on unanimity, the prospects of ever patriating the Constitution were hopeless. To suggest at this time that we go back to the provinces to make one more try for such unanimity is to dream in technicolour. I certainly cannot agree with the premier of my province, a person of whom I have not been especially proud throughout this process who, during his speech in London, was asked by a British Labour MP if the requirement for unanimous consent by 11 governments is not somewhat exaggerated. This Labour MP asked where in the world there is a federal system that requires unanimous agreement. According to press reports, Premier Lyon replied, "The answer to that question is, in Canada". I find it rather amusing that the party of John A. Macdonald, the Progressive Conservative Party at both the provincial and federal level, should be screaming and weeping for unanimity.

● (1550)

The party to my right is using its weapons, rather dubious poll results, which might indicate the majority of Canadians are against patriation. If old Sir John A. had used that approach, if he had waited for unanimity among the colonies and had asked for a popular mandate, where would we be today? I will tell you one thing: we very likely would not be living in a country called Canada as we know it. I refer hon. members to an article in the Winnipeg *Free Press* of February 13 of this year written by a former history teacher of mine, named Lovell Clark of the University of Manitoba. I quote some passages from it:

> If Premier Lyon's requirement of unanimity had prevailed in the past the Dominion of Canada would certainly not have been created in 1867, and if not then, perhaps never—
>
> Anyone who knows anything about the crucial events from 1864 to 1867 which culminated in the creation of Canada realizes that the movement for union of the colonies was not a mass or popular movement. It was rather the work of a creative minority whom we refer to as the Fathers of Confederation. At Quebec City in October, 1864, the Fathers drew up the seventy-two resolutions which, with little change, became the British North America Act of 1867. It was very much a Canadian document.
>
> The Quebec Resolutions were not the result of a compact among provincial governments, as is often erroneously alleged. To begin with, the provinces of Quebec and Ontario did not exist; they were created by the same act that created the Dominion of Canada. Instead, there was the single colony of Canada, a union of Upper and Lower Canada formed in 1841. The maritime colonies were represented by members from both the government and opposition benches of their legislatures.
>
> It was no part of the intentions of the Fathers to submit the Quebec resolutions to the people for approval. If they had done so there is little doubt that the proposals for union would have been soundly defeated. The resolutions were debated and approved by the legislature of Canada, but they were never even laid before the legislatures of New Brunswick and Nova Scotia.
>
> In New Brunswick the government of Premier Leonard Tilley was forced into an election on the issue and was badly beaten. An anti-Confederate government

replaced it. Thus the people of New Brunswick were the only ones ever consulted about the confederation proposals and they left no doubt of their opposition. Premier Charles Tupper of Nova Scotia did not dare to lay the resolutions before the legislature, so unpopular were they—

What finally brought about the creation of the Dominion of Canada was the perseverance of the Fathers of Confederation and external pressures from the United States and Britain.

War was imminent with the United States because of the northern states feeling their oats, having defeated the south, and because of the Irish-American Fenians. The article continues:

The role of the British government was of decisive importance in the achievement of confederation. Union would better enable the colonies to defend themselves . . . Publicly, the British government made widely known to maritimers its "strong and deliberate opinion" that union of the colonies was "an object much to be desired."

Privately, the lieutenant-governor of New Brunswick was told in no uncertain terms that he was to work zealously to promote confederation. This he proceeded to do, taking advantage of the Fenian menace in the spring of 1866 to turn the anti-Confederate government out of office by means that were of dubious constitutionality. In the ensuing elections the pro-confederation forces were returned to office, but not on the issue of confederation.

The lieutenant-governor of Nova Scotia, who had opposed confederation, was replaced by a Nova Scotian hero of the Crimean War with instructions to vigorously promote it. By these and other means, the reluctant maritimers were dragged into the union.

It was only after the passage of the British North American Act through the British Parliament in March 1867 and the creation of the Dominion of Canada on July 1, that the Fathers submitted their handiwork to the judgment of the people. In the elections for the first Parliament of Canada the confederation coalition, now headed by Sir John A. Macdonald, won a majority in Ontario, Quebec and New Brunswick, but was disastrously defeated in Nova Scotia . . .

The premier of Nova Scotia, William Annand, and Joseph Howe led a delegation of provincial and federal representatives to London to demand that the British government "release them from the toils of confederation into which they had been dragged against their will", which of course was clearly the case . . . the British government absolutely declined to allow Nova Scotia out of confederation.

I would like to ask any of the members to my right whether they think that confederation was such a bad deal, the confederation that was brought about without the kind of unanimity for which they ask for. I would like to say to my friends on the right "I'm sorry, you may be right to want a broader base of support, but you are not right in insisting that we must have unanimity."

While I much prefer old John A. to the person who fills that seat today, John A. was just as bad at ramming things down folks' throats.

I should like now to turn my comments to some of the other points in this package. I would like to comment on the amending formula, the so-called Victoria formula. On balance, I suppose it is as good as any of the formulas for amending the Constitution that have been put forward. I can agree with the notion that we divide the country into four regions and have a veto and a particular vote on future amendments, but there is one point that I find troubling. As a westerner, it puzzles me a bit. I must point out that this is probably the main complaint I am getting from constituents in my riding. It refers to the fact that in the western region we still have the requirement that two provinces representing 50 per cent of the population have to agree to future amendments, whereas in the maritime sector this is not the case.

This was changed to accommodate Prince Edward Island. The people in my province and the people of Saskatchewan wonder why this same accommodation cannot be made for Manitoba and Saskatchewan. It is a small point. I have been told that the reason the maritime provinces got this concession was that their premiers requested it and the reason the western region did not get it was that the premiers of the western provinces did not request it.

This is not constitution-making; this is political gamesmanship. It is a small point that reinforces my earlier point about western alienation. If this government really wants to address western alienation, they should look at these very small points. It would not take very much to give the same concession to the western region with regard to the 50 per cent population rule.

I must point out that I find very distasteful the Conservative approach to this question. They recognize it is a bit of a problem, but to print ads in newspapers across western Canada which, as I mentioned earlier, really pander to the prejudices that try to create a hatred among westerners for central Canadians is simply not a way in which I would like to build the future of this country.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): That accusation is not so, and you know it.

Mr. Sargeant: Read this. I should like now to make some comments on the equalization and the provincial resources parts of this Constitution. I will only say a few words because others in this caucus have addressed this issue and we are all in agreement on it. I consider both of these to be very important issues. They are very important steps that can be used to build this nation which I envision.

The resource amendment will allow the provinces to consolidate their base, to use their non-renewable resources as a base upon which to build a secure and diversified economic structure. The equalization formula is one that is very important to this party as a democratic socialist party, where rich parts of the country assist the poorer parts.

There are no arguments that some provinces are wealthier than others. For this reason we believe in the constitutionalizing of the concept of equalization. We consider it to be a major step at this time. In the type of Canada of which I spoke earlier, the need for such entrenchment would be irrelevant. Once Canada becomes the truly egalitarian state that I visualize, equitable distribution of wealth will be a matter of course. May I call it four o'clock, Mr. Speaker?

Mr. Deputy Speaker: Order. It being four o'clock p.m., the House will now proceed to the consideration of private members' business, as listed on today's Order Paper, namely public bills, notices of motions, private bills.

• (1600)

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Mr. Deputy Speaker: Shall all orders preceding No. 66 stand by unanimous consent?

Some hon. Members: Agreed.

* * *

RAILWAY ACT

AMENDMENT RESPECTING MOVEMENT OF WESTERN GRAIN

Mr. Les Benjamin (Regina West) moved that Bill C-266, to amend the Railway Act (movement of Western Grain) be read the second time and referred to the Standing Committee on Transport.

He said: Mr. Speaker, I rise to speak on a bill on which I have been working since November, 1978, at a time when the Canadian grain economy and the grain transportation system were facing a serious crisis. The lack of freight cars and poor performance by the railway companies was costing the farmers and the Canadian economy hundreds of millions of dollars in lost grain sales.

The record of the Canadian Transport Commission in regulating the grain transportation system is, in my opinion, abysmal. It had the power to end the back hauls on Canadian National and Canadian Pacific between Calgary and Edmonton years ago. It had the power to require the railways to interchange traffic for Churchill and Prince Rupert years ago. It has had the power, under Section 262 of the Railway Act, to require the railways to provide rolling stock and locomotives to ship farmers' grain. However, the Canadian Transport Commission has done nothing about making the railways live up to their statutory requirements to carry all traffic offered for carriage. I submit that the people of western Canada have little faith in the Canadian Transport Commission when it comes to grain movement, albeit it has now established a western Canadian office.

Some time ago, in fact in February, 1979, I initiated an application to the Canadian Transport Commission asking it to hold public hearings in western Canada to determine if the railways were giving grain transportation suitable priority, as required by law. I made the application then but no hearings were held, while the grain crisis at that time continued to cost the people of western Canada a lot of money. On April 24, 1980, the Canadian Transport Commission answered my application by saying that the purchase of hopper cars by the provinces and the federal government relieved the railways of their responsibilities. The Railway Act says in Section 262 that they shall offer suitable accommodation for all traffic. The CTC decided that someone else, namely, the provinces and the federal government, not the railways, should fulfil an obligation which, under the law, belongs to the railways.

I do not accuse the CTC of bad intentions, but it has been unable to understand the problems facing grain transportation. The Canadian Wheat Board has the advantage of being right on the spot, right on top of things, and knowing where grain sales are being lost and where backlogs occur. It knows where the grain is.

Since the CTC has said it will not deal with or regulate the railway companies in respect of grain movement because there is public investment in the hopper cars, there is now a regulatory vacuum which has to be filled. I suggest the Canadian Wheat Board is the logical candidate.

Actually, the idea for Bill C-266 came from a recommendation of the Hall commission. Mr. Justice Hall recommended, as appears at pages 538 and 539 of his report:

> Throughout the hearings there was almost universal support for the Canadian Wheat Board . . . there is no doubt that the board is accepted as the producers' friend.

Again to quote Mr. Justice Hall:

> The commission recommends that the Canadian Wheat Board play a more prominent role in the total co-ordination of grain transportation. Grain movement co-ordinators at Vancouver and Thunder Bay should become Canadian Wheat Board employees and be given extended powers over the ordering and placement of grain cars destined for those port areas.

I welcomed the creation of an over-all grain transport co-ordinator by the former Minister of Transport, my friend the hon. member for Vegreville (Mr. Mazankowski), but I disagree with the creation of that position outside the Canadian Wheat Board. The Hall report said it should be part of the Canadian Wheat Board.

There are obvious reasons why the Hall commission recommended the Wheat Board be given control of grain cars and co-ordination. When the board is negotiating a sale, it will have first-hand knowledge and control of the transportation in order to maximize returns to the producers. The board can co-ordinate marketing objectives with ship arrivals and rail movements, and the board knows where the grain is and where it must go.

What does my bill do, Mr. Speaker? It has two aspects. It gives the Wheat Board the power to require railway companies to supply locomotives and rolling stock for grain movement. It updates a section of the Railway Act regulating grain movement.

Back when the act was originally written, most grain went to Thunder Bay, so this section 266 applied only to Thunder Bay. My bill, C-266, would extend the regulatory power to Vancouver, Prince Rupert and Churchill and it does not affect Section 262, the general accommodation section. It is pure coincidence that my bill has the same number as the section, Mr. Speaker.

My bill deals specifically with grain movement. The power in this section of the Railway Act has not been used frequently. In fact, in 1916, the Board of Transport Commissioners required the Canadian Northern to supply 1,200 cars and 36 locomotives to carry grain from the Goose Lake district to the Grand Trunk Pacific at Saskatoon, and required the Grand

Trunk to haul the grain from Saskatoon to the Lakehead. I am not aware that the section has ever been used since.

By updating the section to include all ports, and by engaging the activities of the Canadian Wheat Board, this section could be used in any future grain crisis with positive effect.

The most recent crop year saw an improvement in grain movement because of the additional hopper cars provided, not by the railroads but by the taxpayers. If, as the Minister of Transport (Mr. Pepin) indicated, the CNR or CP started rationing transportation capacity to blackmail the people of western Canada, the Canadian Wheat Board under the provisions of my bill could step in with this new section to stop any such nonsense.

● (1610)

I want to give a couple of reasons why I believe my colleagues in this chamber should support this bill. It has two parts, first it gives the Canadian Wheat Board power to co-ordinate grain transportation as recommended by the Hall royal commission, and, second, it updates the section of the Railway Act dealing specifically with grain movement to include Churchill, Prince Rupert and Vancouver as well as the Lakehead.

Now, even if some hon. members cannot agree with all parts of this bill, I would ask them not to talk out the bill but to let it go to the committee on Transport where we can find common ground and at least make some changes to which a majority of the committee, if not all, can agree.

While transportation of grain by rail is relatively smooth at the moment, this new section can deal with new problems that will undoubtedly come up as the railways scrap more of their rolling stock or go on strike against the statutory grain rates. This section could have prevented the Churchill shipping season foul-up in 1980 when the railways refused to interchange traffic until it was too late.

I hope, Mr. Speaker, that the government and official opposition will agree that this matter needs to be pursued further in committee and by the government, and that the kind of powers not presently enforced by the CTC when it comes to grain movement should be transferred to the Canadian Wheat Board and be extended, not only to Thunder Bay, but to the ports of Vancouver, Churchill and Prince Rupert.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I want to lend my support to this bill, and while I have some reservations about everything that the Canadian Wheat Board is doing today, I like this motion, provided it does not interfere with the work of the grain co-ordinator. If responsibility is divided, it will be difficult to put your finger on anyone when the system breaks down. Someone has to have the over-all responsibility and, as I understand the work of the transportation co-ordinator, he should be co-ordinating the work of the CTC, Canadian Wheat Board, pool elevators and the railways in order to service the farmers.

Under the present act, the authority of the company is limited. The CTC has the authority to order the railways at a certain time of year, as follows:

—after the close of navigation on the Great Lakes and before the next harvest, and grain in certain sections or districts cannot by reason thereof be marketed—

That provision does not appear in the amendment, and I agree with that.

If the CTC is to have certain authority, then it should have it throughout the entire grain-moving season, not just when certain things break down. So the amendment is far more wide-sweeping and is designed to move the grain which is something to which we have to direct our thoughts, programs and administration very much more than we have been doing.

I would like to suggest to the government that one of the major concerns of people in the west is this apparent lack of interest in moving their grain. Every year we have bottlenecks and problems. Any ordinary business has to have a cash flow, and that includes farmers. They have to have cash coming in to keep operating. When they have a quota today and the elevator is jammed, the grain is not moving, they have to find other ways, because they do not have a payday every two weeks or every month on the farm, particulary grain farmers. This problem is very frustrating, not only for the farmer but for his family.

Recently I held a meeting in the Lomond district of my riding where close to 100 farmers appeared. The elevators there were jammed full and the farmers could not deliver their quotas, so in order to get the cash flow they had to haul it to another elevator where there were cars but no grain. Surely that is a matter of co-ordination.

If there are cars at Cluny and no grain, and the reverse at Lomond, it does not seem very difficult for someone to co-ordinate that and avoid putting the farmer to the expense of hauling his grain an additional ten, 20, 30 or 40 miles. It is pretty frustrating for these farmers.

So I arranged a meeting as I felt the authorities should know what was going on. The farmers were not going to be abusive; they just wanted to move their grain. I invited representatives of the Wheat Board, the CPR, the grain co-ordinator, representatives of the wheat pools and the Departments of Transport and Agriculture. The federal and provincial Ministers of Agriculture and the federal Minister of Transport (Mr. Pepin) took an excellent view of this. At this meeting the farmers were able to get some information and the authorities were told of the farmers' concerns.

What most annoyed me, however, was the fact that the Canadian Wheat Board was the only one to refuse to send a representative. They took the attitude that they held meetings when they wanted to and there was going to be a meeting in the Vulcan area, 50 kilometres away, the following week, so they would not bother attending this meeting. The ministers found time to have someone there, as did the CPR. The deputy co-ordinator was there. I was very disappointed in the Canadian Wheat Board. Surely this organization, created by the farmers, should have been the first one to say: yes, we want to

know what the problems are. But no, a second invitation to Senator Argue and the Canadian Wheat Board met with refusal. They would not come to hear about the problems. I do not think that attitude is what the farmers want from the Canadian Wheat Board. In the beginning, the Canadian Wheat Board was created by the western farmers in order to solve problems, to move their grain and to give them the best possible price. As the hon. member noted, the Canadian Wheat Board still has tremendous support from Mr. Justice Hall whose opinion I value. He said that there is almost universal support for the Canadian Wheat Board. In the minds of many farmers, however, the Canadian Wheat Board is becoming too big. If it becomes a monopoly created by farmers, it is just as bad as a monopoly which is not created by farmers. I think there must be some change of thinking on the part of the Canadian Wheat Board very soon. It should realize that it should be securing and reflecting the thinking of the greatest possible number of farmers. It has a tremendous job to do. In my opinion, the closer the board is to farmers and the grass roots, the better job it will do.

● (1620)

The meeting was held, and some of the difficulties were resolved. The CPR gave some suggestions which were accepted by the farmers. With respect to the Cranbrook situation there were two very cold wintry weeks spent in the mountains in December. During the two weeks of the setting of the date and the meeting, a tremendous amount of grain was moved from the elevators at Lomond. The farmers started to get a little cash in their pockets. In my view, that co-ordination could have been done without the necessity of calling a meeting, but I was thankful it was done and is still going on.

There are other difficulties, including the rebuilding of the road from Milo to Lomond, which is an important factor, so that full loads can be hauled with hopper cars. This will be important.

In view of all the money which will be spent to rehabilitate, I urge that the line to which I have referred be considered along with the other two lines for which allotments have been made for 1981.

The grain which can be hauled from various places must be co-ordinated. There are elevators, different types of grain and different grades, and in my view a co-ordinator has a very important job.

Another reason I support this bill is that it mentions Churchill and Prince Rupert. I have not been to Churchill, but according to the information I have secured from farmers and through reading, there are times when Churchill could carry a much larger volume of grain. We should be using Churchill to a much greater degree than we are, particularly those who are within reasonable distances. I refer to Saskatchewan, perhaps Manitoba and some parts of Alberta. But where that access is closer, we should not be routing grain to Thunder Bay or Vancouver if it can go to Churchill and get into the markets of the world.

The Canadian Transport Commission has an important role to play in the movement of grain. It has been letting farmers down to a considerable degree by not taking a very active and alert interest in the movement of grain all the time, and not just when matters are at issue. There is also a role for the co-ordinator to play. The legislation under which the CTC works is important. I think the important change this bill would make would be to give the CTC a little more authority. If this authority were to hamper in any way the work of the co-ordinator, that could be discussed in committee and worked out.

By having members of this House from all sides who are knowledgeable in grain matters discuss them and work out a program, we might be able to do something really splendid for the movement of western grain. That is the object the hon. member had in submitting this bill.

If we could move more bushels of grain and get more cash flow into the pockets of farmers and producers, the better this country would become. There is a saying in the west that when farmers are poor, everybody is poor; when farmers are having hard times, everyone in the community is having a hard time. A farmer spends his money when he has it. He buys clothes for his wife and children; he buys cars; he buys trucks. He spreads his money around, and it circulates. When he does not have money, many businesses feel that depression as well.

I urge hon. members on the government side of the House to support this bill and send it to committee. There is nothing to be lost, and there is a tremendous amount to be gained by finding new and better ways to move grain in western Canada.

Mr. Maurice Bossy (Kent): Mr. Speaker, I may not be a western farmer, but I have been in the farm business all my life. I believe I understand the needs of the western farmer and the many representations which have been made concerning transportation of grain in the west.

One of the great qualities possessed by the hon. member for Regina West (Mr. Benjamin) is persistence. He never gives up, I understand, and with incredible determination he continues to find new and strange ways to gain greater control over the operations of the railways.

Bill C-266 is a perfect example of this persistence. Curiously enough, it turns out to be an amendment to Section 266 of the Railway Act. Section 266, as it now stands, gives the Canadian Transport Commission the power to direct the railways to move grain east after the seaway is closed and before the next harvest. This is quite a specific power.

As I see it, Bill C-266 would do two things. It would transfer that power to the Canadian Wheat Board, it would extend the scope of the section to cover grain movement throughout the year, and include movements to Vancouver, Prince Rupert and the port of Churchill. In essence, the section would apply to all western grain movement.

There are some other less significant changes proposed in this bill. For example, the hon. member wants the Canadian Wheat Board to be able to tell the railways to supply "the necessary cars and engines" as well as "furnish all facilities

within its power". To me, this seems a bit redundant, but it is not something on which I want to dwell.

I suppose the question we must ask is why we need the amendments. Is the Canadian Wheat Board better suited than the CTC to tell the railways how to allocate this equipment? By suggesting these amendments, the hon. member implies that there is a need to exercise this power over the railways. Is there?

The other question is why we should broaden this section to cover all western grain. I grant that the hon. member has a point. One could legitimately ask: if we will have power over the railways on grain movement, why restrict it to the eastern movement for only part of the year? I suppose there are historic reasons why Section 266 of the act is the way it is. But given the principle that we will tell the railways what to do in relation to grain movement, one might as well give oneself full powers. It is this very principle about which the hon. member is so persistent. He never misses an opportunity to let out the battle cry of his party to nationalize the CPR.

● (1630)

Not long ago, the National Farmers' Union was in town. It wanted the government to nationalize fully both the CPR and CNR and to run them as public utilities. At that time I did not notice the hon. member for Regina West in the vicinity. Perhaps he recognizes that there is a problem with this approach, but he still calls for greater control over the railways.

Approximately two years ago, I understand, the hon. member tried another tack. He applied to the CTC for an investigation of whether the railways were violating Section 262 of the Railway Act in relation to grain movement. This section is very relevant to this discussion because it indicates that, in general, the railways must provide suitable accommodation for the loading, carrying, unloading and delivery of all traffic offered for carriage. If they do not, the CTC can order them to do so. By all appearances, it is a sweeping power which applies to all commodities and, hence, to grain.

At the time Section 262 was tested in the Supreme Court of Canada in 1959, unfortunately for the hon. member, the Supreme Court ruled that the section did not impose an absolute duty but only a relative one, so far as reasonably possible, for the railways to respond. The court looked at other factors, particularly the financial position of the railways. I hope one of my colleagues will have a chance to go into the relevance of this case in more detail.

The CTC, in its wisdom, rejected the hon. member's application, citing the Supreme Court case and, incidentally, the numerous efforts of the federal and provincial governments to improve the grain transportation system.

Naturally, that did not stop our persistent friend from Regina West. He was back again this session with motion No. 5 on the Order Paper which we debated once and may have the pleasure to debate again.

I have to admit that the hon. member, as well as being persistent, is at least consistent. Motion No. 5 indicates among other things:

—make the railways fix up their tracks and buy hopper cars, and give the Canadian Wheat Board more power to control grain movement.

The message in Bill C-266 is very much the same. It is too bad that it also runs into the same problems.

If I may be permitted a brief comment which is somewhat relevant to this discussion let me say that one might have the impression that the government is determined to block the hon. member's crusade for better service from the railways. This is not so.

A few weeks ago, the hon. member won an appeal to the CTC to retain a particular passenger service in the Sudbury area, and only last week a report from the Standing Committee on Transport dealing with express services was debated. If the hon. member had been here to participate, he would have heard the minister recognize how valid his concerns were regarding express services. He would have heard how the minister insisted on certain conditions being fulfilled before allowing the railway to proceed with its plans. Also he would have heard the minister ask the House to adopt the report, which it has.

So the government is by no means opposed to measures which improve the performance of the railways, as long as they make sense. I submit that the reason the hon. member lost his case under Section 262, the reason he was unable to obtain support for his motion No. 5, and the reason why this bill cannot be accepted is that it does not make sense.

Bill C-266 would transfer the power in question from the CTC to the Wheat Board. How is the Wheat Board equipped to handle the administrative aspects of such a responsibility? The Wheat Board has direct power over three specific grains—wheat, oats and barley. I know one of the hon. member's colleagues would like that power extended, but for the moment it is not.

On the other hand, railways handle hundreds and perhaps thousands of commodities daily. With improved productivity in recent years, rolling stock spends less time in yards and more time on the move. The CTC, with its national network of offices and inspectors, monitors this dynamic system. Of particular relevance to this discussion is that the CTC's newly established western office is widely considered as a valuable addition.

Transferring powers under Section 266 would not exactly emasculate the western CTC; I cannot really claim that. The point I am trying to make is that the Wheat Board really could not make rational decisions in this regard with its present structure. One could argue that the Wheat Board should be endowed with extra staff for this purpose. But does this make sense for a seldom, if ever, used provision?

If the Wheat Board had this power, how could it actually exercise it? Much as my hon. friend wishes this were so, one cannot snap one's fingers and produce the right number of hopper cars and engines at a given place in the country; that is

impossible. There is enormous potential for dislocation if some rolling stock is suddenly redirected. While the particular grain transport need might be satisfied, there would, in all likelihood, be delays in other traffic. I would like to hear the reaction the member for Regina West gets when he makes this sort of proposal to the coal, sulphur, or potash producers. These products are equally important to the west.

I will put all partisanship aside and say that when the Tories were in power, they had the right approach to problems of grain movement. They realize, as does this government, that because railways were losing money on the movement of grain, they were not able to invest in the grain transportation system as much as was needed. I suppose the member for Regina West realized that too. After all, he wrote a letter to *The Globe and Mail* which was published on February 26, which reads:

> An overwhelming majority of western farmers agree that the railways should be compensated for their losses.

But until this takes place—and we hope it will be soon—the solution is not to bully the system through a piece of legislation into doing something of which it is not capable. The solution is co-operation and co-ordination of efforts. The Wheat Board, the grain commission, the grain companies and pools, the producers, and the CTC all have an interest with the railways in moving the grain. This is why the Tories appointed the grain transportation co-ordinator. We think the office has done a good job and that the spirit of co-operation is there.

● (1640)

The best example of what this has achieved is our record export performance last year, which was up 20 per cent from the previous year. This year, unloads at terminals are running 4 per cent to 5 per cent ahead of last year. In fact, the terminal elevators are brimming over and waiting for ships. This sort of picture does not seem to call for Draconian legislation which would upset the distribution of responsibilities between the different parties involved in the system.

Last November there were complaints about country elevators in southern Alberta being clogged. No doubt this is the sort of situation which this bill is expected to address. But would it? As amended, Section 266 would obviously apply, and the Wheat Board would have to decide whether to order the railway, in this case the CPR, to provide equipment. If the CPR did provide the equipment instantly, would that have done any good? The problem, as it turns out, was a labour dispute in Revelstoke to the west, which was affecting not only grain but all commodities. It was not a lack of willingness or any sort of corporate blackmail on the part of the CPR.

In the end, each party acted rationally. The Wheat Board, seeing that the grain was not moving, restricted the delivery quota. It would not have made sense to make farmers drive to a full elevator only to turn back without leaving their load. As an interim measure, the CPR managed to move a considerable amount of the grain east to Thunder Bay until the labour dispute was resolved.

I would venture to say that most problems can be tackled this way, by understanding the situation and capitalizing on the opportunities. Applying a heavy-handed legislative club would not have solved the Revelstoke problem, nor would it solve other similar cases.

To conclude, Mr. Speaker, the difficulties which were experienced some years ago, which caused us to lose potential grain exports, have been overcome for the time being. They were not overcome by legislating the operations of the railways; they were overcome by financial assistance by governments but, even more important, by a co-operative attitude and a will to make the system work.

The job is far from finished, if we are to meet the grain export targets we have set for ourselves. But it is the positive and rational attitude which must prevail. I do not think that this bill is a contribution in that direction.

Mr. Jim Peterson (Willowdale): Mr. Speaker, I rise with great pleasure to speak on this bill, which involves a subject that is important not only to the western wheat farmer, as the hon. member for Bow River (Mr. Taylor) has acknowledged, and important not only to the economy of the whole of western Canada, but to the very heart of the economy. That is to say, our agricultural base—our oldest economic base in Canada. This is the reason so many people came from other countries to Canada.

Wheat has been one of our greatest exports. Our fundamental and economic existence would be something vastly different from what we presently find it to be if we did not have a prosperous agricultural community based in western Canada. Therefore, I do not think any of us should underestimate the importance of the subject which we find before us. I say this humbly as one from the east who knows how much all Canadians have benefited from the strength of western agriculture in our country.

The approach we are being asked to adopt by the hon. member for Regina West (Mr. Benjamin) is to take power from the Canada Transport Commission and give it to another regulatory body, the grain commission. I am not sure if this type of meddling through giving the power from one agency to the other will be the solution. I am not even convinced that the member for Bow River, who spoke in support of the bill, is sure that it will be the solution. His comments were to the effect that we should at least refer it to the committee so that we can discuss it further. I think that is a fair representation of what he said. I really do not think that is good enough. We, as responsible legislators and Members of Parliament, have the obligation to come up with reasonable and workable solutions before we can ask other members in this House, as representatives of their constituents, to begin to come to grips with fundamental problems.

All of us are concerned that the maximum amount of grain be transported to and from our ports. This has been a concern of the hon. member for Regina West for a number of years. For example, in 1979 he made an application to the CTC to try to have Section 262 apply in respect of the handling of

grain. At that time, the CTC rejected the application of the hon. member for two very solid reasons. First, the CTC indicated that the government had already been taking measures to try to cope with the problems of grain transportation; it had appointed a grain transportation commissioner. Second—this is a very important legal argument since it goes to the heart and philosophy of what the hon. member is proposing which is why members on this side feel it is unworkable—the application went against the fundamental philosophy of what we feel our boards, agencies and railways should be doing.

The CTC rejected the application based on the *A.L. Patchett & Sons Ltd. v. Pacific Great Eastern Railway Co.*, a 1959 decision of the Supreme Court of Canada. In interpreting Section 262 of the act in question, the court said that the duty of the railway to furnish "suitable accommodation" is not an absolute duty but is one which must be considered in the context of all the other obligations the railways are called upon to fulfil. In other words, the railway does have an obligation to transport grain. The Lord knows that we need those railways to do that. But what happens if their cars are tied up elsewhere? What happens if they can do it only at great economic loss? That is to say, you cannot force a railway, under all circumstances, to do things which are unreasonable.

Mr. Benjamin: The law says you can.

Mr. Peterson: This is what the law has been, as interpreted by the Supreme Court of Canada.

I believe this recognizes the fair combination of what we are trying to achieve in terms of our economic direction. It is an economic direction that recognizes that private enterprise, with its concomitant profit motive, is really the engine of our economy. It is really the incentive which helps individuals to go out and make this a stronger economic country. We do not believe, as does the hon. member opposite, that everything should be nationalized and that we can set up boards and then dictate what they should do in every situation. We still believe that there is room in our economy for the spirit of free enterprise, which necessitates profit. It is this delicate balance that we seek to maintain and it is one which would be offended if this were to go through. In particular, we would be offending the spirit of the Supreme Court of Canada decision in the Patchett case. Another problem arises in this situation.

• (1650)

Mr. Benjamin: We are on section 266 now.

Mr. Peterson: The hon. member for Regina West says, quite correctly, that we are dealing with Section 266 now and not Section 262. In 1979, however, the hon. member went to the CTC with a pig in a poke and was rejected. Now he comes back to us with a pig in a poke and says it is something different. This is the very same type of provision and the same type of approach with which he is asking us to deal at the present time.

One can invoke the name and the excellent report of Mr. Justice Hall who called upon us to take responsible measures to deal with the question of grain handling. This government is cognizant of that attitude. Unlike the hon. member for Bow River, I do not agree that the member of the other place who is responsible for the Canadian Wheat Board has been derelict in his duties. I would ask the hon. member to speak with the westerners with whom the minister has worked so closely, with the people in Saskatchewan, and with the co-operatives with whom he has been working on a national energy program to help them diversify their investment portfolio and have a greater stake in our energy program. He has been working hard to obtain new transportation facilities.

As every member of this House knows, the government has entered into a co-operative enterprise to provide over 2000 new railways cars for the transportation of grain in this country. In the last election we made a commitment to add increased trackage and we are not ashamed of that. We are happy to work with the farmers and to see that they have the transportation facilities necessary to get their grain to market.

I cannot accept the criticisms levelled by the hon. member for Bow River at our commitment to ensure that western farmers are adequately and properly given their just desserts and the recognition they deserve because of the role they fulfil and have fulfilled for so many years in this country.

There is another, technical reason why we should look again at Section 266, and this goes back to the Supreme Court decision. Section 266 imposes a specific obligation, as was intended. Therefore, in the words of the Supreme Court of Canada, it would override the general obligation that would prevail in any particular or limited situation.

The hon. member for Regina West recognized that Section 266 gives a very large power to the CTC, but he said it was invoked only once, in 1916. It appears that it was invoked in a desperate situation. Section 266 is still on the books. We might ask why there have not been more applications under Section 266. Is this an indication that perhaps what we are doing here is just a little bit of word smithing, substituting one administrative agency for another, without it having any real impact or giving any benefit. We have power under Section 266 to act in an emergency.

I should like to point out that I think we will have a problem if we implement the amendments proposed in this bill. One of the problems which could arise would be the conflicting obligations that might be imposed on a railway. If the hon. member's proposal were accepted, the Wheat Board could supposedly commandeer any car, any railway trackage, any locomotive to move grain at any time it decided to do so. Would it have to decide on other priorities? What would happen to the potash industry? If the cars, the shipping facilities, the dock facilities at the Lakehead or Vancouver were all tied up by potash, what would the position be then? Why is the Wheat Board in any better position to decide on the priorities of the railways than the railways themselves as represented by the Canadian Transport Commission? It has, as commissioners, representatives from all sectors. It can hold public hearings and is delegated to represent the public inter-

est. It has an obligation, not only to deal with wheat but with all transportation needs in the country.

We do not want the nightmare of having two boards, both having jurisdiction over where the cars should be at a particular time and who should have priority. Such matters must be settled by the body delegated by Parliament to have responsibility for settling the bigger issues, all of which have national and international importance.

In conclusion, Mr. Speaker, this bill, as far as I can see, is simply legislating schizophrenia on the railways. Surely there are sufficient agencies with responsibility for grain transportation without adding another.

Mr. Knowles: Question.

Mr. Peterson: The hon. member opposite has indicated that he has a question. I would be delighted to receive any questions he might have at the close of the debate on this issue.

Mr. Knowles: I am asking for the question to be called.

Mr. Peterson: I am always willing to respond to the questions of the hon. member for Winnipeg North Centre (Mr. Knowles). I have found them to be relevant and pointed. I defer to his experience in this House and welcome the opportunity to discuss this matter with him in public or in private when I have completed what I think are essential remarks dealing with the philosophy of the matter before us.

Mr. Knowles: Let us have the vote.

Mr. Peterson: At this time I think what we want to do is continue with the thrust of this government, which I am proud to support at this time. It recognizes the role of the farmer in western Canada, the importance of this to the economy, and the necessity for us all to join in that enterprise to ensure that their goods get to market. This is a co-operative effort involving the railways. It is an effort which is going to involve the ports, and one which must be considered in the context of all the transportation needs of western Canada.

[*Translation*]

Mr. Deputy Speaker: Order, please! The hour provided for the consideration of private members' business has now expired. It being five o'clock, the House stands adjourned until Monday at two o'clock, pursuant to Standing Order 2(1).

At 5 p.m. the House adjourned, without question put, pursuant to Standing Order.

APPENDIX

(*See p. 8227*)

Le Président
The Speaker

Chambre des communes
House of Commons
Canada

OTTAWA
March 4, 1981

The Hon. Stanley Knowles, M.P.
Room 632, Centre Block
House of Commons

Dear Colleague:

I refer to the Motion which you introduced in the House of Commons on December 19, 1980, to the effect that employees who worked extended hours during the December 18-19 sitting be paid extra compensation.

I am pleased to inform you that the process of confirming the names of the employees concerned and arriving at an equitable compensation formula, has now been concluded. Accordingly, some 192 employees will be receiving extra compensation later this month, based on the following formula:

up to 5 hours overtime $25. (36 employees)
5 to 9 hours overtime $50. (63 employees)
9 to 12 hours overtime $75. (21 employees)
over 12 hours overtime $100. (72 employees)

Accompanying the cheques to employees will be a letter from me extending the thanks of the House to them.

You should note that the regular House of Commons provisions for overtime pay applied automatically to these employees, with the exception of Table Officers, *Hansard* Reporters and Pages. The latter two categories benefit from time off during prolonged inter-sessional periods. Thus, extra compensation as a result of the motion introduced on December 19th last will be paid 95 employees, over and above the overtime pay they have already received in accordance with the prevailing overtime regulations. Ninety-three of the remaining 97 employees will continue to benefit from time off during prolonged inter-sessional periods.

The preceding information is offered in order that you may appreciate that provisions already exist to compensate House of Commons employees when they are called upon to work extended hours.

I trust the foregoing will prove useful to you in the event a similar occasion to that of December 18-19 presents itself in the future. Thank you for your continued interest in the well-being of House employees.

Yours sincerely,

Jeanne Sauvé

HOUSE OF COMMONS

Monday, March 16, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

THE CONSTITUTION

REASON FOR NON-REFERRAL TO COURTS—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In a February 23 letter to the Alberta minister of energy and natural resources, the federal Minister of Energy, Mines and Resources (Mr. Lalonde) said, in reference to the National Energy Program, that "The Canadian solution to such differences in the past has been to resort to the courts—" I therefore move, seconded by the hon. member for Edmonton North (Mr. Paproski):

That the government be asked to explain why only selective "differences" of their own choosing are considered to be relevant to referral to the courts for "the Canadian solution" and not general matters which would include the Constitution.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE JUDICIARY

FEMALE NOMINEES FOR APPOINTMENT TO SUPREME COURT—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, I rise under the provisions of Standing Order 43. Women constitute 51 per cent of the Canadian population, but not one female has ever been appointed to the Supreme Court of Canada. As the Prime Minister (Mr. Trudeau) and the Minister of Justice (Mr. Chrétien) were unable to find a suitable female candidate for the last appointment to the Supreme Court of Canada, therefore I move, seconded by the hon. member for Vancouver Centre (Miss Carney):

That this House invites Canadian women's groups from across Canada to forward to the Prime Minister names of qualified women who would be willing to be considered for appointment to Canada's Supreme Court.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RIGHTS OF INDIAN WOMEN—MOTION UNDER S.O. 43

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, in the past, members on all sides of the House have indicated their concern about the discrimination suffered by Indian women, so I hope that members on all sides will support this motion. Section 35(2) of the Constitution Act now before the House provides that interim constitutional conferences shall have an agenda item respecting constitutional matters that directly affect the aboriginal peoples of Canada. The Prime Minister of Canada (Mr. Trudeau) is required to invite representatives of the aboriginal peoples to participate in the discussions on that item. In order that the rights of Indian women will be adequately recognized and protected in our Constitution, I move, seconded by the hon. member for Vancouver East (Mrs. Mitchell):

That this House urge the Prime Minister to include in his invitation representatives of organizations which specifically represent Indian women.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, on January 1 Canadian oil companies, including PetroCan, attached the petroleum compensation charge to inventories of 70 million barrels of oil which they had on hand. As the government knows, this $2.50 per barrel charge should only be levied on oil delivered after January 1. As a result, the oil companies, and in particular PetroCan, have cleaned up on a windfall profit of at least $170 million. Because of this I move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

S.O. 43

That the government reduce immediately the price of home heating oil and gasoline through its socialized government owned outlets so that a rebate equal to at least the profit that has accrued to PetroCan as a result of the petroleum compensation charge can be passed on to the consumers of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION

MORTGAGE INTEREST RATE INCREASES—MOTION UNDER S.O. 43

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, I rise under the provisions of Standing Order 43. Many people are feeling the pinch of skyrocketing mortgage interest rates. In one particular subdivision in Belleville a number of people, some on disability pensions and other forms of fixed income, are now receiving notices of mortgage increases from Canada Mortgage and Housing Corporation. The increases are over 75 per cent. I therefore move, seconded by the hon. member for St. Catharines (Mr. Reid):

That on these mortgage renewals where CMHC is directly involved as the mortgagor no renewals involving the percentages mentioned be allowed and some gradual increases only be permitted.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FOREIGN INVESTMENT REVIEW AGENCY

OPERATION OF DUTY FREE SHOPS—MOTION UNDER S.O. 43

Mr. Joe Reid (St. Catharines): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Press reports indicate that the Foreign Investment Review Agency is negotiating with not one but two foreign companies for the operation of a duty-free shop at Toronto International Airport, which could open the way for many others, and is contradictory to the government's policy of Canadianization. I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That this House direct the Foreign Investment Review Agency that preferential consideration be given to Canadian applicants in the operation of duty-free shops within Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1410)

FISHERIES

WEST COAST FISHING VESSEL BUY-BACK PROGRAM—MOTION UNDER S.O. 43

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas 8 per cent of the B.C. "A" licence fishing fleet has been offered to the government's buy-back program, and whereas 238 of the 348 applications received will not be considered by the minister's officials because they have only $3 million allocated to the program; and whereas funds contributed through licence fees since 1974 in the accumulated amount of $9.3 million have been spent on other programs, thus betraying the rationale for increased licence fees in 1971; I move, seconded by the hon. member for Vancouver East (Mrs. Mitchell):

That the minister admit he is out of touch with the extent of the problem in the British Columbia fishing industry, that he direct more resources to the west coast, and that he immediately allocate an additional $6 million to the buy-back program so that at least the program can function with the funds that B.C. fishermen have contributed for this purpose in the past seven years.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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DISASTERS

HAZARD POSED BY NEW BRUNSWICK SHIPWRECK—MOTION UNDER S.O. 43

Mr. Mike Landers (Saint John): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that the motor vessel *Opal* went aground on the Red Head Beach near Saint John, New Brunswick, on February 12, 1981; and in view of the fact that over-exuberant sightseers are causing damage to the property of area residents, not to mention the inherent danger of the presence of the ship should another storm occur, I move, seconded by the hon. member for South West Nova (Miss Campbell):

That this House urges the Minister of Transport to secure immediately or remove the ship, or force the New York owners to secure immediately or remove the ship in the interest of the safety and peace of mind of area residents.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

CANADA SAVINGS BONDS

INCREASE IN INTEREST RATE—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, on March 3, when asked to raise interest rates on Canada Savings Bonds, the Minister of Finance (Mr. MacEachen), in standing committee said:

—we stay with the view that the rates are reasonable and that they are reasonable because of the particular characteristics of these bonds.

Ten days later the Minister of Finance raised the interest rate to 13.75 per cent, above the rate paid on guaranteed income certificates, savings accounts with banks and other institutions. I therefore move, seconded by the hon. member for Peterborough (Mr. Domm):

That this House demands that the Minister of Finance immediately today on motions explain to this House why 11.50 per cent was a satisfactory return on March 3, and how it is necessary, because of the quality of the bonds, to increase the rate of interest to 13.75 per cent on March 13, and how in ten days there has been such a worsening of Canada's credit to force the minister to increase bond yields by 2.25 per cent.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CRIMINAL CODE

CALL FOR REVIEW OF GUN LAWS—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity, under the provisions of Standing Order 43. Whereas the present gun laws permit a peace officer to search a person's home and seize his guns on suspicion, and an Alberta court has ruled that such searches and seizures are illegal unless the owner has committed an offence, and whereas the gun laws require a complete and thorough overhaul, I therefore move, seconded by the hon. member for Bruce-Grey (Mr. Gurbin):

That this House urge that the gun laws be referred for review and amendment to the Justice and Legal Affairs Committee at the earliest possible time.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

IMPACT OF INTEREST RATES ON FARMERS—MOTION UNDER S.O. 43

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, I rise on a matter of urgent and pressing necessity. Given that many

Canadian cattlemen today are teetering on the brink of bankruptcy with interest rates sustained at levels beyond the ability of cattlemen, and farmers in general, to pay; given also that banks have begun to foreclose on a number of mortgages and that this could mean the loss of livelihood to a number of farmers, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That the Minister of Agriculture immediately give special terms of reference to the Standing Committee on Agriculture to study the effects of interest rates on farmers; that the study place an emphasis on the cattle industry; and that recommendations for relief be made by the committee.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NUCLEAR ENERGY

SAFEGUARDS RESPECTING SALES OF NUCLEAR REACTORS—MOTION UNDER S.O. 43

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I, too, rise under the provisions of Standing Order 43. Despite protests to the contrary by the Prime Minister (Mr. Trudeau), and others, rumours abound that Canada is about to water down its nuclear safeguards in order to sell more CANDU reactors abroad. According to Canada's special negotiator for nuclear safeguards, no changes to our sales criteria for nuclear technology, fuel or expertise are contemplated unless—and the operative word is "unless"—international agreements on the use of nuclear technology are instituted to replace our own minimal sales requirements. Because of the possibility that future international agreements on the use of nuclear reactors might replace existing Canadian safeguards developed to prevent CANDU reactors being turned into nuclear bombs, I move, seconded by the hon. member for Winnipeg-Birds Hill (Mr. Blaikie):

● (1415)

That this House insists that the strongest possible safeguards be maintained concerning the sale of nuclear reactors to foreign countries and that this House instruct the Department of External Affairs to reject any international agreement on nuclear sales which would replace and weaken Canada's present minimal proliferation protections.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

STATUS OF WOMEN

DEMANDS OF NATIONAL ACTION COMMITTEE

Mr. Walter McLean (Waterloo): Madam Speaker, my question is directed to the minister responsible for the status of women. The minister will know that the National Action Committee on the Status of Women, an umbrella committee representing some 150 women's groups from all parts of Canada, met this past weekend in Ottawa. The committee demanded two things. It demanded the minister's resignation as well as the resignation of the executive of the advisory council. Will the minister tell the House what action the government is prepared to take on these recommendations?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, we are prepared to take action on the positive, constructive suggestions which come from any women's group. We have just had a very informative and helpful meeting with the executive of the national action group. The issues the hon. member raised did not come up in quite the way he suggests. I think what that group is far more concerned about is getting on with dealing with the substantive concerns of women and getting away from the kinds of conflicts and allegations which have been so prevalent in the past. We certainly identify with the sentiment that it is time to get on with the real issues affecting women and to get away from some of these false issues.

APPOINTMENTS TO ADVISORY COUNCIL

Mr. Walter McLean (Waterloo): Madam Speaker, obviously one of the substantive issues for women in Canada is the matter of the person who represents them in cabinet, and through their recommendations women are clearly suggesting that there is a lack of credibility there.

The minister will recall that last week he appointed a president and six new members to the Advisory Council on the Status of Women. The National Action Committee, for one, was not consulted before the appointments were made. Did the minister consult, for example, women's business and professional groups, the farm women, the YWCA, Women and the Law, or any other women's groups? In making these appointments of people to advise the government, with whom did the minister consult?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, it may be of some interest to the hon. member, who is concerned about the nature of the appointments, that the woman who is the head of the Farm Women of Canada was appointed to that council.

Some hon. Members: Hear, hear!

Mr. Axworthy: Furthermore, if he will take a closer look at the qualifications of several of those who were appointed to the council, he will find that they represent business, education, the Inuit and native communities, and the farm community. They represent the general interests of women. Our criterion is that they be prepared to serve the interests of women, not a particular women's group.

REVIEW OF COUNCIL'S STRUCTURE AND ROLE

Mr. Walter McLean (Waterloo): Madam Speaker, the minister is very clever at avoiding the question. The question was not about the person but the groups who represent women across the country. The minister is saying that he will make decisions on behalf of the women of Canada.

Last week under questioning here in the House the minister said that he preferred to support the advisory council's decision to hold its own internal review of its structure and its role. An internal review is clearly not credible either to this House or to the women of Canada. Will the government, simultaneously with the in-house review, order an external review which can be more independent and more believable?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, the hon. member is quite interested in the questions which were raised last week. I remind him of the answer I gave last week, which was that all along the position of the government has been to support the independence of that council and to allow it the right to make its own decisions about its own affairs. It is important that that independence and autonomy be maintained, and therefore what we are saying is that we gave recommendations and advice and discussed our concerns with the council. The council has decided it will do a review, report its findings to women's groups and consult with them, and then make further recommendations to the government. At that point in time I would be very happy to answer the hon. member's question.

* * *

THE JUDICIARY

QUALIFICATIONS FOR APPOINTMENT OF WOMEN TO SUPREME COURT

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is directed to the Minister of Justice, and it pertains to recent remarks made by the Prime Minister to the effect that he and the Minister of Justice were unable to find any qualified women in Canada who would merit appointment to the Supreme Court of Canada.

● (1420)

I should like to say to the minister that women have been filling the normal qualifications for appointment to the Supreme Court for years. Certainly they have been practising successfully in all fields of law for years, and they have been ably filling positions on the provincial superior courts and supreme courts. I should like to ask the Minister of Justice what qualifications he and the Prime Minister were looking for

in these appointments to the Supreme Court of Canada over and above those required of men in the search they made for a woman to be appointed to the Supreme Court of Canada.

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, there is no opening on the Supreme Court of Canada, so there is no problem at this moment. I have to tell the hon. member that when there was an opening not long ago, we tried to find the best qualified lawyer or judge available to fill that post on the Supreme Court. The candidate had to be from Quebec, and we did appoint a judge from Quebec. At that time we looked at the possibility of appointing a woman to that post, as we do always, but at the same time, when there is a vacancy, the best person to fill that position must be found. Unfortunately, the candidate whom we named at that time was better qualified than the women considered when we had to fill that position last summer.

Miss MacDonald: Madam Speaker, I always find it interesting that when the government refers to appointments of women, it uses the adjective "qualified", as if a woman somehow had to be better qualified for an appointment than a man. That is the attitude that the government takes. I should like to say to the minister that we are all interested in seeing women appointed to the Supreme Court of Canada, and since the government on its own has not been able to find a suitable candidate among women for the Supreme Court of Canada, would the minister undertake to give to the House the assurance that he will now consult with the National Action Committee on the Status of Women, the Business and Professional Women's Association, La Fédération des Femmes du Québec, the National Association of Women and the Law, and all other women's groups, to find suitable women candidates to be nominated to the Supreme Court of Canada so that we will see the male monopoly in the Supreme Court of Canada broken once and for all?

Mr. Chrétien: Madam Speaker, when there is an opening we will consider the best candidate available to fill that position, and if it so happens that that candidate is a woman, I will be the happiest man in the House.

* * *

EMPLOYMENT

FUNDING FOR WOMEN'S PROJECTS THROUGH OUTREACH PROGRAM

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Minister of Employment and Immigration. A minute ago he said with a straight face that the government was interested in "real issues" affecting women. Considering that the women's Outreach program has been extremely effective in helping women gain access to the labour market, and also considering that women have a much higher rate of unemployment than men, could the minister explain to the House why the government has cut the annual budget for this fiscal year of the women's Outreach program by some 25 per cent, if it is really interested in real issues affecting women?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, the hon. member's information is not quite correct. In the new estimates which were just tabled in the House, the budget for Outreach is well over $11 million, which is a substantial increase over the last year. I would also point out to him, as I think I did to some of his colleagues during the time when they considered my departmental estimates, that we have frozen the allocation for Outreach in order to get a higher proportion of the money going to women's projects, and in the past year we have increased by close to 50 per cent the number of women's projects funded under Outreach.

At the same time, we have taken the Community Services Employment Program and funded over 100 women's projects in this country to provide direct employment to those programs, all of which was designed to give them a chance to develop innovative enterprises and activities directed at women's issues. I would like to have more, Madam Speaker, but under the restraints we have we are trying to reallocate the money for these projects and set as a priority the very important concern of women's employment.

● (1425)

Mr. Broadbent: Madam Speaker, I referred to the reduction in the proportion of Outreach funding going to women's programs. In that regard, specific Outreach projects have been cut at the rate of more than one per month so far this year. In this context will the minister, as a minimum and as an expression of the government's concern with women, especially women in the economy, guarantee that the government will restore all those Outreach projects which have been cut so far this year?

Mr. Axworthy: Madam Speaker, there seems to be some difference in understanding. I am indicating to the hon. member that we have increased the number of available Outreach projects for women's employment concerns in the past year, and have tended to increase them even more for the coming estimates' year.

Also, we have gone ahead and set up some experimental programs dealing with women's employment centres, providing them with their own department. It is my intention to use that as a model to establish those kinds of centres in major urban areas across Canada in the coming year. So, we have a plan in mind to provide more comprehensive and more extensive counselling in service programs for women in the employment field. I agree with the sentiment of the hon. member, and I think the sentiment is being fulfilled by the actions we are taking.

Mr. Broadbent: Madam Speaker, I will not dwell on the first point. It was that the budget for Outreach projects in general has been increased but, as the minister knows, women's programs, as a percentage of the total budget, have been reduced. I will leave that. The minister has not denied

that a number of projects have been cancelled, at the rate of more than one per month for the last few months.

* * *

HEALTH AND WELFARE

PROVISION OF CHILDREN'S DAY CARE FACILITIES

Mr. Edward Broadbent (Oshawa): Madam Speaker, I should like to go to another area which concerns women, and more specifically affects children in Canada. It has been estimated that only 10 per cent of all those who have a need for day care services in Canada have access to adequate or professional day care facilities. With regard to the concern for the 90 per cent of the children who have need, will the minister commit the government, first, to providing a fund which will enable groups in the private sector that start up day care facilities to receive capital grants and, second, on behalf of the government will he undertake to ensure, or at least show leadership in ensuring that all federal employees who have need of day care services will have them provided?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I agree very much with the sentiments expressed by the Hon. Leader of the New Democratic Party. However, I would point out that there is one major difficulty in making such a commitment, that is, that day care programs are basically decided by provincial governments.

Mr. Broadbent: No.

Mr. Axworthy: We supply our funding through the Canada Assistance Plan, but we cannot set the priorities or the allocations. This is a responsibility of the provinces. My hon. colleague, the Minister of National Health and Welfare, met with her provincial counterparts—and I believe she is meeting with them again this week—to encourage the expansion and extension of day care programs; but we must rely upon the provinces to make those decisions.

Mr. Crosbie: Come off it.

Mr. Axworthy: As far as the second program is concerned, I can inform the hon. member that the President of the Treasury Board and other ministers are working right now on the development of a day care program for federal service employees.

* * *

NATIONAL ENERGY PROGRAM

PRICES OF OIL AND GASOLINE

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Recently the hon. member for Sarnia was quoted as saying that he believed the price of oil used for heating and of gasoline should move quickly toward 85 per cent of world price, and that the Liberal caucus was prepared for such price changes in an effort to reach some agreement between Alberta and Ottawa on the National Energy Program.

Does the government believe that its deception, starting with the promises of the 1980 election, has gone far enough? Is the government flying a trial balloon, through this former minister, to see whether the public is ready for the enormous flip-flop on energy prices?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I refer the hon. member to the National Energy Program, in which we indicated quite clearly and specifically—I do not have the page with me, but if he gives me a few minutes I will find the page—that we did not want the total blended price of gasoline over this decade to exceed 85 per cent of world price. That includes not only the wellhead price but also the refinery gate price. This was clearly spelled out in the National Energy Program when it was published on October 28. There has been no change since then. Indeed, it is in the program as it is. What is being argued about at the present time is how much the wellhead price should be, which is what we are discussing with the government of Alberta.

• (1430)

Mr. Wilson: The minister is clearly having trouble with members in his caucus. I guess it is not the first time that we have seen him having trouble with members of his caucus in trying to arrive at this price.

Some hon. Members: Oh, oh!

Mr. Wilson: I hear members opposite talking out. I think they are concerned about the answer the minister just gave.

The minister has frequently referred to the positive position taken by NOVA, an Alberta corporation, with regard to the energy program. About a week and a half ago the president of NOVA, Robert Blair, stated that he was disturbed that NOVA has been used by federal spokesmen as an illustration that the National Energy Program must be all right as is. He went on to say that this is a distortion, the National Energy Program is not all right as is. In view of the comments from the hon. member for Sarnia, and in view of the comments by Mr. Blair, where he had recommended moving quickly to 85 per cent of world prices—two $10 price increases this year and next, which coincidentally arrives at a price equivalent to 85 per cent of world price—would the minister confirm that a price increase of this magnitude is under consideration as a means of achieving that 85 per cent relationship?

Mr. Lalonde: Madam Speaker, I will try to answer the various points one by one. With reference to caucus, the hon. member must hear voices from his own caucus. I invite him to resist transferring those voices into other caucuses.

Some hon. Members: Hear, hear!

Mr. Lalonde: As far as the other point that he has raised is concerned, I can tell him that there is no such consideration

being given at all at the present time to the kinds of figures to which he has referred.

As far as Nova is concerned, we have never pretended that the elements of the National Energy Program were the be all and end all of everything. We have already agreed to make some changes to improve the program, which have been well received and have proven to be quite helpful to the industry.

I hope that in the discussions we are undertaking with the producing provinces we will arrive at a satisfactory arrangement. But I want to assure the hon. member that we will not expose Canadians to the type of action, the terrible treatment that the minister of finance on his side imposed on them in December of 1979.

Some hon. Members: Hear, hear!

* * *

PUBLIC SERVICE

POLICY GOVERNING STAFFING PRACTICES OF PUBLIC SERVICE COMMISSION

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, my question is for the President of the Treasury Board. Last week, when faced with a report of selective hiring from Quebec only, the Minister of Transport expressed shock. The Public Service Commission now says that it is government policy to limit employee searches in all provinces. Would the President of the Treasury Board like to take his turn at expressing shock? More particularly, since it is his responsibility, would he attempt to change this policy so that all Canadians are given an equal opportunity to apply for jobs in Canada with the Canadian government?

Some hon. Members: Hear, hear!

Mr. Siddon: So much for mobility!

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I thank the hon. member for his question. I have been reading the statements from the Public Service Commission. I believe the hon. member is aware that staffing is the prerogative of the Public Service Commission, not the Treasury Board.

Mr. Ellis: Madam Speaker, it may be the prerogative of the Public Service Commission, but surely the President of the Treasury Board has some input into this policy. We find that in response to ads for a position in Annapolis Valley-Hants in Nova Scotia, the hiring is done in Moncton, New Brunswick. So much for the policy. It seems to me that the policy only applies to those areas where the right colour of representative sits. Therefore, could the minister apply some pressure to the Public Service Commission and have that policy changed?

Mr. Johnston: Madam Speaker, the whole purpose of the Public Service Commission having staffing responsibilities is to avoid the application of pressure. It is to ensure that the merit principle is respected. As a result of that we have one of the finest public services in the world.

The issue is, though, that this is a policy. My colleague, the Minister of Transport, has commented upon it. I myself have looked at it and I would certainly be prepared to discuss it with the Public Service Commission. But I am in no position, nor do I want to be in a position, to put pressure on the Public Service Commission with respect to their staffing policies, which is their prerogative.

* * *

INDIAN AFFAIRS

DEPARTMENT'S TREATMENT OF MANITOBA INDIAN BANDS

Mr. Cyril Keeper (Winnipeg-St. James): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. The Manitoba Indian chiefs feel very strongly that the Department of Indian Affairs in Manitoba has been unable to respond to the needs of Indian people and is, in fact, working from the basis of arbitrary budgetary allocations. It has proceeded to impose budgets on Indian bands rather than negotiate budgets. Officials have not taken any action on the needs of off-reserve Indians, ignoring a very real and growing problem. I would observe that this is due at least in part to the limited funds available for Indians. Is the minister taking any action to obtain additional funds for Indians so that his meeting tomorrow with the Manitoba Indian chiefs will have some hope of success?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, my colleagues and myself are always looking for additional resources for the Indian people, since everyone in this House knows about the poverty situation which confronts many elements of the native people. I hope that there will be additional funding to alleviate some of these concerns in the relatively near future.

In the meantime some of the specific matters that the hon. member is talking about have been addressed through meetings which have been held by the Manitoba Indians with my deputy, my executive assistant, and so on. I have been informed that some of these matters have been resolved satisfactorily. Whatever ones have not been resolved, I will endeavour to resolve myself tomorrow.

Mr. Keeper: Madam Speaker, the minister seems to be unaware of the complete breakdown in the working relationship between the Indians in Manitoba and his department, to the point at which they are calling for the resignation of the whole executive of that department.

The minister should understand that since 1970 allocations for Indians per capita have increased by 14 per cent, whereas general allocations across the budget have increased some 128 per cent. It is time to remove fiscal restraints from the budget for Indian people. Will the minister take some action on that immediately?

Some hon. Members: Hear, hear!

Mr. Munro (Hamilton East): Madam Speaker, the question is somewhat repetitious. I have already indicated that I am taking action. I have indicated I am hopeful there will be additional funds. I cannot see what more I can add until I meet with the Manitoba Indian group tomorrow.

* * *

CANADA LABOUR CODE

INDUSTRIAL USE OF CANCER RISKING SUBSTANCES

Miss Aideen Nicholson (Trinity): Madam Speaker, my question is for the Minister of Labour. In view of recent statements that more than 10,000 Canadians will die this year from cancer they contracted on the job, and that if 20 substances now in common use in industry were better controlled, cancer risks could be greatly reduced, can the minister say whether the current review of Part IV of the Labour Code is actively addressing this aspect of industrial health and safety?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the question raised by the hon. member is a very important one. Indeed, the review of Part IV of the Labour Code, which is presently under way, with in-depth consultation with both the Canadian Labour Congress and business leaders within the country, is aimed at better enabling government to regulate the protection of safety and health of workers, certainly as it relates to cancer but also as it relates to other diseases and safety situations. It is hoped that legislation will be forthcoming in the near future, at the conclusion of this comprehensive review, aimed at consolidating as well as improving the laws in that regard.

* * *

● (1440)

PUBLIC SERVICE

STAFFING PRACTICES OF PUBLIC SERVICE COMMISSION

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question is directed to the minister responsible for the Treasury Board. Earlier in this question period the hon. member for Prince Edward-Hastings brought up the issue of appointments to the Department of Transport. I read from an ad for foreign service secretaries which was in the Ottawa area on the weekend. The first sentence of the ad reads as follows: "If you are a resident of the province of Quebec or Ontario with secretarial experience and have the ability to take dictation", you may want to work in a foreign embassy.

Could the minister explain to me why Canadian secretaries, to be entitled to work in our foreign missions, should be from the province of Ontario or Quebec?

[*Translation*]

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the question asked by the hon. member may be very interesting but, as I have just explained, it does not come within the jurisdiction of the Treasury Board. It should be addressed to my colleague, the Secretary of State.

[*English*]

The Public Service Commission reports through the Secretary of State. As I explained, staffing is not a responsibility of the Treasury Board.

An hon. Member: It's a government responsibility.

Mr. Hawkes: The nature of that ad would appear to run counter to some sections of the new Constitution Act. Given the fact that the Quebec government has found at least 100 laws which will have to be changed once this act passes, can the minister tell us what staffing preparation he has put in place through the main estimates to enable the Government of Canada to change hundreds of laws and regulations that will need to be changed if this act, as it is presently written, goes forward? Can the minister tell us where to find, in the main estimates, that staffing increase which will be necessary to straighten up the chaos which will follow?

An hon. Member: More big government.

Mr. Johnston: I am not sure I fully understand the thrust of the hon. member's question. I have already explained in some detail in this House, at the time of tabling the main estimates—

An hon. Member: Call in Gallant.

Mr. Johnston: —exactly what the person-year requirements of the government are in the coming year. I indicated that those increases were primarily due to the census for 1981, and that certain other departments, Energy Mines and Resources, for example, and Fisheries and Oceans, required additional person-years. I think that I fully explained the requirements envisaged by my colleagues in the cabinet at that time.

* * *

THE ENVIRONMENT

ALICE ARM, B.C.—DUMPING OF TOXIC WASTE BY AMAX MINE

Hon. John A. Fraser (Vancouver South): Madam Speaker, my question is directed to the Minister of Fisheries and Oceans. As the minister knows, during the 1979 election a special order in council was passed at the instigation of the minister to allow an extraordinary increase in mine tailings effluent from the Amax Mine in Alice Arm, British Columbia.

In view of the fact that that was done secretly and that it exceeds—as my hon. colleague, the hon. member for Skeena said—by thousands, the present regulations set down by the federal government for effluent outlets, why was it done secretly? Why was there no environmental assessment review procedure? Why is the present government prepared to stand on what was done secretly and refuse the Nishga Indians a public hearing into whether or not this is sound, before the

company starts to dump the effluent into the inlet on April 1, especially keeping in mind that the Utah Mines problem in British Columbia was exactly the same situation, and ten years later we are finding out that everything said by the scientists hired by the companies has turned out to be false? I want an answer to that.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): I doubt if I can match the hon. member's level of indignation.

Mr. Fraser: You are darn right.

Mr. LeBlanc: I would hope to match, however, the level of his information. If his only source is the hon. member for Skeena, I would really suggest that as a former minister of the environment he might want to check his facts again. The reality is that I have looked in the records to see if there was unusual haste in the judgment that was made preceding the order in council which gave the permit to the mining company. I have found no evidence of this at all. It was made very clear when the permit was issued and the order in council was passed, that on judgment of the scientists who had reviewed this situation they felt this type of tailings deposit was acceptable.

Some months ago, I asked for another review, and I was given the same answer. But in order to remove any suspicion from my department, I then, with the Minister of Indian Affairs and Northern Development and the Minister of the Environment, sought out three distinguished non-governmental scientists, an oceanographer and biologist, to undertake a scientific assessment to review the conditions attached to the permit, and the monitoring and to give me their opinion.

I regret that this endeavour has met with delay because the issue has become one of public inquiry and not of scientific review. I agree with what my colleague, the Minister of Indian Affairs and Northern Development, said. It is a scientific problem, not a legal problem. My hope is that our conversation with the Nishga will succeed and that we might convince them that public hearings by a scientific panel of non-governmental people is the best route. If they recommend an inquiry, of course I will be happy to look at this.

Mr. Fraser: Madam Speaker, that is just the biggest pack of garbage I have listened to in the House on environmental matters for years.

Some hon. Members: Oh, oh!

Mr. Fraser: Given the fact that the principle here is whether or not the Government of Canada is committed to public hearings on these matters, how can the minister sit in his seat, or stand on his legs, and say that the secret directives changing the government's own regulations is justifiable? You have set up the environmental assessment review procedure and you have done an end run right around it. If this kind of disgraceful thing—

Madam Speaker: Order.

Mr. LeBlanc: Madam Speaker, I wonder if I am at the National Arts Centre, rather than the House of Commons.

Some hon. Members: Oh, oh!

Mr. LeBlanc: The order in council was passed, and I have checked it and reviewed it again. Like all orders in council, they are passed as recommendations to the minister, then being accepted are proclaimed when and if the time comes to proclaim it. I have seen nothing unusual. In fact I have suggested—

Mr. Fraser: You have seen nothing unusual about it.

Mr. LeBlanc: Perhaps if the hon. member would listen, he might learn something.

Mr. Fraser: I know more about this than you. That's why it hurts.

Madam Speaker: Order, please. The idea is to allow the minister to give his answer. If the question was posed, you need an answer.

Mr. LeBlanc: I think that I made it very clear, in the official release which accompanied the proposed names of the scientific panel, that they were perfectly free to hold public hearings, to focus on the issue, and to give all the information that was available. That is still my view.

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REGIONAL DEVELOPMENT

BRITISH COLUMBIA COAL DEVELOPMENT PROJECT—REQUEST FOR PUBLIC HEARING

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, my question is not unrelated to the one which has just been the subject of an exchange between the Minister of Fisheries and Oceans and the hon. member for Vancouver South. It is directed to the Minister of Transport and is with regard to the commitment to proceed with the development of Northeast Coal. Even though details are sketchy, we know that the federal government is involved to a very large extent, financially and in other ways, with this development.

Has the minister given thought to establishing a type of public hearing similar to that held in connection with the pipeline in northeastern British Columbia, to arrive at a set of socioeconomic conditions which will protect the people, give people information about the project—people in the area, I am talking about—and also allow them to have some input into the manner in which this project proceeds, so that their legitimate concerns and aspirations are met?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I would certainly look at this idea, but I am under the impression that if such an inquiry should be held, it should be held by the provincial authorities. The minister of state for economic development confirmed that the environmental

aspect with respect to the port of Prince Rupert had been looked at by the federal Ministry of the Environment. But again, I take notice of the question and will look into it further to see if more can be done.

Mr. Oberle: Every time I talk to the minister about this he seems to be referring to the port of Prince Rupert. I am talking about the big hole being dug in central British Columbia, in which the government is directly involved. Will the minister be as aggressive as he was during the development of this project with federal funding and participation, by insisting that federal jurisdictions are met with respect to environmental, ecological concerns and socioeconomic concerns, keeping in mind that the government of British Columbia has not seen fit to participate in the pipeline hearings? If the province does not proceed with the public hearing, would the minister use his good offices to insist that be one of the conditions which would assure continued federal co-operation in this project?

• (1450)

Mr. Pepin: Madam Speaker, it may be that one of my difficulties is that I am acquainted with the constitutional issues in this country. The responsibility for that "big hole" in terms of the environment is a provincial one. If I keep referring to the port of Prince Rupert, it is because that port is a federal responsibility, and one might make the case that not enough attention is being given to the environment. But, as I say, that "big hole" comes under provincial jurisdiction.

Mr. Crosbie: It is about time you spoke up, Jean-Luc.

Mr. Clark: Tell us about the Pepin-Robarts report.

* * *

CORPORATE AFFAIRS

PRICING PRACTICES OF OIL COMPANIES—GOVERNMENT ACTION TO COLLECT TAXES

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, my question for the Minister of National Revenue is with regard to a topic that I suspect has become a major concern to all Canadians, namely, the high price of petroleum products and those who benefit from high prices.

Given that the combines report on competition demonstrates that high transfer prices between the multinational parent companies and their Canadian subsidiaries cost Canadians an extra $3.2 billion between 1958 and 1970, and that Sun Oil has stated it was "ahead as long as the Canadian tax authorities recognize these high prices fully as costs despite their basic unreality"; and given that Sun Oil's report concludes that such practices are continuing, what action does the minister plan to take to stop this obvious tax dodge by the company?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, my department is presently reviewing the report. I do not have a full and complete report, but if it shows that there were practices which were not legal under the law, then certainly we will be taking action.

Mr. Riis: Madam Speaker, the report states that the Department of National Revenue already has the power to insist on arm's length prices in dealings between parent companies and their subsidiaries. Revenue Canada apparently has been duped in the past. Most likely on a continuing basis Canadian subsidiaries are paying artificially high prices to their parent companies, writing these off as costs. Will the government now re-assess the taxes of these corporations to recover the billions of dollars lost to the federal treasury?

Mr. Rompkey: Madam Speaker, we do assessments on a regular basis on a number of industries across the country in keeping with our resources.

Mr. Crosbie: Leave the fishermen alone.

Mr. Rompkey: This is an ongoing practice. In this particular case we are doing a specific review in light of the report, and if we need to take any action, we certainly will.

* * *

[*Translation*]

CANADIAN BROADCASTING CORPORATION

REQUEST FOR EARLY SETTLEMENT OF JOURNALISTS' STRIKE

Mr. Robert Gourd (Argenteuil-Papineau): Madam Speaker, my question is for the Minister of Labour. Following the announcement of an election in Quebec last week, the strike by CBC French-speaking reporters is becoming even more significant. Can the minister tell the House whether he and the CBC intend this situation to stagnate or whether they intend to provide six million Quebecers with the news reports they are entitled to?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, this strike has very serious implications because of the election in Quebec. The mediator of Labour Canada, Mr. Guy De Merlis, met with the parties involved last weekend. The CBC has made a new major offer to the union, which the latter is now considering.

* * *

[*English*]

TRADE

ACCESS TO UNITED STATES MARKET—DISCUSSIONS ON AUTO PACT

Mr. John Thomson (Calgary South): Madam Speaker, my question is for the Minister of State for Trade. In view of the increasing tendency toward protectionism in the United States and the adverse effect this will have on the promotion of export trade with our most important trading partner, did the minister press his cabinet colleagues to obtain a commitment

during President Reagan's recent visit to Canada which will improve our trade with the United States? In particular, was any attempt made to negotiate greater access to the American market for Canadian manufactured goods under buy-American regulations or under the auto pact?

Hon. Ed Lumley (Minister of State (Trade)): First, the Prime Minister did raise the issue of the auto pact with the President. Both leaders agreed that the bilateral consultations which had been initiated by the previous administration should continue. At a meeting attended by my colleague, the Minister of Industry, Trade and Commerce, the Secretary of Commerce, Mr. Baldrige, Ambassador Brock and myself, the auto pact was discussed. We discussed not only buy-American legislation but buy-national legislation, an issue raised by both governments.

With respect to the buy-American legislation, we specifically centred our discussion on urban rapid transit systems. We think we can increase our share of world-wide markets, not just on the North American continent.

Mr. Thomson: Madam Speaker, could the minister tell us whether it is the government's intention to carry on these discussions and negotiations? Does the minister expect this will result in an improvement in our trade position with the United States, taking into account its move toward protectionism?

Mr. Lumley: Yes, Madam Speaker. As the hon. member knows, our bilateral trade with the United States is fast approaching the $100 billion mark, which is an excellent example of trade between two countries in the world. My colleague, the Minister of Industry, Trade and Commerce, is presently making arrangements to visit Washington to have further discussions with Ambassador Brock and Secretary of Commerce Baldrige.

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[*Translation*]

CANADIAN BROADCASTING CORPORATION

DISPUTE BETWEEN CORPORATION AND QUEBEC JOURNALISTS' UNION—GOVERNMENT POSITION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I have a supplementary for the Minister of Labour concerning the strike at the CBC. Does the decision that the strike must remain exclusively the concern of the CBC represent the federal government's position, or is the government willing to set a date after which it will take its own responsibilities to provide the services of the CBC to the people in Quebec?

[*English*]

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the right. hon. gentleman is well aware of the jurisdictional limitation of my department. It is the role of the Department of Labour to mediate and to provide circumstances through which parties are able to come to an agreement.

The question as to whether any specific direction should, by government policy, be given to the CBC, is a question which would have to be directed elsewhere.

[*Translation*]

Mr. Clark: Madam Speaker, perhaps I could direct my question to the Acting Prime Minister, if there is one. I would like to know whether the government has decided as a matter of policy that the strike must remain exclusively the concern of the CBC or whether the federal government might intervene in the national interest.

Hon. Jean-Luc Pepin (Acting Prime Minister): Madam Speaker, I shall have to take this question as notice and submit it to the Prime Minister at the first opportunity.

* * *

[*English*]

CANADA SAVINGS BONDS

INCREASE IN INTEREST RATE

Mr. Don Blenkarn (Mississauga South): Madam Speaker, in the absence of the Minister of Finance my question is for the Minister of State for Finance. He will know that the Minister of Finance said, as reported in *Hansard* at page 6449:

> The Canada Savings Bond has certain features which no other instrument has. For that reason, in addition to the interest rate, these other features, which are attractive to subscribers,—

The interest rate for Canada Savings Bonds was raised by 2.25 per cent ten days after the minister made that statement. Is it the minister's view at the present time that Canada Savings Bonds do not have that attractiveness, or is it his view that the government has to pay more interest than people are receiving on their savings accounts in banks, or from guaranteed investment certificates issued by trust companies, in order to attract funds to the government?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, in his question, the hon. member quoted a reply from the Minister of Finance. As I recall, this answer was in reply to a question asking the Minister of Finance to increase the interest rates on Canada Savings Bonds. The Minister of Finance has decided to increase the rates for certain blocks of bonds during a certain period. In view of the present situation of fluctuating interest rates, of which the hon. member is well aware, this increase will provide a more equitable yield for those who have purchased Canada Savings Bonds, while not being too costly for the taxpayers.

● (1500)

[*English*]

Mr. Blenkarn: I appreciate that the minister realizes we have been asking for an increase to a reasonable limit on Canada Savings Bonds for some period of time. The minister will know that if he had increased the rate on those bonds back

in January to 12.5 per cent as he should have done, he would not have had a loss of over $1.5 billion from the Treasury on redemption of those bonds. When he increased the rate to 13.75 per cent, what he did was create a minimum lending rate. He has raised the rate that all trust companies and insurance companies will have to pay.

Madam Speaker: Order. Will the hon. member ask his question.

Mr. Blenkarn: Is it the minister's view that interest rates have to be in excess of 13.5 per cent or 14 per cent for trust companies now so that trust companies can borrow money on the market to put into the mortgage industry?

[*Translation*]

Mr. Bussières: Madam Speaker, I believe that anyone who made a serious analysis of the question asked by the hon. member would realize that I do not even need to reply to it, as he is not comparing savings instruments of the same nature. He should compare the same type of savings instruments before drawing any conclusions. One cannot infer the colour of a pumpkin from that of an apple, an orange or a cucumber.

* * *

POINT OF ORDER

MR. DESMARAIS—CORRECTION OF ANSWER GIVEN ON FRIDAY MARCH 13

Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour): Madam Speaker, when I replied to the question of the member for Burnaby (Mr. Robinson) last Friday, I failed to draw a parallel between his question and my reply and I do not want the House to believe that I tried to mislead him. The blackmail to which the member referred is closely connected with the strike of 180 CBC newspapermen in view of the fact that the strikers themselves have obtained the consent of the Quebec provincial parties to boycott the CBC public affairs programs.

At the same time, Madam Speaker, I mentioned that the CBC was negotiating with five unions representing over 7,000 employees and that, in two of those negotiations, the federal mediator had drafted his reports which were delivered to the interested parties last Friday. Finally, I want to say that the boycotting and the blackmail to which he referred—

Madam Speaker: Order. I can only accept the corrections to the reply but not a longer reply than the previous one already given in the House. If the hon. member is now satisfied that he has made his corrections, I presume that he has completed his comments.

[*English*]

PRIVILEGE

MR. FULTON—RESPONSE OF MR. LeBLANC DURING QUESTION PERIOD

Mr. Jim Fulton (Skeena): Madam Speaker, I rise on a question of privilege. In the response by the Minister of Fisheries and Oceans (Mr. LeBlanc) to the hon. member for Vancouver South (Mr. Fraser), the minister made the statement, as I wrote it down, that if the only source of information the hon. member is using is that provided by the hon. member for Skeena, the hon. member had better check. In this situation, referring to the Amax issue, the hon. member for Vancouver South clearly, in my view, used accurate information. I think the minister should rise in his place—

Madam Speaker: Order. The hon. member is entering into debate. This is not a question of privilege and therefore I cannot allow him to pursue it.

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I would like to complete an answer to the hon. member and tell her that I have appointed five women judges in the last six months.

Madam Speaker: Order. The minister knows he cannot complete answers after question period is finished.

ROUTINE PROCEEDINGS

[*Translation*]

BANK OF CANADA

TABLING OF ANNUAL REPORT

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, under Standing Order 41(1), I am pleased, on behalf of the Minister of Finance, to table in the House, in accordance with the Bank of Canada Act, the annual report of the Governor of the Bank of Canada.

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,583, 1,587, 2,046, 2,088, 2,134 and 2,136.

[*Text*]

SECURITY REVIEW—DORCHESTER PENITENTIARY, N.B.

Question No. 1,583—**Mr. Howie:**

Was a major review of security carried out at Dorchester Penitentiary, New Brunswick in relation to identifying the principal reasons for escapes, disturbances, demonstrations and unrest and, if so (a) what are the reasons (b) will or have steps been taken to rectify the situation and, if so, what are they?

Hon. Bob Kaplan (Solicitor General): Yes, there was a major security review undertaken by senior officials at Dorchester Penitentiary, resulting in a general lockup of all inmates, and the development of an implementation plan for reopening later in the fall of 1980.

(a) Some of the factors contributing to the unrest at Dorchester Penitentiary appear to be (i) the settling of accounts amongst inmates, (ii) brew-making by inmates, and the resultant widespread intoxication, and (iii) the need for strengthened management and discipline within the institution.

(b) The phased implementation plan for rectifying the situation consists of conducting an intensive, detailed search of the entire penitentiary, including cell blocks, shops and recreation areas; defining and implementing immediately-required physical security changes, including the reviewing of operational procedures and making amendments as required. In addition, a newly-strengthened management team has been put in place.

DISTURBANCE AT DORCHESTER PENITENTIARY, N.B.

Question No. 1,587—**Mr. Howie:**

Was it necessary to initiate action by an emergency response team to break up a disturbance at Dorchester Penitentiary, New Brunswick, in the month of May, 1980, and, if so, what was the cause of the disturbance?

Hon. Bob Kaplan (Solicitor General): Yes, the institutional emergency response team was deployed to break up a disturbance on May 27, 1980, which had started on one range and quickly spread to another range. The administration had unsuccessfully tried to convince the inmates to return to their cells; however, when the inmates refused, it was considered that positive action was necessary before the situation became uncontrollable. When the institutional emergency response team were seen by the inmates, they returned to their cells peacefully. No injuries were sustained by staff or inmates.

The cause of this disturbance was a show of support and unity with four inmates, two of whom were protesting the fact that they were not returned to their regular cells after being released from dissociation, and two others who were dissatisfied because they had not been included in an interregional transfer which was taking place that day.

DEPARTMENT OF EMPLOYMENT AND IMMIGRATION AUDIT—ONTARIO REGION

Question No. 2,046—**Mr. Cossitt:**

1. Is an audit team presently conducting a special audit or an audit of any kind whatsoever within the Ontario region of the Department of Employment and Immigration and, if so, was it ordered by Mr. David Scott, Director of Finance and, if not, who ordered it and for what reasons?

2. Is Mr. Dan Yanaky, Chief of Internal Control, in charge of the audit and, if not, who is in charge?

3. Is the audit in any way in part due to a suspected misappropriation of funds by public servants or others with particular reference to purchases allegedly made for goods and materials to assist refugees from such places as Vietnam?

4. Was evidence uncovered of financial "kick-backs" to persons in the department or others and, if so, what are all the details?

5. Is the investigation completed and, if not, on what date is it expected that it will be completed?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): 1. There is an Internal Audit Team currently in the Ontario region of CEIC. It was not ordered by Mr. David Scott, Director of Finance. This audit is a routine, planned internal audit that was part of the audit plan for the year 1980-81.

2. No, Mr. N. Nanda from Internal Audit Bureau of the CEIC is in charge of the audit.

3. No.

4. No.

5. The planned internal audit is scheduled to be completed on or about Monday, March 16, 1981.

DND—ACQUISITION OF LAND

Question No. 2,088—**Mr. Herbert:**

During the past ten years, by province, what is the value of any land that did not already belong to the Crown that was acquired for use by the Department of National Defence?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): The value of lands that did not already belong to the Crown and was acquired for use by the Department of National Defence for the period January 1, 1971, to December 31, 1980, is as follows:

	Cost
Newfoundland	$ 1,291,666.00*
Prince Edward Island	5,000.00
Nova Scotia	43,490.00
New Brunswick	Nil
Quebec	219,765.00
Ontario	115,203.00
Manitoba	36,052.00
Saskatchewan	3,700.00
Alberta	40,807.66
British Columbia	1,174,356.00
Northwest Territories	49,000.00
	$ 2,979,039.66

* The purchase in Newfoundland included 156 permanent married quarters.

BILINGUALISM—PUBLIC SERVICE

Question No. 2,134—**Mr. Herbert:**

Does the government consider that a unilingual person occupying a designated bilingual position has an indefinite protection in that position and (a) if not, under what conditions can the employee be transferred (b) if so, what alternative means are utilized to ensure an adequate service in both official languages?

The Constitution

Hon. Donald J. Johnston (President of the Treasury Board): As provided for in the official languages policies and confirmed in the Public Service Official Languages Exclusion Order to the Public Service Employment Act, unilingual incumbents of positions which are re-identified from unilingual to bilingual during their incumbency may remain in the position without meeting the required proficiency in their second official language. All such employees may, however, elect to undertake language training in order to meet the language proficiency of the position or may request a transfer to a unilingual position for which they are qualified.

Where the official languages policies allow employees to remain in bilingual positions without meeting the required second language proficiency, departments and agencies are required to make alternative administrative arrangements to cover off the linguistic obligations of the positions involved, usually by an internal rearrangement of duties among employees.

CANADIAN ARMED FORCES PERSONNEL

Question No. 2,136—**Mr. McKinnon:**

As of February 18, 1981, how many (a) lieutenant generals (b) major generals, were there in the Canadian Armed Forces?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): As of February 18, 1981: (a) 7; (b) 22.

[*English*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the schedule consequential thereto.

Mr. Terry Sargeant (Selkirk-Interlake): Mr. Speaker, in my comments on Friday, when I made the bulk of my contribution to this debate, I mentioned that I was not totally happy with the package before us. It does not provide the kind of base upon which to build the Canada I would like to see. I also mentioned that I am not entirely happy with the process we have followed. I do not speak necessarily of unilateral action. I have been a bit unhappy with the lack of honesty of many of the people involved in this process of Constitution-making. I also pointed out that there are some things in this package which I consider to be of great importance. For those reasons I said that, although I was not entirely happy, I was prepared to support this document, and I will be proud of it when it becomes part of Canadian law.

In my concluding remarks on Friday, I referred specifically to the equalization clause and resource management clause in the Constitution. I pointed out that I consider these to be of great importance to the future of Canada.

I now want to return to my comments and say that the one thing in this document that is most important for me personally is the inclusion of the charter of rights. I have long believed that an entrenched charter of rights was very important for Canada. I have long been a champion of human rights for Canadians and, indeed, for all people of the world.

I have long been horrified by many of the violations of human rights committed throughout the history of Canada. One of the most famous has been quoted often in the last few months, namely the treatment of Japanese Canadians throughout our history, not only during the Second World War. Japanese Canadians lived in this country for three generations before being given the vote.

There have been other violations of human rights, such as the padlock laws of Quebec, the attempt to muzzle the press in Alberta, the many instances of unjustified strikes breaking throughout Canada, the IWA in Newfoundland, the Weyburn strike of the late thirties, the Winnipeg strike of 1919 and the Fleck strike in Centralia a year or so ago. Then, of course, there was the famous instance of the War Measures Act of 1970 when some 450 Quebecers were held without just cause, and the shameful abuse of that act's terms carried on by the then mayor of Vancouver, Tom Campbell, who used the act to rid the city of unemployed young people whom he simply disliked.

• (1510)

I ask myself over the years: This is happening in my country, my Canada? I just cannot believe it. It is for this reason that I believe we must entrench human rights. These rights must be protected by the law and courts of this country; it is not something that can be left to the legislatures of Canada. I need only refer to the padlock laws and instances involving the press. As my colleague, the hon. member for Burnaby (Mr. Robinson), said in his speech in this debate:

The time has come to recognize that Canadians all over the land have fundamental rights and freedoms which no government can arbitrarily take away.

I might point out, as others in my caucus have done, that the CCF and NDP have long been champions of human rights. Indeed, in the Regina Manifesto of 1933, the twelfth and thirteenth policy proposals called for freedom and social jus-

tice. It was the CCF government under Tommy Douglas which in 1947 legislated the first bill of rights in Saskatchewan. Over the years the Canadian Labour Congress, and such outstanding Canadian democratic socialists as the hon. member for Winnipeg North Centre (Mr. Knowles) and F. R. Scott, have fought for human rights in this country.

It is my firm belief, Mr. Speaker, that a charter of rights must be entrenched now, before patriation. If not, I think it likely that we would never get such a charter. Why do I say this? Because, frankly and with all due respect, I do not trust some of our premiers. I need only to refer to the Premier of my province, Sterling Lyon. As I said on Friday, as a Manitoban I am somewhat ashamed of his stance on this package. His main and often only point of contention with the package has been the entrenched bill of rights. One is sometimes led to believe that the soon to be former Premier of Manitoba does not believe that Canadians are entitled to the enjoyment of fundamental rights. Mr. Lyon has been described by a leading Canadian journalist as "the reincarnation of a seventeenth century village reeve."

An hon. Member: That is an insult to the reeves.

Mr. Sargeant: At no time has this been truer than in his approach to the charter. My hon. friend from Burnaby said in his speech on February 23, 1981, as reported at page 7596 of *Hansard*:

> We know where the premiers stand. We know where Sterling Lyon, the Premier of Manitoba, stands on the charter of rights. He said that we have not: "... had the experience of significant rights, entrenched in the Constitution, inhibiting the development of new rights, such as the rights of handicapped people, or the right to privacy".
>
> In other words, we should not be putting the rights of the handicapped in the Constitution because we have no experience with them. Mr. Lyon says it is not the Canadian way to give Canadians fundamental rights and that:
>
> "Manitoba's position was broadly supported by a majority of the provinces".
>
> He says that entrenchment of rights is contrary to traditional and successful parliamentary government and that:
>
> "There is no historical justification for the entrenchment of a charter of rights—".

I would like to repeat the question asked that day by the hon. member for Burnaby.

> What evidence does he have that Premier Lyon is prepared to change his mind today?
>
> Are we:
>
> —prepared to allow the hopes and aspirations of the hundreds of thousands of Canadians who are handicapped, and the aboriginal peoples, women's groups and others to depend on the whims of Premier Lyon of Manitoba? I say no. I say we should move on this charter today, and move with pride.

I recognize and welcome some of the very important changes that have guaranteed basic rights for handicapped persons, for multicultural groups and my French-speaking brothers and sisters across this land, and for women. Some of these rights were granted immediately, without a fight; others had to be fought for. Some, such as women's rights, could with some slight changes be greatly strengthened, but the issue upon which my support turned was the matter of native rights. Given my continued discomfort at supporting a Liberal document, I would have found it almost impossible to support had native rights not been entrenched.

I lived and worked with native Canadians for many years in a community in northern Manitoba. In my constituency there are 11 Indian reserves and many more Métis communities. I have seen first hand, too often, the disgraceful living conditions to which we whites, newcomers to this land, have relegated our natives. Once again, I do not find the native rights amendment to be ideal; it could be much stronger. Indeed, I hope to see accepted an amendment put forward by this party that will strengthen the native and aboriginal rights clause.

As well, I was somewhat displeased with the process followed here. I was at the dinner of the First Nation's Conference here in Ottawa last spring. I heard the Prime Minister (Mr. Trudeau) promise the Indian people a full role in the development of our Constitution. I then saw him completely renege on this promise and I would like to know why.

I was displeased with a second aspect of the struggle for entrenchment of these rights. As I said earlier, I question the intellectual honesty of most of the participants in this whole constitution process. Why was the inclusion of native and aboriginal rights not automatic? Should the need for such a guarantee not have been self-evident and not merely granted to secure my vote and those of my colleagues? Is this Constitution writing or political gamesmanship?

Let me tell the House that nevertheless I was one very pleased and proud person when I learned we had finally won the battle to have these rights entrenched. I share the belief of my caucus colleagues and native groups across the country that if we did not get these rights guaranteed now we would have lost the fight forever. We simply could not have relied on the provinces to add these rights at a later date; to have lost these rights would have been to betray the trust of the native and aboriginal peoples of Canada. I believe this victory of including these rights to be of profound historical importance, that it will become the single most important clause in this package, and for that reason alone the package is worth supporting. After 114 years as a nation we are finally admitting that the people who inhabited this land for thousands of years before we came do have some rights. As my friend, the hon. member for Nunatsiaq (Mr. Ittinuar), said on February 18 in this House, as reported at page 7448 of *Hansard*:

> The recognition and affirmation of aboriginal rights at the constitutional level provides protection against the erosion of these rights. It means that federal government lawyers can never again argue against the existence of aboriginal rights, as they did in court—

But—and unfortunately, there always seem to be "but's" to Liberal proposals—these rights, now constitutionally guaranteed, must be lived up to. The government must not think that now that they have entrenched these rights they can go back to their old ways of dealing with our native peoples. Indians, Inuit and Métis are going to expect and demand drastic changes. Many of these changes will be attitudinal and constitutional, many merely technical, but they must be brought about and brought about now.

In his speech my friend the hon. member for Cowichan-Malahat-The Islands (Mr. Manly), my party's native affairs critic, issued challenges to the government to prove by action how serious it is about the recognition of these rights. I want to add a warning to that challenge. There are 32 New Democrats in this corner of the House and thousands more across the land who are going to be hounding the government constantly to ensure that this guarantee of rights is turned into meaningful action and does not become merely words on paper.

Mr. Deputy Speaker: I regret to interrupt the hon. member but the time allotted to him has expired.

● (1520)

[*Translation*]

Mr. Bernard Loiselle (Verchères): Mr. Speaker, the speeches delivered in the House by hon. members surely attest to the historical significance of the majority report of the Special Joint Committee of the Senate and the House of Commons on the Constitution of Canada.

Mr. Speaker, this debate is all about our country, its independence and the political shape it will take. It is all about the future of Canadians and the protection of individual citizens in our society. Of course we do have immediate economic, social and cultural needs which Parliament should be tackling. The government is busy governing, whereas Parliament affects the course of the nation's ship by steering to port or to starboard. Right now, Mr. Speaker, the House is looking after a review of the orders for the captain and his crew.

When the Dominion of Canada was created by the proclamation of the British North America Act in 1867, the deciding vote was prompted by the desire to attain security, well-being and prosperity. The charter served us well over a century which was highlighted by unprecedented festivities centred in Montreal during the centennial year. Nonetheless, throughout the second half of that century Canadians were increasingly concerned as they felt the need to improve the political structure of the young federation and to strengthen the essential foundation of an independent federative country.

The Right Hon. Prime Minister (Mr. Trudeau) took the opportunity to enter politics to help the Canadian nation grow and to serve Canadians. With utmost patience this statesman, regardless of what may be said, worked in the national political system for 12-odd years to plan, refine, negotiate, coax, adjust, push and yield so as to reach an agreement on the subject of a Constitution, of an amending formula and of a charter of rights and freedoms, for our Prime Minister considered that the first step in politics is to seek the support of the majority of our people.

Mr. Speaker, as a member fulfilling in this House a national commitment toward all Canadians, I am proud to be able to offer my support and, in addition, as spokesman for the riding of Verchères, to voice my approval for the task which the Prime Minister began anew and which was changed and modified during the negotiations with the provinces, the opposition parties and the people that appeared before the joint committee of the House and the Senate. Far from procrastinating still more, Mr. Speaker, time has come for us to get down to brass tacks and to assume our responsibilities. We must decide what we want, yet leaving ourselves enough elbow room to make constitutional changes in the future. Time has come for us to give clear orders to the current and future leaders of the national ship, a precise direction and course as well as political parameters tailored to contemporary realities in a shrunken and politically unstable world. I have in mind the problems of the major political forces, the so-called North-South difficulties, the religious upheavals, the disparities between economically strong and weak regions. In that context we would be better advised to stop promising to do something later. We must act now to reinforce the vested rights of every Canadian which are protected by a strong political regime in an independent, well balanced and just country.

A host of historic reasons require that we act now. During these debates we have heard many times that for 54 years we have been seeking the perfect solution acceptable to one and all. Alas, there is no perfection in this world, certainly not in the political actualities where we must assume and discharge the responsibility to act according to the best criteria available. However, so that we will act more confidently this time, I would like to make a brief survey of the reasons for our failures in past constitutional discussions. The problem stems originally from the constitutional fault which the Fathers of Confederation did not detect in the 1867 British North America pact. The impasse in the Canadian federalism of which we must break out today is the result of its historic evolution based on that text. Indeed half a century of discussions among specialists and politicians is implied in this debate. Mr. Speaker, to highlight the reason for the federal pact and not a strict piece of legislation of 1867, I take as witness a respected authority of those days, the Hon. J. Brown, who on February 28, 1865, said in the debate leading to confederation, and I quote:

> There is another reason why the union cannot be legislative: it would have been impossible to have it adopted. It was simply a matter of either accepting a federal union or ending negotiations. Not only were our friends from Lower Canada against it, but so were the delegates from the maritime provinces as well. We had no choice, it was going to be a federal union or nothing at all.

The long-awaited birth of our country was not easy and, Canadians being traditionally cautious, we decided to Canadianize our constitution in the 1931 Statute of Westminster. Although we had the ideal opportunity to take charge of our own affairs, our political prudence made us miss out on an appropriate amending formula. Under the provisions of that legislation the British parliament kept very limited powers: it could legislate on behalf of Canada, but our country remained free to accept that legislation.

It could amend the Canadian Constitution but only at Canada's request and Canada would thereafter have full and complete authority to legislate in matters of international scope. Britain agreed to the requests made by Canada at the Imperial conferences of 1926 and 1930, and Canada thereby became a free and independent nation in control of its destiny. That is clearly stated in the Balfour report where it defines the Commonwealth with respect to Canada, Australia, South Africa and New Zealand. They are, it says, independent and equal communities within the British empire. They are in no way subjugated to one another. Unfortunately, since we missed out on the amending formula, we were still not completely free from London. That is why a third attempt was made at the 1935 federal-provincial conference. It was recommended that a task force be set up to consider the best way of amending the Constitution. Despite 11 sittings, the task force did not come up with an adequate amending formula. Pursuant to a request made in 1949 by the Canadian Parliament to the British parliament, the British North America act was amended to allow the Canadian Parliament to amend the act in matters not coming under the jurisdiction of the provinces. In that case, Ottawa acted unilaterally without provincial consent.

The following year, under the government of Louis St. Laurent, a federal-provincial conference was called to come up with an amending formula of concern to provincial as well as federal governments. No agreement came out of that conference either and especially, no important decision was reached in order to overcome this obstacle, the main reason being that the different parties were still concerned about their vested rights. A royal commission of inquiry was then set up and the Tremblay report, published in 1956, stated the provinces' opposition to the central government. A mere four years later, another attempt was made at patriation starting with the federal-provincial conference of July 1960. This time it was not a Liberal government which failed but the government of John Diefenbaker, with its Fulton formula. That amendment and patriation formula did receive almost total support from the various parties once again without the consensus required by the existing political rules.

After this sixth national attempt by justice ministers, the possibility of ever reaching full consensus was being seriously questioned. Responding to public opinion at that time, the Diefenbaker government managed to have the Canadian Bill of Rights passed unanimously. But Mr. Diefenbaker, faced with the political fact that the provinces could not reach agreement, did not enshrine the bill in the Constitution. At that time, Jean Lesage was Premier of Quebec and to help advance the constitutional debate he called for an interprovincial conference in Quebec City. Yet, by 1962, the Diefenbaker minority government abandoned the proposed legislation for lack of consensus. Two years later, the federal and provincial officials had gone further than ever before in reaching an agreement on an amending formula. On August 3, 1964, in Jasper, the provincial attorneys general reached an agreement and on October 14, recommended that the first ministers accept the new Fulton-Favreau formula which was afterwards approved by nine provinces. In its throne speech of January 21, 1965, the Lesage government announced its intention of recommending to the National Assembly approval of the Fulton-Favreau formula. We were on the verge of a solution. We were about to enter the promised land, but with the foundation of the RIN, separatism became institutionalized in Quebec. Under the pressure exerted, among others, by Jacques-Yvan Morin, Lesage, a year after stating that he would make the Fulton-Favreau go through, refused to consider it any longer.

A year later, in a supposed last ditch attempt, and riding the crest of the centennial celebrations, the Premier of Ontario, John Robarts, called for an interprovincial conference in Toronto. It became obvious that Quebec had quickly relinquished any national approach. Daniel Johnson demanded control of his province's relations with certain countries or international agencies, and he demanded also that residual powers be provincial and that the federal government's disowning and declaratory powers be repealed. The constitutional pendulum had just swung to the other side. I should perhaps also remind hon. members that 1967 was the year when a French president visited Canada and did not behave quite like the other heads of state who came to mark our centennial. And in spite of his popular and public statement which was, to say the least, controversial, during that same year, the courts added a dash of seasoning to the sauce by ruling that the federal government had exclusive jurisdiction over offshore mineral resources on the Pacific coast, on the basis of the national application of residuary powers and international implications.

● (1530)

At the same time, Mr. Speaker, an eighth attempt was made, namely, the constitutional review process of 1967-71. The right hon. Prime Minister was in some ways the major architect of this process. After six meetings of the premiers, 26 meetings of ministers and numerous meetings of federal and provincial officials, this process finally led to the Victoria charter. Meetings became the order of the day. They were nearly a separate industry. The Canadian government and eight provincial governments agreed to this charter on June 16, 1971. But it was with some reluctance I must say, since I followed those events closely at the time, that the Quebec government, after an animated debate in the National Assembly under the government of Robert Bourassa, rejected the Victoria charter, giving as its official reason that section 94A was too vague. The province wanted extended powers in the fields of communications, immigration and external relations, and paramountcy in the field of social policy. In view of the position taken by the Quebec government, the newly

elected government in Saskatchewan decided not to take a stand on this issue.

With the best will in the world, in a climate of nationalism resulting from the centennial celebrations and in spite of much patience and technical ability, the unanimous agreement required by the purists slipped away from the politicians, first because of the claims made by one province, and then because of the inexperience of a newly elected provincial government. However, no one wanted to give up, and a ninth attempt was made at the federal-provincial conference of 1975 where the Prime Minister of Canada suggested a more limited approach than that used in the 1971 process. The Right Hon. Prime Minister suggested that an attempt be made first of all to agree on an amending formula and certain guarantees for linguistic rights. The premiers discussed this proposal at two meetings, and on October 14, 1976, they informed the federal government that they could not agree to patriate the Constitution without a more extended constitutional reform involving transfers of federal jurisdictions to the provinces.

A tenth attempt was made at the federal-provincial conference of first ministers in October 1978, following the introduction in the Canadian Parliament of Bill C-60. The standing committee of ministers was then established by the premiers. Three meetings were held and the ministers involved reported to their premier. There was still no agreement. Last June, and this was after the referendum and in a climate of urgency, the premiers instructed their ministers to proceed to a complete review of the Constitution and to discuss 12 points, including patriation and the amending formula. Once again last summer, Mr. Speaker, it was impossible to reach a consensus. All these facts, Mr. Speaker, are well known to historians and Members of Parliament. I wanted to have them put on record once again to remind the House, the media and the Canadian people that the efforts made by the Liberal government come within well-known, well-tried and well-analysed historical, political and constitutional parameters both on the federal and on the provincial side. Mr. Speaker, last September, following the failure of the negotiations held during the summer barely a few months after the Quebec referendum which shook the entire country, we were forced once again to recognize that we had failed and had reached a deadlock.

Our 11 first ministers were unable to reach an agreement in spite of a climate of urgency. If the premiers had shown a firm determination to find a solution when the negotiations opened in June, they quickly reverted to their former tactics and strategies of haggling over the price of their support. They surely were aware of the yearning of Canadians for the last step toward total sovereignty which patriation represents, but they allowed their own respective regional interests to outweigh Canada's national interests.

By doing so, they played into the hands of separatist René Lévesque, this new self-appointed champion of federalism. In September, therefore, we were compelled to face this deadlock as well as the need for urgent action, for it is clear that in the eighties and the decades thereafter, a major political action will be needed to stand the enormous pressure resulting from the economic concentration of national and multinational corporations, the expansion of communication medias and the realization of the global village.

The world energy crisis, a very good example of things to come, has made us realize the need to consolidate the sovereign power of the Canadian state on the one hand, and to protect the fundamental rights of the individuals within a strong and independent state on the other. More than ever before there is need to co-ordinate our actions. The present calls for it, the past demonstrates it and reason requires it. Mr. Speaker, it was in that context that we, the federal members of the House of Commons, decided last September on a new course of action. Sure enough, the decision was not an easy one to make and there were indeed very few options. Either we would move into a twelfth round with these partners of ours who cannot even agree among themselves, as was confirmed by Premier Blakeney when he appeared before the Joint Committee in December, 1980, or we would proceed unilaterally.

Mr. Speaker, the constitutional history we have lived over the past half century clearly demonstrates that a consensus among our 11 first ministers is something that is impossible. This concept was but a dream and we must now recognize it as such. A great many Canadian politicians and journalists have already reached that conclusion. As a matter of fact, Charles Lynch had this to say last February—he is probably a non-Conservative Alberta-born Canadian, therefore an enemy of the Progressive Conservative Party: "Everybody agrees on the need to patriate the Canadian Constitution, but not on the way to do so. In my opinion, the only person who can manage that and get away with it is certainly Pierre Trudeau. On the strength of a fourth mandate, with all the advantages of his wisdom and experience, he is taking a chance no prime minister before him has ever dared to take and none after him will ever dare to take. If we do not patriate the Canadian Constitution now, we will never do it."

Mr. Speaker, unilateral action being the only alternative to this dead end, we needed only to answer these two very simple questions: First, do we have the right to take unilateral action, and second, if we do have this right, what should be the nature of our action? Looking into the first question, we suddenly realized—with astonishment, I must confess—that the federal government now has the necessary power to amend the Canadian Constitution in every respect without the consent of the provinces. There is nothing to it, really: as long as our Constitution remains in London, all the federal government needs to do is to have a resolution requesting this or that amendment passed by a majority of the House and the Senate. Once the resolution has reached London, the British government has no choice, on the basis of the law, tradition and custom, but to comply with the wishes of both these Houses.

That is the situation which caused Viscount Bennett to make the following statement while adressing the House of Lords in Westminster in 1946:

> Of all the dominions, only Canada may with a majority vote of its parties amend its constitution. They cannot do so directly, but certainly they can do so indirectly, as we have agreed to pass all the legislation they would care to pass.

This power of the federal government to amend unilaterally our constitutional rules was also recognized by a number of provincial premiers and especially during the federal-provincial conference of 1950. At the conference, the Premier of New Brunswick, Mr. McNair, expressed the following opinion unequivocally: "In the final analysis, the provinces are not sure of having their say with regard to constitutional amendment, even when these are closely related to their interests. Consequently, this is the situation in which the provinces now find themselves, according to me, at this stage in our constitutional reform. First, with regard to constitutional change, the Parliament of Canada is in fact the judge, and the only judge, in the matter of knowing whether or not the rights and privileges of the provinces will be affected. Second, as a consequence, the sole protector the provinces have today against the arbitrary invasion of their rights, powers and jurisdictions is the Parliament of Canada itself."

Finally, Mr. Speaker, as I do not want to use up too much of the time allotted me for my speech dealing with the legality of the unilateral move of the federal government, I refer you to the excellent accounts given by my colleague from Hochelaga-Maisonneuve (Mr. Joyal) and Senator Lamontagne in the Senate: they will convince you of its legality and will make you understand that the unilateral decision of the federal government is in fact legal. So, Mr. Speaker, though unilateral action may be undesirable politically, its legality is demonstrated, and that approach seems to us to be the only one possible to break the deadlock. We must then reflect upon the substance of such action. In that regard, I feel today, as I did last September, first, that patriation cannot take place without an amending formula being provided; to do otherwise would be to enshrine the deadlock, the status quo. Second, that a charter of rights and freedoms should be entrenched in our new Constitution provided, however, the provisions of such a charter have at some time or other in our history, our discussions in Canada, met with the approval of a majority of Canadians.

● (1540)

Let us examine together, Mr. Speaker, what this resolution provides with regard to the amending formula. Basically, one could say it falls under three headings. First, the rule of unanimity continues to apply for the next two years; second, if seven provinces representing 80 per cent of the population agree during those two years on any other amending formula, one of two things can happen: the government either accepts the formula of the provinces or it turns it down, in which case the people of Canada, from whom every government in this country holds its authority and legitimacy, will have to choose either the formula of the provinces or that of the federal government. Third, if the provinces fail to come up with an amending formula in that two-year period, the so-called Victoria formula will then become the official amending formula of Canada.

Those then are the possible scenarios but, underlying them all, and this is of prime importance, is the fact that henceforth the federal government will no longer be able to change the Constitution unilaterally. Mr. Speaker, those who would cry rape can see at least that in so doing, the federal government gives up a power, a prerogative, a privilege that no province endowed with it would agree to renounce on its own initiative. What we are dealing with here is not federal intervention in provincial jurisdiction but the official recognition of the role of the provinces in the constitutional process; some centralization indeed, Mr. Speaker!

Finally, like my colleague the hon. member for Rosemont (Mr. Lachance), I admit the Victoria formula may have its weaknesses, but I dare hope we can come up with a better one in the next two years. Otherwise, how could I, as a francophone, a Quebecer, oppose the Victoria formula which gives Quebec the right of veto forever? It would mean that henceforth no constitutional change can be made in Canada without Quebec agreeing to it. What more could one want? I admit readily that the right of veto granted Quebec may annoy or, to say the least, intrigue or worry hon. members from the other provinces. Might I remind them, however, that, at least with regard to linguistic and cultural rights, it is imperative that Quebec have that right of veto; without it the social and political order in this country would be potentially threatened. Mr. Speaker, that right of veto is a major gain for Quebec and all francophones in this country.

Finally, Mr. Speaker, there is the Charter of Rights and Freedoms. What may one think of it? First, that it is imperfect? Second, incomplete? Third, unfinished? But I think it is at least a step in the right direction.

What is to be found in that Machiavellian proposal? In section 1, we have a statement of the rights and freedoms. The following sections deal with fundamental freedoms, democratic rights, mobility rights, legal rights, equality rights, the official languages of Canada, minority language educational rights, rights of the aboriginal peoples of Canada, and finally, with the principle of equalization and regional disparities. This package also deals with a referendum, a constitutional deadlock-breaking mechanism, with an opting in formula for the provinces who would like to implement institutional bilingualism, and finally a greater recognition of provincial rights on natural resources.

Mr. Speaker, who is really opposed to that in Canada? This charter takes powers away, but not from the provinces for the benefit of the federal government. That charter takes away powers both from the federal government and the provinces to give them to the citizens. Any man, any woman in this country

will feel secure knowing that no government, regardless of the political or economic situation at any time, will be able to invade his or her private life. One only has to remember the padlock law in Quebec or the law against western Asiatics to appreciate that such things did not only happen on other continents but that they are the least glorious pages in our history.

Mr. Speaker, since time does not allow me to deal with every single provision of the charter, I shall only discuss those provisions concerning educational rights, institutional bilingualism, and refer briefly to mobility rights.

Section 23 which gives francophone minorities outside Quebec the right to have their children educated in French is, in my opinion, the most essential requirement to promote the French fact in Canada. I deeply regret that it was not possible to include institutional bilingualism in this charter and I regret even more the attitude of Bill Davis on this matter. Any Ontario premier is duty bound and has the clear obligation to grant the French-speaking people of his province this elementary right which is institutional bilingualism, namely, the use of both official languages in the provincial legislatures and in the provincial courts. It is a shame to see Mr. Davis wavering on this issue. And to those who ask why we do not force Ontario, my answer is, first, that we strongly feel inclined to do so, but if we were to force bilingualism on Ontario, I suggest that under this same principle, all the other provinces should be treated equally. Yet it is an illusion to believe that even technically every one of them would be able to comply with such an obligation.

What is even sadder for a francophone is to recall the debates held on bilingualism in Canada since 1969, especially in this House, and on the promotion of the French language. One must exercise some measure of pragmatism because one can easily understand that a twofold intervention in education and institutional bilingualism would jeopardize the very implementation of Section 23. But this is, in my opinion, an essential and basic requirement of our French-speaking countrymen in other provinces.

However, I cannot help but remind my Progressive Conservative friends that it is also their duty, their responsibility to help foster a proper climate and prepare the minds so that from now on, generously and openly, we may proceed with all the necessary reforms for the promotion of French throughout Canada. I suggest that the first step on their part would be to publicly and strongly denounce the racist remarks made recently in this House by some of their colleagues.

Finally Mr. Speaker, I want to denounce with the same vigour the Quebec separatists who claim that the implementation of Section 23 will restore in Quebec the same situation that existed before the enactment of Bill 22. Such a statement not only smells of demagogy but is utterly false. However, it shows so shamefully how little confidence those separatists have in the francophone Quebecers. Mr. Speaker, the French fact in Quebec is no longer at the survival stage, it is an established fact, a reality which day in and day out is confirmed and reaffirmed: we need only look at the number of francophone Quebecers in top management and in command of the major economic tools both in Quebec and in Canada to be reassured about our state of health.

Finally, Mr. Speaker, with regard to the provisions dealing with mobility rights, I do hope that we will bring about an improvement quickly, and move further on because there are already too many economic obstacles within Canada. As the hon. member for Rosemont pointed out, despite our federal framework, economic integration in Canada is in many respects still falling short of whatever economic integration there is within the Common Market. Mr. Speaker, this is the result of decisions reflecting too short a vision, an outdated regionalism, and a lack of knowledge and confidence in this country. There is also reflected some kind of suspicion on the part of one province toward all the others. To go on in that direction and to give in to an intensification of such decisions in the future would jeopardize our collective and individual well-being.

In summary, Mr. Speaker, after due analysis, I am convinced that this charter, even though it is not perfect, will be a very significant asset for all Canadians and will beget the envy of the whole world which has been concernedly monitoring the efforts we have made in this field for half a century. This is not the first crisis Canada has had to undergo. This time, our country intends to take a step further toward its full independence. One only has to recall the debates that preceded the passing of the Canadian citizenship bill. Also to be recalled is the storm which brewed—stirred by John Diefenbaker's own personality—when Canadians most legitimately decided to adopt a symbol of their own, namely a Canadian flag. Now, they want a Constitution of their own and they want it here, in Canada, so that they will never again have to ask a foreign country, however friendly, to amend the laws that govern us. By this process, we are completing the work that began more than half a century ago and we are doing it in a modern way, in the same spirit that guided our forefathers and founders and in circumstances as conflicting as the ones which then prevailed.

Mr. Speaker, we must eagerly support this resolution because the desire of the Canadian people is clear. An absolute consensus is an impossible thing to achieve and it is historically urgent to take conclusive action. It is our duty as Canadians to do so.

To conclude my remarks, I shall quote from a speech made in 1935 by the hon. member for Trois-Rivières—a region which is dear to the heart of our Minister of Justice (Mr. Chrétien)—when the Statute of Westminster was passed. This is what he said:

> This is the final step in our great march toward progress, civilization, freedom and world status.

And this is to be done, Mr. Speaker, without haste or violence. This is a wonderful example of the primacy of patience over impulsiveness, of pragmatism over theories, of evolution over revolutions. This is what the people from Verchères think.

● (1550)

[*English*]

Mr. Harvie Andre (Calgary Centre): Mr. Speaker, the hon. member for Verchères (Mr. Loiselle), who has just finished speaking, called in the latter part of his speech upon members of this party to denounce members on this side who had supposedly made racist remarks in terms of the French fact. I remind the hon. member, who should know, that a few years ago the denunciations of members opposite were being directed at the then member for Crowfoot. Jack Horner was epitomized as the red-neck, anti-French, Conservative westerner. Yet that did not prevent the Prime Minister (Mr. Trudeau), this hypocritical Prime Minister of that hypocritical party, from buying him off. It did not prevent the hon. member for Verchères from being Mr. Horner's parliamentary secretary when he was the minister of industry, trade and commerce.

[*Translation*]

Mr. Loiselle: Mr. Speaker, I rise on a point of order.

Mr. Deputy Speaker: The hon. member for Verchères on a point of order.

Mr. Loiselle: I wish to remind this member from Alberta that I was proud and honored to act as parliamentary secretary to Mr. Jack Horner, but I remind him as well that before Mr. Horner crossed the aisle, I had read his speech and he, at least, had not indulged in racist remarks.

[*English*]

Mr. Deputy Speaker: The hon. member for Calgary Centre has the floor.

Mr. Andre: The hon. member opposite had his 40 minutes. I just wanted to remind him of the hypocrisy of the statement he made earlier accusing members on this side of the House of being racist or bigots. He should look at members of his own party and the ministers he has served.

I for one will never forget, during the election of 1974, the ads in French, in Quebec, which read *"Qui? M. Trudeau ou* Mr. Stanfield?" That was blatant racism in the ads run by that party, and for you to stand up now and lecture this side of the House is more than I am prepared to endure.

Mr. Deputy Speaker: Order, please. The hon. member is aware that his remarks should be addressed to the Chair.

Mr. Andre: Thank you, Mr. Speaker. As I commence my remarks at this stage of this historical debate, let me join those others who have complimented the joint committee on the work it performed and the manner in which it operated. In particular, I want to compliment the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) for the excellent way in which he co-chaired the committee. Later in my remarks I will have less complimentary things to say about that member's position on this immoral, if not illegal, constitutional proposal which the Prime Minister is attempting to jam down the throats of Canadians.

Mr. Sargeant: The referendum.

Mr. Andre: I hear the hon. member for Selkirk-Interlake (Mr. Sargeant) interrupting. I wonder if there is any limit to the hypocrisy of the New Democratic Party. The member stood up this afternoon and in his remarks said that he was voting for this proposal because of the charter of rights. Why? Because he does not trust the premiers, he says. He does not trust the premiers! Apparently he does not trust the Premier of Saskatchewan.

Mr. Sargeant: I said "some of them".

Mr. Andre: What he is saying, Mr. Speaker, is that he does not trust the people of Manitoba. If he is so right and the Premier of Manitoba is so wrong, and if he is so confident, then let the people of Manitoba decide.

Miss Jewett: They will be deciding.

Mr. Andre: I would like to remind the hon. member of the position taken by the government of Saskatchewan and the New Democratic Premier of Saskatchewan. The premier said:

> Many of you will know that I have opposed in principle the constitutional entrenchment of the charter of rights.

The hypocrisy of the New Democrats exceeds only the stupidity of the Liberals—some of them.

Miss Jewett: Talk about your own hypocrisy for a while.

Mr. Andre: This is the first opportunity I have had, Mr. Speaker, to speak in this debate. This is not by choice. Last October when the Prime Minister first introduced this abomination, debate was cut off prematurely and ruthlessly by closure—a brutal silencing of the minority parties in this House by the majority party, all in the name of expediting a constitutional proposal which purports, among other things, to protect minorities.

Within hours of an exchange of letters, which placed the Leader of the New Democratic Party (Mr. Broadbent) securely in the Prime Minister's pocket, the Prime Minister brought down the guillotine to cut off debate lest Canadians became too fully aware of what he was proposing. It is worth reminding the House of the smug and jubilant attitude of the New Democratic Party's leader after he received the Prime Minister's letter. He crowed to the press that he had secured from the Prime Minister a commitment on an amendment that would assuage the concerns of the western provinces about resource ownership and, thus, make the package acceptable to the west, and in particular to the province of Saskatchewan. How stupid that statement from the member for Oshawa looks today when Roy Romanow, the attorney general for Saskatch-

ewan, is now in London saying that nothing could be further from the truth.

• (1600)

The Liberals deserve the anger and bitterness directed at them for the use of closure. The NDP deserve the contempt and jeers directed at them for making it possible for the Prime Minister to use closure. One wonders how long it will take the NDP to learn they cannot keep getting in bed with the Liberals and continue to claim to be virtuous.

The NDP paid dearly for the pact that David Lewis made with the Liberals in 1972 to 1974. They shall pay dearly again for the pact the hon. member for Oshawa has made. The people of the west who voted NDP at the last election did not do so in order that their interests would be sold out by a misguided NDP leadership. The behaviour of the New Democratic Party since October 2, last year, is perplexing in some ways. The charitable explanation is that on October 2, with the very short notice that all opposition parties were given—unlike my leader, who immediately saw the danger and folly of the Prime Minister's proposals—the Leader of the New Democratic Party erroneously decided that the constitutional proposals would be popular and therefore he would support them. It soon became evident that he was mistaken, and he attempted to become the champion of western discontent by negotiating with the Prime Minister on resource control. This earned him only contempt; first, for negotiating with the Prime Minister and, second, for settling next to nothing, whereas he could have bargained for much more.

Having gone this far and gained nothing but more problems, his choice was to drop support for the Prime Minister's package or convince an increasingly restless caucus that the least damaging posture would be to stick to the original position of supporting the Prime Minister. He chose the latter, mistakenly believing that there would be less damage to his party sticking to his guns rather than doing the right thing for the country. Four of his members said no, and in the weeks ahead many more of his members will wish they had said no.

The last charitable explanation of the NDP behaviour is that the Prime Minister and the Leader of the New Democratic Party have a private deal, and that the New Democratic Party leader will be looked after at a later date. When Patrick Watson, on national television, asked the hon. member for Oshawa whether or not this was true, the NDP leader said no; but the look on his face was rather like that of a small child with crumbs on his chin when asked by his mother whether he had been into the cookie jar.

Whatever the explanation for the behaviour of the NDP, next to Canada itself they are the big losers in this constitutional debate; and the longer the debate, the more the pain. Thus we have the unseemly behaviour of the hon. member for Winnipeg North Centre (Mr. Knowles) openly co-operative with the government House leader in attempts to limit and curtail the debate. This is very unseemly behaviour for one who purports to be the great defender of the role and rights of Parliament.

NDP support and chicanery notwithstanding, the fact is that the Prime Minister has no mandate and no moral justification for what he is doing. In the election of last year, the Prime Minister was mute on the constitutional question, as he was mute on most other questions. Never did he tell Canadians that if he were elected he would impose this abomination on the country. The sad fact that Canadians are now only beginning to realize is that on February 18, 1980, Canada elected the least responsible and most powerful Prime Minister the country has ever had.

There are essentially no countervailing forces or balances or checks on prime ministerial power. Having once retired, the Prime Minister has little concern for his prospects of re-election, and thus the check that that concern would have placed on his exercise of power is gone. He has never really been a Liberal Party partisan and is in no way tempered by the fact that he is destroying the Liberal Party's prospects in western Canada for at least a generation; and thus, that check on his exercise of power is also gone.

Virtually his first act as Prime Minister in 1969 was to change the House rules—by closure, incidentally—to make it impossible for the opposition to hold him to account for his actions; therefore that check on his power is also gone. Then after 12 years of culling he removed from his caucus any and all members who had enough personal political strength to stand up and oppose this mad scheme.

An hon. Member: Name them.

Mr. Andre: With a few notable exceptions—and if it pleases them, look in the mirror and they will be the exceptions—the Liberal caucus today consists of a mediocre group of sheep drooling, if not slobbering, in anticipation of perquisites the Prime Minister can give his blindly loyal supporters.

That is the sad state of democracy in Canada today. Opposed by eight provinces, opposed by the official opposition, opposed by the vast majority of what might be referred to as the *cognoscenti* of Canada, and opposed by the majority of Canadians, the Prime Minister nevertheless blasts ahead describing the wounds and divisions he leaves as exhilarating.

The only explanation given for this perverse, if not mad, behaviour is the claim that he made a promise to the people of Quebec during the referendum. The thing I find amazing is how many of his sheeplike followers keep repeating the justification in spite of the fact that every political party in Quebec—including the Liberal Party and its leader, the chairman of the No forces—virtually every newspaper and, according to Gallup, the majority of the population opposes this package. In essence, they are saying to Quebecers, "We made a promise and now we are going to keep it, even if we have to jam this Constitution down your throats."

Mr. Speaker, as the member for Montmorency-Orléans (Mr. Duclos) stated in his excellent address to this House on March 12, had the people of Quebec known at the time what the Prime Minister had in mind, they might well have voted Yes in far greater numbers than was the case. But the fact is that no such promise was made by the Prime Minister during

the referendum campaign. As pointed out by Ian MacDonald in a column in the Montreal *Gazette*, the Prime Minister mentioned constitutional reform only six days before the end of the referendum campaign, after the victory of the No forces was assured. As Ian MacDonald stated in his column:

He seized on the event as a pretext achieving his obsessive goal of patriation and a bill of rights. As one Trudeau aide later put it, "He sees the referendum not as an end in itself, but as a means to an end." In a sense, what Trudeau is in the process of doing now is keeping the promise he made to himself, not to Quebec on behalf of the country.

There is absolutely no way that a fair-minded person can conclude anything but that the Prime Minister has no mandate whatsoever for what he is doing. The process he has embarked on is absolutely illegitimate, if not illegal. The legality of what the Prime Minister is attempting to do is certainly a moot question. The Manitoba Appeal Court produced a split decision. The Quebec and Newfoundland courts are still to be heard from, and so is the Supreme Court of Canada. Newspapers and magazines are literally filled with essays and articles by experts on constitutional law who question the legality of this procedure.

Under these circumstances, reasonable behaviour by a reasonable person would be to await final adjudication as to the legality before proceeding, but as we know from that infamous leaked Privy Council document of last summer, the government feels there is a strategic advantage to blasting ahead prior to the courts being allowed to make a decision. This is shameful behaviour at any time, Mr. Speaker, but in regard to a constitution the legality and legitimacy of which should be beyond question, this behaviour is, as the Hon. Robert Stanfield described it recently, essentially a *coup d'état*.

One thing that can be said with certainty is that even if this procedure is legal, then it is legal only because of a loophole in the law. Mr. Justice O'Sullivan, one of the dissenting judges in the Manitoba case, said that, if this procedure is legal:

The Attorney General of Canada ends up in the proposition that a political party, if it forms the majority of both Houses of the Canadian Parliament, has the power to amend the Constitution of our country as it pleases.

Only in totalitarian states—such as, most recently, Chile, and before that Cuba and the Soviet Union—do you have circumstances where the party in power, by itself, writes the constitution of a country. Nowhere in the democratic world is there an example of one party with a transient majority having written and imposed a constitution that lasts when faced with the kind of overwhelming opposition this constitutional proposal faces.

Furthermore, in regard to constitutional change the real question is not the legality of the procedure but the legitimacy of the procedure, legitimacy being that unspoken consensus which allows governments to rule without having to resort to fear or force. This constitutional proposal lacks that legitimacy. It lacks that broad-based consensus which is absolutely vital if the Constitution is to work and to inspire respect and adherence without the threat of force.

• (1610)

Using his transient majority of 144 trained seals, as one reporter called them, to have the British force this package on Canadians will not give us a true Constitution; it will only create division and, I fear, could cause irreparable harm.

The Prime Minister, as my leader once observed in this House, has only the Criminal Code as his moral code. In other words, if it is legal, it is moral. One would have hoped that the Leader of our Government had a higher standard. The renowned Soviet dissident, Alexander Solzhenitsyn, in his 1978 book called "The Decline of Courage", wrote:

The rule of law in itself is too cold and too formal an instrument to exercise a beneficial influence on society. When life is wholly permeated with legal decision, an atmosphere of moral mediocrity is then created which stifles the best inspirations of man and in the face of the trying time ahead of us legal criteria will be of no avail to make people stand upright.

The Minister of Justice (Mr. Chrétien) laughs. I suggest that the writings of Solzhenitsyn would make excellent reading for him, and they are in printed form.

Some hon. Members: Oh, oh!

Mr. Chrétien: You should read your speech before coming into the House.

Mr. Andre: If the Minister of Justice is like his leader, probably he prefers the writings of Fidel to those of Solzhenitsyn.

Some hon. Members: Oh, oh!

Mr. Andre: The only way the Constitution can gain the acceptance, the respect, or, in other words, the legitimacy it must have to work is if that Constitution is made here in Canada by Canadians employing a process acceptable to a clear consensus of the Canadian population. There is no need for the Prime Minister to proceed in the way he is. He could, if he put his responsibilities and supposed love of his country ahead of his pride, accept the suggestion made by my leader and the constitutional spokesman from my party, the hon. member for Provencher (Mr. Epp)—

Mr. Chrétien: Where is he now?

Mr. Kempling: That is a low blow.

Mr. Andre: —and at this time simply ask the British to patriate the Constitution with the Vancouver amending formula, and let us make all future amendments here in Canada by Canadians.

Mr. Nowlan: You have been sick a couple of times. That is really low of you.

An hon. Member: Remember, you were in hospital.

Mr. Chrétien: I was not in South Africa.

Mr. Deputy Speaker: Order, please. The hon. member for Calgary Centre (Mr. Andre) has the floor.

Mr. Andre: The Minister of Justice is simply hurting in recognition that he is not half the man the hon. member for Provencher is—

Some hon. Members: Hear, hear!

Mr. Chrétien: I don't go to South Africa.

Mr. Andre: —when it comes to integrity and honesty, qualities which most Canadians hold in high esteem.

Mr. Chrétien: I don't go to South Africa.

Mr. Andre: No one who has any understanding of the Canada of today could possibly believe that constitutional change made in Britain, by the British, on our behalf could be conceived by the majority of Canadians as being anything else but illegitimate. A made-in-Britain constitution will never be accepted by Canadians.

Several speakers on behalf of the government position have taken a very critical view of the so-called Vancouver amending formula, claiming that it would impose or lead to a checkerboard or patchwork crazy-quilt pattern in Canada. As my colleague the hon. member for Rosedale (Mr. Crombie) pointed out in his speech of February 18, 1981, that observation is simply nonsensical. As the member for Rosedale indicated in his speech, we already have a patchwork or a checkerboard system in Canada. In 1867 the British North America Act established a checkerboard pattern. Section 92 of the BNA Act laid out provincial powers and provided that the provinces could do with them as they saw fit. In other words, the provinces could create a checkerboard pattern, and that has been the pattern in Canada for 114 years. Section 133 imposed conditions on Quebec by which other provinces were not affected. This proposal is a patchwork. We have been a checkerboard or patchwork quilt since confederation. Far from weakening Canada, this has contributed to uniting the country and making it strong.

Perhaps the most maddening aspect of this non-thinking criticism of the Vancouver formula is the fundamental dishonesty of the government's position, since the very proposal that it is now attempting to force upon the country will itself create a checkerboard. Whereas heretofore, at least since 1930, every province in Canada was equal, under the Victoria formula proposed by the government there will be perhaps as many as four classes of provinces, certainly three. This is a concept wholly unacceptable to those lower-class provinces and clearly unacceptable to the vast majority of fair-minded Canadians.

It is the contention of the Prime Minister's apologists that a provision allowing provinces to opt out of constitutional amendments unacceptable to a province will somehow, through this patchwork or crazy-quilt pattern which might result, end up in Canada being a lesser country. In proposing that position, these apologists show an abysmal ignorance both of the nature of Canada and of the nature of federal democratic countries around the world.

Is Switzerland any less a united federal state because it has five official languages and because the cantons or provinces are autonomous to the point that citizenship itself is actually granted by the canton and not by the central government? Is West Germany any less a united federal state because the border guards are members of the lander or provincial police forces rather than officers of the central government? Is the United States any less united as a result of the patchwork which results from each state having a different criminal code?

Is it not just possible that this patchwork in virtually every other federal democratic state on this planet is the very characteristic that creates unity in those federal countries as opposed to disunity? Even unitary states, such as the United Kingdom, have a wide variety of different regional or local governments and laws. The Isle of Man, which has been part of the United Kingdom for centuries, has its own separate parliament totally different from Westminster and totally different in character from the parliament of Northern Ireland and the parliaments of Scotland and Wales. The civil code in Scotland is different from that in England. Evidence from around the world overwhelmingly points to the fact that a patchwork or a crazy-quilt pattern, to use the government's phrase, is not only common but may be essential to the maintenance of a unified country.

Indeed, Mr. Speaker, in comparing Canada to other federal states in the democratic world, the distinguishing feature about Canada is not that there is a crazy-quilt or checkerboard pattern but that there is very little or comparatively little difference across the country. The most serious difference and the difference which I think contributes most to the disunity of the country is that Canada alone among the federal states lacks any provincial or regional representation in the central government. Canada alone is attempting to maintain a national or federal government that is unitary in nature.

That is the real tragedy of what the Prime Minister is doing. The over-all thrust of the constitutional proposal is to make our government even more unitary in nature than it already is, whereas the crying need is for constitutional amendments that will recognize the federal nature of the country. It is interesting and sad to note that the one member of the cabinet who recognizes this fact through his chairmanship of the task force on national unity, the Minister of Transport (Mr. Pepin), has been utterly excluded from any participation in the current debate.

The Prime Minister simply does not know this country. He views Canada as Peter Newman, the editor of *Maclean's*, once observed, as basically consisting of Upper Canada, Lower Canada and outer Canada. He views Canada as a family formed by the marriage of Upper and Lower Canada, with the remaining provinces being the progeny or children of the marriage. To him we are all a family, but the parents must remain dominant and the children subservient or second class. What the Prime Minister does not recognize is that that model

does not and will not fit Canada. It will never be accepted by outer Canadians. Canadians in my province and in the other western provinces are saying, "Please let us be first-class Canadians; let us count to the same extent as other Canadians."

Some hon. Members: Hear, hear!

Mr. Andre: That is what is wrong with the government's proposed Victoria formula. It would encase in a Constitution, in perpetuity, a second-class status, if not a third-class status, for my province and for other provinces that make up outer Canada. I plead with the members of the government to stop and consider what they might be doing. To paraphrase Sir John A. Macdonald, if you treat people with respect, they will act as free people generally do; call them a faction and they will become factious. Impose this totally unacceptable amending formula on Canadians and you will weaken forever their commitment to Canada.

● (1620)

One of the personal disappointments to me in this constitutional debate has been the attitude and position taken by members of the government party who represent francophone constituencies. On many occasions since I have been a member I have heard francophone members pleading in this House, not in a subservient way but in a plaintive way, for an understanding of the fears and aspirations of Canada's French-speaking citizens. Many times I have heard members saying, in essence, that what they wanted was changes in Canada's federation that would give French-speaking Canadians the dignity, the opportunity and the respect due a first-class citizen.

I remember in particular the hon. member for Hochelaga-Maisonneuve not too many years ago arguing on behalf of French-speaking air traffic controllers that they be allowed to use their language and that French-speaking Canadians be allowed to fly aeroplanes and communicate with the ground in their language, because as Canadians they felt that they had a right to the same privileges, the same courtesies, the same status, as English-speaking Canadians.

One would like to think that people who have gone through that kind of personal experience would therefore be sensitive to, and aware of, similar calls for respect and equality from other Canadians. Yet today, with western Canadians in the thousands turning out to West-Fed and other meetings making basically the same plea, for understanding and for first-class status, these members turn a deaf ear. It is particularly disappointing that the hon. member for Hochelaga-Maisonneuve should adopt that attitude since I was led to believe he was more sensitive and more principled. It is sad to see members opposite, who have gone through what at times must have been a humiliating experience trying to get first-class status for their constituents and other French-speaking Canadians, turn around and be so damned insensitive to similar concerns for first-class status from other Canadians, be they from the west or the Atlantic region.

Perhaps I am being naive in assuming that fair play or sensitivity to the aspirations of fellow Canadians matter a whit. Perhaps all that matters is power, and since fate or the unfolding universe has given the Prime Minister the power he now possesses, that he will use that power to impose his model of Canada on the nation no matter that that model does not fit.

Even more disturbing to fair-minded Canadians than the Victoria formula is the provision for constitutional amendment by so-called referendum. The use of referenda is provided for in the constitutions of a number of democratic federal states, such as Switzerland and the United States. In both of these countries the axiom is that sovereign power rests ultimately with the people, and because of this the initiation of a referendum is built into their federalisms. In both of these federal states referenda can be initiated by either the state or the people and the results are binding.

As George Woodcock points out in a November, 1980, article in *Saturday Night* magazine:

> This is quite different from our (Canadian) politicians' gambits which are really plebiscites such as Lévesque's referendum on sovereignty-association or Trudeau's proposed vote on the Constitution, devised merely to gain endorsement from what the leaders have devised. (Hitler was an expert on this kind of popular vote.)

As Mr. Woodcock has accurately observed, this referendum proposal is nothing more or less than a tool whereby the Prime Minister could impose constitutional change upon the country. With the right of initiation resting with government, with the ability to state the question and to set the rules, the cards are clearly overwhelmingly stacked in favour of the federal government, or, in other words, the Prime Minister. What George Woodcock points out is more closely analogous to the procedures in Hitler's Germany than to the referendum procedures in truly democratic federal states.

Some hon. Members: Oh, oh!

Mr. Andre: If members opposite find George Woodcock's words unacceptable, I might refer them to an article by Michael Valpy in the October 8 Vancouver *Sun* where he examined the use of referenda similar to this in other countries. He stated:

> In France in 1958, against a backdrop of political stalemate and unstable government, a referendum gave Charles de Gaulle the powers of a near-dictator.

Is it a coincidence that in late November, 1979, after announcing his retirement, the Prime Minister should give a speech to the University of Montreal saying that his preference for Canada is a presidential system based on the French model? Is that just a coincidence? Mr. Valpy continued:

> In Germany in 1934, against a backdrop of Nazi-fostered fear, severe economic disorder, and street fighting between political extremists, a referendum gave Adolf Hitler unchecked executive power.
>
> In Canada in 1944, against a backdrop of sincere and principled political division between Canadians over overseas war service, a referendum—backed in English Canada, rejected in French Canada—gave a timid central government the courage to impose conscription. It also left a legacy of hate and bigotry that might have been avoided by a political act of leadership that sidestepped spelling out the nation's naked differences—

Backed by Martin Goldfarb and millions of advertising dollars, it would give Ottawa an incredible whiphand.

A government that was truly democratic and that understood the federal nature of this country would not put forward referenda procedures of this sort, the type used by Hitler and de Gaulle. If it was interested in referenda, it would put forward the sort employed by other democracies, such as Switzerland and the United States. I might also point out to the House that, while not using the same dramatic analogies as Mr. Valpy or Mr. Woodcock, Mr. Gordon Robertson, former clerk of the privy council and an adviser to the Prime Minister on the Constitution, has made the same observation about Section 42 of the proposed Constitution.

I have not in my remarks directed much attention to the proposed charter of rights, not because I do not believe it is important but rather because many other speakers on our side, and in particular the hon. member for Provencher, have made excellent and perceptive observations in regard to it. I would only say that, along with the vast majority in the House, I believe the addition of the charter of rights to the Canadian Constitution would be a positive step. But along with the vast majority of fair-minded Canadians, I also strongly believe that it is absolutely immoral to have the British impose this charter of rights. A charter of rights should be examined here in Canada by Canadians, and it should only be after the very closest of examination and only after very, very extensive public debate here in Canada that a charter should be put into the Constitution. This proposed charter is at the moment very imperfect in many ways, and we would be doing the country a great disservice if we locked in this imperfect charter.

In committee the members of the New Democratic Party moved 43 amendments. They found 43 things wrong with this charter of rights. Two of the amendments were passed, which means they still find 41 things wrong. Why are they so quick to vote for this charter which to their minds is so imperfect?

It seems so fundamental that it is almost trite to say this, but it must be said because of its omission from the charter of rights. A charter, to mean anything, must contain an acknowledgement of the supremacy of God in order to demonstrate that rights do not come from man or from some leader; rights are ours because we are human beings created in the image of God. For the government not to accept that particular amendment is, to me, a glaring and unacceptable omission.

● (1630)

A charter of rights without property rights is absurd. Property rights are absolutely fundamental to human rights. My family background is not dissimilar to that of a lot of western Canadians. My grandparents came to this country from eastern Europe prior to the turn of the last century. Then, as now, the state owned and controlled all land and property, and by that simple expedient controlled all rights; individuals had none. My grandparents came to this country because of the opportunity to own land, to have the economic freedom that comes from that, because all other rights are meaningless without economic rights. Without property rights, economic rights can never be assured. How anybody could propose a charter of rights without property rights is beyond me. The socialists obviously do not believe in property rights because they do not believe in that kind of freedom.

Let us have a charter of rights, Mr. Speaker, but one made in Canada by Canadians, including the acknowledgement of the supremacy of God and property rights. It is hard to pick up a magazine or newspaper that does not have an observation by someone whose opinion should be respected, pointing out some imperfection in these rights. How can we so quickly and glibly jam through this clearly imperfect proposal and hustle it off to Britain to have it imposed on us by the British? This charter, Mr. Speaker, was basically designed on the back of an envelope by various special interest groups who came before the committee and bargained for support with the minister.

I conclude by saying that I am extremely concerned about the impact of this proposal on my part of Canada. The people in western Canada want to be first-class Canadians but they feel they are being forced into a second-class status in perpetuity by the headlong push of this government. Unless stopped, this government and their sheep will be doing irreparable damage to this country.

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, I, too, welcome this opportunity to add my comments on the constitutional proposals before the House. Before I get into the main part of my speech, I want to comment on some of the remarks made by the hon. member for Calgary Centre (Mr. Andre) during his 40-minute discussion of constitutional reform.

Not only members of the opposition but constituents of mine want to understand why we are, in 1981, about to embark on this path of constitutional reform. I have been here only one year and some days, but I think it is safe to say that for all of us the results of the referendum last May 20 were gratifying, regardless of party affiliation. When someone says to me, as did the hon. member for Calgary Centre, that according to a Gallup poll 64 per cent of Canadians are against unilateral patriation, you could put the same question, if you worded it in the way Gallup did, to the members on this side of the House and probably have 64 per cent of us say that we do not want to move in a unilateral way. But that is not the simple issue involved here.

Last June, when the Minister of Justice (Mr. Chrétien) began the summer trial with his provincial counterparts in preparation for the September conference, we all wished in our hearts that the conference would work. It would have been much better had the Minister of Justice and the Prime Minister (Mr. Trudeau) been able to arrive at a package for constitutional reform by consensus, but that is not the way it was to be. As was evident in the September conference, there was a breakdown and that left the government in the position of having to decide how best to go about constitutional reform and how best to achieve support for this package.

I think it is fair to say that the joint committee proposal before us represents to the best of our ability as parliamentari-

ans a charter of rights, a statement of belief in the need for patriation with an amending formula, one that is as acceptable as it can be to a majority of Canadians. The government has gone completely out of its way to accommodate everybody in the sense that there were 12 items under discussion at the September conference. The government made a conscious decision to go with the least number of proposals that would antagonize the least number of Canadians.

That is the proposal we gave to the joint committee in October of last year, and to have the hon. member for Calgary Centre say at this late stage in the debate that we are attempting to jam down the throats of Canadians a Constitution that nobody else wants I think belies the fact that a great deal of work was done by the joint committee, by all members of this House for five long months. I commend them for their work in that committee, and I think, quite frankly, we have before us proposals that will go a long way toward addressing the problems that have existed here in Canada since 1867.

That brings me, Mr. Speaker, to the main point of my address. I want to come back to this theme throughout, and that is that we are about to embark upon a path that began in 1867 and along which there is still unfinished business to attend to. I would like to point out that when this House passes the joint resolution and presents it to Westminster, it does not mean that the process has ended. It is the beginnning of a new constitutional process; there is still unfinished business to attend to in this nation.

The year 1867 saw the birth of a new nation, a northern nationality, and as history recorded 50 years later war gave us an identity. Nova Scotians and Albertans, the soldiers of 1914, came home in 1919 as Canadians. In 1931, through the passage of the Statute of Westminster, we secured tangible autonomy in that no statute or law of Canada could be ruled invalid simply because it was repugnant to the law of the United Kingdom, save and except with regard to the BNA Act. I repeat, save and except the BNA Act. That is why I say to you, Mr. Speaker, and to this House that there is unfinished business to attend to.

I call to the attention of all members the words of one of Montreal's great men of letters, F. R. Scott, who said:

We have a rendez-vous with the BNA Act. It's going to come some day.

Well, it is now 1981 and this is the prophesied day. We have at this time reflected on and debated at length our constitutional future. We must now act to bring the Constitution home, secure in the knowledge that our children and their children will enjoy their country in the future, safe in the fact that no other nation or state has the power or legislative authority to change our fundamental laws.

That is what is ultimately meant by the term "responsible self-government", and it is long overdue, too long unfinished. Never before have we had so clearly the opportunity, albeit moved by its own passions and standards, to advance the civic culture of Canada, to unveil to the world what the ideals of Canadian society stand for, but most importantly, to decide for ourselves what it means to be Canadian.

• (1640)

If the process to date has been difficult—and perhaps it will become more difficult yet—that is as it should be. All great social reform requires it. This government believes that it must now, in 1981, move on constitutional reform, not because some constituent assembly has ordained it, not because some community of communities commands it and not because some premiers have made deals, but because Canadians will always feel inadequate and unsure of their identity until someone determines for their well-being a definition of what it means to be a Canadian.

Some hon. Members: Hear, hear!

Mr. Frith: We will act because this government knows that Canadians have that capacity. We have been disabled far too long. For ourselves and for Canada let us decide to throw away the crutch and stand on guard for our country, able at last, but by no means least, to amend our own Constitution.

Detractors of all varieties would have us believe that Canada is about to be rent apart by actions of this government to patriate our Constitution and by refusing, as the Hon. Leader of the Opposition (Mr. Clark) has suggested, to take into account the larger interests of Canada. I do not know anything of these larger interests to which the right hon. member refers. If there is some kind of other directed national interest, then we in the government believe, even at this late stage, that the right hon. member is again afforded another opportunity to share his views with his fellow Canadians. We look forward to the right hon. member's positive recommendations, not to thwart constitutional evolution in this country, but to participate affirmatively in its making. We recognize the right to oppose. Constructive criticisms are the energizing force in this debate. We are thankful to the hon. member for Edmonton East (Mr. Yurko) who, I am sure, shares the conviction, which transcends politics, that we must all get on with the job.

The age of technology presents us with the reality that we are all participators in the cult of innovation. This technological imperative alone dictates that our fundamental law must change. Because of this debate and the constitutional process the law itself is being changed. Great new institutions are being founded privately, and whole new networks of existing contractual relations are being renewed in a thousand ways.

The legislative reform this government is proposing is embedded in these broader, voluntary and private formal and informal modifications of Canadian society which our new Constitution will serve to consolidate and provide a new framework for Canada for ever new departures. In short, we have the opportunity to enjoy the change that constitutional reform can bring.

[*Translation*]

Mr. Speaker, if some members do not feel it advisable to have a Constitution which may be amended in Canada, then we must recognize that our cultural policy is threatened. I personally consider Canada to be a nation-state made up of

various cultural and language groups, and which expects to find in the Constitution a definition of the rights and powers of individuals and of political institutions. If that aim is overshadowed by other considerations, it means that we do not have the collective will to assume our responsibilities and control our destiny. I, for one, Mr. Speaker, believe that after 54 years of unsuccessful attempts, it is high time we patriated our Constitution.

[*English*]

Not all constitutional benchmarks in democratic history are the product of seemingly endless negotiations. This begs the question so adroitly raised by the Prime Minister: If Parliament's decisions must be negotiated, how can they be decisions? Do they not simply become negotiating positions?

Some benchmarks are accomplished by deliberate action supported by the greatest number of people of good will. The BNA Act was the result of such an affirmation. Its concluding chapter can be as well. The opportunity cost of such unfinished business is too great. I for one do not wish to be associated any longer with Canada's constitutional predicament—our inability to amend, on our own recognizance, our basic laws. That fate leaves an aversionary taste. Not to respond at this juncture in our history to the imperative before us suggests a profound cynicism about our own competence. It attracts and invites mastheads in our national and local papers which predisposes or forces some members of this House to talk of political warfare.

I believe, as do a great many Canadians, that nothing could be further from the truth. The only reason for discord is that we simply have not been able to agree on a method to be written into our documentary Constitution which allows full expression to the term "sovereignty of Canada". In short, we shall not be fully sovereign or fulfilled as Canadians until the parliament of the United Kingdom is no longer the only recourse for amending the Constitution.

I have heard this often from speakers who have spoken before me in this debate. The hon. member for Calgary Centre spoke about the need for some further perfection of the charter of rights which is presently before this House. This is the same member who six months ago stood up in this House and said that Canadians simply wanted their Constitution patriated. He was totally against having an amending formula. Now I hear discussions about what kind of an amending formula it should be. Now I hear from hon. members opposite that we have not gone far enough in certain areas of the charter of rights.

Mr. Blenkarn: Weren't you here on October 22?

Mr. Chénier: Don't worry about him.

Mr. Frith: I am not worried about the hon. member for Mississauga South (Mr. Blenkarn). Now I hear from other hon. members on the benches opposite that certain rights in the charter of rights do not go far enough. There has been quite a change in the last six months.

The hon. member for Calgary Centre also said that there are certain inalienable rights every Canadian should enjoy. Yet his own party says that the charter of rights should have an opting out formula. He properly pointed out that under the existing BNA Act there has been some checkerboard effect in this country. We have allowed the provinces to opt out with respect to certain taxation powers. We have always had that flexibility in our Constitution, but can we afford to allow provinces to opt out with respect to the inalienable rights of our citizens? Either there will be basic rights enjoyed by every citizen in this country regardless of his place of residence, or we no longer will have a nation by anyone's definition. If there are to be basic rights, they belong to all Canadians, and provinces should not be allowed to opt out of the principles expressed in the charter of rights.

While we all recognize that words are sometimes inadequate vehicles to convey ideas and that intensity of feeling rather than substance is the order of the day, I believe we have dwelt too much upon the process of constitutional reform and have not addressed ourselves enough to the content of constitutional reform.

I do not wish to dwell at length on the issue of the amending formula, save to say that without one which is fair and equitable, both rigid and flexible, and cognizant of our federal character, our definition of a truly federal state falls short of the mark. All constitutional authorities agree that the provincial legislatures have the right to amend their constitution as it affects them, save with regard to the offices of lieutenant governors. Yet Canada's national legislature cannot do so at its own discretion without the consent of the parliament of Great Britain. Thus, Canada is relegated to being the only free nation in the world which is not at liberty to change its Constitution without the consent of another sovereign state. For any province, court of appeal or person to suggest that this government's proposed Canada Act, Constitution Act and the patriation instruments are in themselves unconstitutional is inappropriate, in that such a view or judgment serves only to suborn the right of this central government to act.

I need not remind the House that those who argue for unanimity on the issue of patriation of the Constitution do not and cannot guarantee the perfection of what will be achieved. I suggest that even if all 11 governments were to concur in the method of patriation at this time, there is no guarantee that a perfect instrument will be obtained. This is why our resolution calls for an amending formula and a method to find one to assure that our system of government will be based on a set of laws and not on the whims of men. No member of this House has higher authority than that which is transferred by the electorate.

The puppet on the provincial shoestring approach of the official opposition, which argues for opting out and against a national referendum for breaking a deadlock should no amending protocol be found, is, to me, lamentable. The important and, indeed, crucial test of the legitimacy of this government's actions will be determined by what we do with the Constitution when we get it back. If an amending formula is not achieved, the federal government reserves the exclusive right

to take the issue of a formula to the people in the form of a national referendum.

I, for one, must believe that the wit, the intelligence and the desire of the premiers and the Prime Minister to build an amending formula worthy of the status of Canada can be accomplished within two years. That is the challenge before us. It seems only logical that if we, as legislators here and in the provinces, cannot resolve this impasse at the end of 24 months of concerted effort, recourse to the population at large is the only solution. I cannot see how some hon. members in the opposition benches can argue that a referendum will thwart the democratic process. At the very least, the opportunity for the people of Canada to decide is not only the opportunity to renew the social contract but to exercise the highest privilege democracy affords.

● (1650)

Mr. Baker (Nepean-Carleton): We have never argued against that.

Mr. Frith: The hon. member for Calgary Centre said just now that a referendum would tear this country apart.

Mr. Baker (Nepean-Carleton): You misunderstood his remark.

Mr. Frith: You are misunderstanding mine.

I would remind the Right Hon. Leader of the Opposition and his colleagues that when politicians fail to break an impasse, it is best to go to the people, because then we have recourse to our biggest resource, what prime minister Sir Robert Borden once referred to as "the commonplace quality of common sense." It therefore strikes me that any legislation must absolutely exercise and preserve a balance between complexity and conscience. I believe that principle is clearly contained in this government's constitutional proposals.

The federal government holds relentlessly to the conviction that there are certain basic rights inherent in and crucial to Canadian citizenship and Canadians' way of life. That is why we maintain that these rights must be entrenched in the Constitution as a charter of rights. Because of the virtue of these rights, the positive and negative notions of freedoms—freedom to and freedom from—would be standardized and universally applied, and once entrenched would make Canada a free, model society for the rest of the world to emulate. That is why we argue for constitutional provisions to prohibit provincial or federal government interference, as this is necessary to guarantee the privacy of individual rights.

I too, like Gordon Fairweather, our Human Rights Commissioner, am anxious for an entrenched bill of rights. While it is certain that some rights require more protection, it is not this aspect which I personally find exciting. An entrenched charter of rights and freedoms is much more—it is a testament to the human spirit, a guide on how to live and grow in our humanity. All manners of excellence that we accept for our guidance, and all obligations to which we grant jurisdiction over us, can be defined by our respect for human greatness. As a statement of objects of our respect, a charter of rights and freedoms allows us to pass on continuously a rich inheritance for the as yet unborn Canadians for all time. In essence, such a charter codifies a standard of conduct between all men. A charter of rights is a statement of universal intent. The proposed charter will serve to make Canadians understood as a people and as a nation which realizes that the freedom of the subjective person to do as he pleases is overruled by the freedom of the responsible person to act as he or she must.

Even the most intimate rights of the individual Canadian cannot be enforced against the state without the corresponding judicial protection that entrenching in the Constitution would provide. It is the view of this government that the Constitution is the best place in which to provide for the protection of our freedoms. The members of this government concur with the thinking that civilization in part is measured by the willingness of those who have power to yield it up to third parties for adjudication.

The charter will accomplish much for us, but it will also tell us how others see and understand Canadians. In short, it will do much to reinforce our sense of national identity. I know one myth that it will dispel forever: never again will confederation be called the graveyard of minorities.

I return to my theme of unfinished business. I believe there are compelling reasons why we must move forward quickly at this stage of debate. I refer to a rather generally held belief, one held too long, that the present federal Constitution has much to do with the intractable problems of regional economic development and disparities. Surely all members of the House must realize that there is no alternative to our market system which can support our economic interests without threatening our personal freedom as individual Canadians. What is required is action by this government to establish and maintain an economic environment in which the market can best perform its essential function. Financial aggression on the part of one province which argues against mobility rights does nothing but serve to further institutionalize disparities in another province perhaps less fortunate in its natural endowments. The demand for greater provincial autonomy at this time only inhibits the development of a national economic strategy.

We are not proposing to put something over on the provinces. A statement made recently by my colleague, the Minister of Justice, offers instruction. He said:

> We do not want to restrict the ability of the provincial governments to deal with social, cultural and economic issues within their jurisdiction; but we want to ensure that the required laws, regulations and practices do not discriminate against Canadians from other provinces. Such discrimination goes against the principle of economic union and creates internal barriers which go against a fundamental principle of nationhood.

By entrenching such a value in the Constitution, we are not proposing change for the sake of change, nor imposing a value that is academic. Rather, we are saying to the average Canadian that she or he has a basic constitutional right to economic security wherever it may be obtained in this country.

The constitutional reform proposal before the House essentially addresses the question of sharing our wealth to make

Canada work as it can, for it is vital that all Canadians enjoy a national standard of material well-being. To that end, Mr. Speaker, Part I, Section 6 of the Constitution Act provides every citizen of Canada with three basic economic rights. These are, first, the right to enter, remain in, and leave Canada; second, that every citizen and every permanent resident of Canada have the right to move from province to province and to take up residence; and third, the right of every Canadian to seek gainful employment without hindrance. These rights cannot be conditional or discriminatory in relation to a person's previous province of residence. Anything less means that a Canadian citizen would have his basic citizenship right embargoed by the unilateral action of a province.

In the recent past we have seen examples of construction workers not being allowed to work in a province where work was to be found. The first premier of Newfoundland believed in the concept of mobility rights, but the present leadership in Newfoundland does not support it.

Entrenching mobility rights and ensuring the free flow of capital does nothing to ruin federalism, as some members of the opposition have argued. Rather, it actualizes the concept. Ill-conceived and poorly erected barriers do not make good neighbours. Instead, discriminatory practices only serve the creed of those who would beggar thy neighbour. Now more than ever before, Canada must strive to be a country without internal barriers if we are to ensure the prosperity of Canadians and sustain our economic growth.

Mobility rights are principally the cement that holds our economic union together. This is why, Mr. Speaker, the Pepin-Robarts report concluded that reform of the Constitution and of Canada's political institutions would be justified, even if the single purpose was to improve the ability of the Canadian public and private sectors to address themselves to the economic policy requirements of the future. Surely it is obvious, Mr. Speaker, that bargaining and negotiation with regard to these matters are rife with difficulties and significant costs.

This government believes that ample time has been provided to work out these issues, yet we have not been able to do so because of lack of agreement and the existence of more than one view of Canada. So in this session of Parliament in the spring of 1981, we have come to a constitutional crossroads. At this moment of history it is true that the Canadian caravan has travelled a long road to nationhood. Perhaps the will of this Parliament will provide us finally with a sovereign, constitutional democracy and, as some of us have longed for and hoped for, with a constitutional regime that can at last help us to cope with our problems and allow us to get on with our national life.

I thought Bruce Hutchinson said it best when he said:

After a hundred years of joint experience we are in a peril from no one but ourselves . . . and we hold in our keeping a trust much larger than we know.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Corbin): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The hon. member for Nepean-Carleton (Mr. Baker)—Air transport—Direct air service between Ottawa and New York; the hon. member for Mississauga South (Mr. Blenkarn)—Railways—Role of Canadian Transport Commission; the hon. member for Brant (Mr. Blackburn)—The environment—Suggested discussion of acid rain precipitation in Canada—United States talks.

[*Translation*]

It being five o'clock, the House will now proceed to the consideration of private members' business, as listed on today's Order Paper, namely, notices of motions and public bills.

• (1700)

PRIVATE MEMBERS' MOTIONS

[*Translation*]

Notice of motion No. 31 stands by unanimous consent of the House.

* * *

[*English*]

INCOME TAX ACT

SUGGESTED TAX CREDITS FOR NORTHERN HUNTERS

Mr. Peter Ittinuar (Nunatsiaq) moved:

That, in the opinion of this House, the government should consider the advisability of amending the Income Tax Act to give income tax credits for the purchase of hunting implements to persons in the Northwest Territories, Labrador and Arctic Quebec who hunt in order to provide a substantial portion of their food supply and whose livelihood is hunting.

He said: Mr. Speaker, today I speak as a hunter and a trapper. I have very legitimate concerns about the financing of the vocations of hunters and trappers.

The outcome of this private member's motion is a foregone conclusion, considering the indication from across the way. However, I am glad to have raised this matter in the House.

Hunting is a legitimate occupation; not a residue of history or a sport. Government should encourage the maintenance of the hunting and trapping sector of our economy for a number of reasons.

First, in the Arctic regions, hunting and trapping make a significant contribution to the local food supply. The Lancaster Sound study of the communities in northern Baffin Island

reports that the imputed value of country food available per year is between $568 and $2,173 per capita. The significance of this is exaggerated by the scarcity or non-existence and high cost of nutritionally valuable store-bought goods in northern communities.

Second, hunting and trapping are key factors in the development of a diversified northern economy. A strong renewable resource sector is essential to offset the worst consequences of boom-and-bust non-renewable resource development.

Third, hunting is essential to and is Inuit culture. Dr. Peter J. Usher wrote in an article entitled "Evaluating Country Food in the Northern Native Economy":

> Food preferences and habits are an important part of any cultural heritage, and are often very deep-rooted. In a society where hunting is a central tradition, foods have a richness of meaning which stems from their procurement, distribution and preparation, as well as their eating . . . Country food has nutritional, social and cultural values which cannot be replaced by any substitute and cannot be measured by market criteria or evaluated in cash.

Fourth, it is often assumed that the traditional economy is declining as participation in the wage economy increases, and that this pattern is inevitable and proper. However, hunting and trapping activities in the north are not dying out; their importance in the future economy must be recognized and considered. The maintenance and growth of a healthy and diversified northern economy is not possible without a strong, renewable resource base.

At present, the people of the north are forced into a position of participating in a weak wage economy so that they can afford to hunt. Hunting is so expensive that many people carry a heavy burden of debt throughout most of the year. But, of necessity and as value to their societies, people in Arctic regions are loath to give up this system of harvesting.

I should like to quote a few prices of hunting implements and equipment, since it is quite popular for southern people to quote prices. This information was received from people in Rankin Inlet and Whale Cove in the Keewatin region. For example, the capital cost of a snowmobile is at least $4,000. This is double the 1976 cost. A snowmobile hardly, if ever, lasts for more than one year. It is the best rough terrain vehicle in the world; however, it is the least efficient of gas consumption machines. The cost of material to build a sled in the north costs $400. This also never lasts more than a year. A canoe, which is essential for summer hunting, costs $3,000 including freight. I see on the canal in Ottawa people who have recreational vehicles which are four and five times the prices I am quoting because they are so much better equipment. Hunters in the north would like such equipment, but they cannot afford it.

An outboard motor in the north costs $2,500, that is a small machine, 40-horsepower. A cheap rifle costs $400. We see sports hunters coming from the United States with $2,000 rifles. The hunters in the north would like to own these rifles, but they cannot because they are far too expensive for our financial return. A rifle with a scope costs at least $600. Rope, which is essential to hunting, costs $160, and so on. The prices for all the equipment needed for hunting in the north are astronomical. They are three and four times what they would be in Ottawa, Winnipeg, Vancouver and so forth.

The prices of hunting equipment have risen astronomically in the last few years. As I said, the price of a snowmobile has doubled since 1976. Because they are in constant use under adverse conditions, a well-maintained snowmobile may last only a couple of seasons. In fact, most last only one season.

The hunter is caught in a vicious economic circle. The only source of monetary income in the traditional economy is derived from the sale of furs, but the price of furs is variable, uncertain, and therefore cannot be depended upon. Most hunters are forced to participate in the wage economy, at least seasonally or part-time, in order to provide the income required to subsidize hunting operations. This situation is complicated by the fact that jobs are not always available.

I would like to point out, as an aside, that while there are 7,000 employees in the Department of Indian Affairs and Northern Development, there are 22,000 Inuit. That is a ratio of one bureaucrat to three Inuit. This is pretty deplorable; that money could be usefully used elsewhere. If we consider that there are another 2,000 employees in the territorial government, it means the ratio is 1.5 Inuit to one bureaucrat.

The hunter increasingly finds himself in the position of being dependent upon an unstable wage economy in order to finance his hunting activities, although neither of these activities offers firm monetary rewards. Furthermore, time spent working for wages leaves less time available for hunting and, hence, nutrition.

The strengthening of the hunting and trapping economy in the north, including government recognition of this sector as viable and worthy of support, is necessary in order to break out of this circle of dependency. The cost of nutritionally valuable food in the north is notoriously high when available. As I said, in many communities it is not available. I do not consider dried-out or out-dated pork chops or canned goods as being nutritionally valuable. A reduction in hunting would lead to less nutritious diets and higher costs.

When a community is dependent upon the outside to provide food, it is in a very precarious social and economic position. The insecurity that such dependency breeds destroys the vitality of a community. Steps must be taken to ensure that the hunting economic is not crippled beyond recovery.

I should like to turn now to a brief examination of government support of other sectors of the economy which produce food for Canadian consumption. Tax expenditures on the farming and fishing sectors in 1980 totalled over $100 million. This is small compared to the billions spent on the oil and gas industry. I should like to quote from a document entitled "Government of Canada Tax Expenditure Account". Table 1 refers to the resource sector and reads as follows:

1. Fast write-off for Canadian exploration expenses.
2. Fast write-off for Canadian development expenses.
3. 33⅓ per cent earned depletion allowance.

This is a total of $1,250 million. However, farmers and fishermen are able to deduct expenses for tools under $200,

gear, gasoline and oil for operating equipment. They are also able to claim a capital cost depreciation allowance on aircraft, automobiles, trucks, boats, outboard motors and sleighs. Hunters are not allowed to claim these expenses, although hunters in outpost camps—and there are very few, possibly three or four in the north—are subsidized by the government of the Northwest Territories. However, hunters in large communities do not have any program to assist them to defray hunting costs. Fishermen and farmers have these types of programs about which I am speaking.

• (1710)

Canada is a major fur-bearing nation. Between 1968 and 1978 our exports in fur products rose 258 per cent, from $35.8 million in 1968 to $128.2 million in 1978. During the same period the trade balance surplus in the fur industry rose from $19 million to $44.4 million. Thus, the export of fur products has increasingly achieved a trade balance surplus while the Canadian economy as a whole is plagued by import deficits in the balance of payments.

Hunters and trappers in the north face a situation where their traditional livelihood is becoming more expensive and difficult to maintain. Incomes received from hunting and trapping hardly reflect the valuable contribution which this sector makes to the Canadian balance of payments. In 1976 per capita income in smaller communities ranged as low as 81 per cent below the Canadian average. Imagine that! Try to buy a new Ski-Doo every year with that. Most northerners must work very hard to make ends meet. They have little disposal income to spend on anything but the barest necessities. Some 40 per cent of individuals filing 1978 income tax returns in settlements in Nunatsiaq, which is my riding, will not even earn enough money in one year to cover the cost of purchasing a $4,000 or $5,000 snowmobile—yet they must have one for hunting. Thus they incur a debt.

Hunters make an invaluable contribution to the health and well-being of their communities but they do not enjoy any tax benefits. In principle, they should be allowed to deduct expenses and claim capital depreciation allowances, just as individuals in the farming and fishing sectors do and, moreover, as the major oil companies do when they explore in the north for oil and gas. However, hunting is not a profit-making business since the meat product is rarely sold and the price of furs is minimal. I will add here that there is a study under way at the present time by the Inuit Development Corporation called the inter-settlement trade study in which the marketability of northern food is being examined to see whether it is marketable in the south and in other northern countries such as Greenland and Alaska.

Few people who are not employed full-time as wage-earners pay taxes. Therefore, a tax credit should be refundable—the base line is a tax credit.

Without going much further, I hope that the motion now before the House will receive the support of all three parties.

Mr. Ray Chénier (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Mr. Speaker, I must commend the hon. member for Nunatsiaq (Mr. Ittinuar) for the very real concern he shows for the people in his riding and for the people of the north generally. I appreciate the motion put forward by the hon. member.

The federal government and the Department of Indian Affairs and Northern Development particularly is indeed sensitive to the significance of renewable resources and the well-being of northerners. We are concerned about the high costs in the north. However, the motion does not appear to provide an answer to either problem. Obviously, the motion intends to resolve problems being encountered by northern residents who no doubt are in need of assistance of some type. After examining the motion, however, I have come to the conclusion that the proposed amendment to the Income Tax Act would do little, if anything, to assist the type of people who would be eligible.

The motion proposes to give income tax credits for the purchase of hunting implements to those persons who hunt to provide a substantial portion of their food supply and whose livelihood is hunting. The first question I would ask is why income tax credits should be allowed only to people located in the Northwest Territories, Labrador and Arctic Quebec? It seems to me that there must be residents in the Yukon, particularly natives, who have the same problem as do those living in the area included in the motion. For that matter, I am sure that the same can be said of the residents of the northern parts of the provinces of British Columbia, Alberta, Saskatchewan, Manitoba and Ontario. The resolution should have been addressed to those people as well.

I do not wish to dwell any longer on the many obvious difficulties which would be encountered in determining the eligibility of applicants for the income tax credits that the hon. member for Nunatsiaq proposes. Adding to the confusion, would be the need for defining such terms as "a substantial portion" and "hunting implements". Then, there would be the problem of determining if an applicant did, in fact, depend on hunting for a substantial portion of his food supply. How and by whom would this be done? These are only a few of the problems which would be encountered in the operation of the proposed income tax credit program. Such a program could become an administrative nightmare. Surely we would not want to complicate the lives of northerners any more than we are now doing, as some members of the opposition have told us many times before.

As I said earlier, the intent of the motion is very praiseworthy but I would object to the proposed means, to the utilization of tax credits. This would do little, if anything, in the way of providing assistance to those with the greatest need.

Perhaps we should review the number of programs which provide assistance to trappers and hunters. I understand that at the territorial level, for example, the government of the Northwest Territories is implementing a program in 1981-82 which would provide grants to subsidize the cost of gasoline to trappers. Those hunters who also trap will benefit. As well,

half a million dollars is being provided to assist groups and individuals who wish to live off the land under the outpost camp program of the territorial government.

Furthermore, in discussing northern concerns with the president of the Metis Association of the Northwest Territories, I was informed that there is no federal sales tax on gasoline which is used by hunters and trappers. There is also no sales tax on outboard motors. I suggest that these measures directly assist those whom the hon. member had in mind when he drafted his motion.

At the federal level, again, I point out that there are special ARDA programs geared specifically to Indians and Inuit individuals or groups which provide a large amount of financial assistance. For example, the Rae band received $125,000 assistance under this special program two years ago. I should add that all hunters and trappers associations can benefit from the special ARDA program of the Department of Regional Economic Expansion. The programs I have just mentioned are tailored to the particular needs of Canadians living in the north. If these programs are not functioning properly and if they are not benefiting those whom they should, then I suggest that we review them in order that we may improve on the delivery of the programs to all those who could take advantage of them.

My colleague, the Parliamentary Secretary to the Minister of Finance (Mr. Evans), will no doubt address the matter of the remission order on the taxation of northern benefits, which has been extended throughout 1981, to allow the Department of Finance the opportunity to develop a reasonable policy on this very important matter. The member for Nunatsiaq may rightly point out that this remission order benefits only the white government employees who are given housing and transportations subsidies. However, I am certain the Department of Finance is examining the question with a view to providing a benefit which will be equitable for all northerners, white and native alike. I further encourage the member for Nunatsiaq to make his views on this policy known to the Minister of Finance (Mr. MacEachen).

● (1720)

In conclusion, we feel the intent of the motion put forward by the hon. member for Nunatsiaq has very good merit. However, we do feel that the method suggested would be far too cumbersome and involved, in terms of developing definitions of who should benefit and who depends on hunting for his or her food supply. Again I would ask, to what parts of Canada would the proposal apply? Should it be limited to the areas he has mentioned, or should it be enlarged to apply to all of the country?

We believe that what should be done is to examine in detail the existing programs and try to improve delivery, and if necessary expand the base of funding so that all people who should benefit from those programs receive those benefits.

Mr. F. Oberle (Prince George-Peace River): Mr. Speaker, I welcome any opportunity which presents itself in the House to discuss this crucial important question of the hardship of the northern people, as highlighted in the motion of the hon. member for Nunatsiaq (Mr. Ittinuar). I naturally speak in support of the motion. I want to congratulate him for taking the initiative of adding this component to the debate, namely, the prospect of providing tax benefits for the purchase and use of hunting implements, hunting being such an important industry, not only to individual families in the north, but also to the economy in general.

I listened with keen interest and some surprise—although one should not be surprised—to the comments of the official speaker of the government in response to this motion. He said that the government is sensitive to the needs of the north and is very much concerned with the high cost of living in the north. This is true. As has been pointed out, there are many federal civil servants living in the north. In fact, there is one federal civil servant for every three northerners.

The government has recognized that there are difficulties in the north and that it is costly to live there, but these difficulties are only recognized when they affect civil servants who are working for the federal government. They have not been recognized in relation to anyone else.

The hon. member made reference to the concern of the government regarding these northern benefits which are only paid to people who happen to work for the federal government. Some large corporations also must pay northern benefits in order to attract people, because it is simply not possible to live and work in the north without some kind of tax relief or subsidy. That is what the government is sensitive about and understand—that it is difficult for bureaucrats to go north, particularly when they can obtain postings elsewhere in Canada. If it is costly and difficult for bureaucrats who work for the federal government, to live in the north, would hon. members not agree that it is equally costly for every other Canadian who lives there?

I published a report just a couple of months ago which points out that if you used no other criteria to help northerners cope with the high cost of living, the difficulties associated with transportation, isolation and so on than those already used by the federal government to compensate its civil servants, it can be established that northerners—and I am including the north of the mid-Canada section of the province—pay $470 million too much in income tax every year. There is no provision in the Income Tax Act to allow for the taxable earnings of these northern benefits. The government has sort of overlooked that.

During the short period of time there was a Conservative government, bureaucrats decided that it would be a good time to tax these northern benefits. Then it was decided that there should be a remission order for a year. This has now been extended, as the hon. member rightly says, to 1981 during which time the government intends to take a very serious look at amending the Income Tax Act to deal adequately with these northern benefits.

I expect there will be a change in the Income Tax Act which will allow for tax free earnings of certain benefits in the north.

What that will mean is that tax credits will only accrue to those people in the north who happen to work for large and rich mining companies, or in the lucrative energy sector, or who are federal buraucrats; the rest of the northerners will continue to be second-class citizens. That is simply not good enough.

The Income Tax Act is basically arranged so that every citizen contributes to the economy and operation of this country in accordance with his ability. In other words, one pays income tax in accordance with one's ability to pay. As the hon. member for Nunatsiaq correctly pointed out, people living north of 60 and in the northern part of the provinces pay much less income tax than anyone else in Canada.

The hon. member referred to the price of some of these implements. In some cases, northerners probably pay double what the average Canadian would pay for a Ski-Doo or for a rifle because of freight and delivery costs added to goods shipped to northern consumers. It is common to pay $2 for a gallon of gasoline even in the northern part of the province. I know a place in British Columbia where a gallon of gasoline costs $5. The native people that I represent here use these implements to go out and earn their livelihood, because, as the hon. member said, they cannot buy sufficient and adequate nutritious food for their children.

When I raised this question in the House with the Prime Minister (Mr. Trudeau), he asked me to give him names. I would have no difficulty compiling a list of names of people I know who live in my constituency in the province of British Columbia and find it difficult to feed their children and must supplement their food by hunting.

It is generally understood that any money required to buy food, shelter and clothing should not be taxable. That is why we have personal exemptions. However, to a northerner, purchase of these hunting implements is essential because they hunt to provide food, and make clothing from pelts.

A litre of milk in Pond Inlet costs $3.60. In early February this year, two kilograms of sugar cost $6.13 in Pelly Bay. A can of apple juice sold for $4.69. A can of apple sauce costs 49 cents in Edmonton but $1.74 in this northern community. The manager of the only store in that community estimated that it now costs $1,526.70 to provide balanced meals for a family of seven for just one month. It is no wonder that those northerners must supplement their foodstuffs by hunting. This becomes even more difficult as they must purchase these implements. As well, they must pay for gasoline and repairs, to maintain them.

The government says it is sensitive to and understands the problems in the north. The parliamentary secretary criticizes the hon. member for Nunatsiaq for not including the Yukon and the northern parts of the provinces in this motion. I would like to do this as well and bring a more universal approach in helping northerners. Even a small step such as the hon. member for Nunatsiaq has suggested would help.

I would like a universal program such as that found in Australia, where there are three different tax zones and a high cost of living; the living differentials are considered. If I could again use the criteria the federal government uses to compensate its civil servants, people north of 60 would not pay any income tax up to an income of $30,000; and I dare say there are hardly any native people in the north who earn that income. That would be a more universal approach. As well, it would be an incentive which would accrue not only to federal civil servants or employees of large corporations but to all northerners.

• (1730)

This debate is not about my tax proposal, which ministers over there keep telling me is part of a study going on right now in the Department of National Revenue, the Department of Finance and the Department of Indian Affairs and Northern Development, it is about a proposal which the hon. member for Nunatsiaq has laid before us.

I would strongly urge all members in this House to give this matter serious consideration and approval. It is a small step toward what I consider is a more universal approach. It will certainly go a long way toward helping some of those people to whom the hon. member for Nunatsiaq made reference, those who have to supplement their own food needs and incomes by hunting so as to overcome some of the incredible burdens placed on northerners as a result of isolation and a harsh environment.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. René Cousineau (Gatineau): Mr. Speaker, the tax benefit proposed by the hon. member for Nunatsiaq (Mr. Ittinuar) in his motion would have a very limited impact. In fact, only full-time hunters would stand to gain anything. According to the motion, those are the people "who hunt in order to provide a substantial portion of their food supply and whose livelihood is hunting." So this would apply only to full-time hunters in the north, namely the Northwest Territories, Labrador and Arctic Quebec. Therefore, hunters residing elsewhere in Canada are not included. In other words, all other hunters in the rest of Canada would be eliminated, leaving only those in the areas I have just mentioned.

Mr. Speaker, that exclusion may be quite justified if we bear in mind the exceptional living conditions of northern residents, and you can be sure that I do not envy them. Still I find it hard to understand why other northern residents would be excluded under this measure, those who earn a living otherwise than by hunting. Most of the other people who live in the north are affected as well by the high cost of living due to the economic difficulties resulting from remoteness, the extremely cold climate, the high cost of transportation and all the other economic problems related to life in the north. I will come back to that question a little bit later, but for now I would like to speak about the income tax issue raised in the motion.

First, I wonder if the existing provisions of the Income Tax Act are not adequate under the circumstances. The motion relates to people who hunt for a living and earn enough money to have to file an income tax return. Mr. Speaker, the existing income tax legislation allows those hunters to deduct not only the cost of hunting gear but other expenditures as well, such as ammunition, fuel and special equipment necessary to live off hunting. Naturally, it does not apply to people who now and then go hunting in their leisure time, or who want to taste venison. I do not believe either that it was the suggestion of the hon. member for Nunatsiaq. As things now stand, Mr. Speaker, hunters are allowed to deduct their expenses much in the same way as other self-employed Canadians, including farmers, fishermen and others in various professions. However, the motion refers to income tax credits rather than a simple tax deduction for the cost of hunting implements. I entertain serious doubts as to whether income tax credits would be the correct approach under such circumstances.

First of all, excluding the child income tax credit, tax credits are especially appropriate for industrial development; thanks to them, a taxpayer can offset in part or in whole his investment expenditures and his tax obligations. It is indeed through tax credits that the federal treasury provides direct assistance to spur investments in plants and equipment with a view to promoting industrial growth, creating new jobs, improving efficiency and boosting productivity. I do not think that hunting can be included in that type of industrial activity.

Mr. Speaker, before supporting a tax credit for hunting implements we should perhaps recognize that such a measure would lead to an increase in hunting. Now is that what we want? Is that what Inuit and Indians in the north really want? Could the wildlife in that area sustain such an increase in hunting? Mr. Speaker, as I said before, this proposal would benefit only one category of northerners, hunters. While recognizing the importance of hunting, especially as an essential part of the livelihood of northerners, I think we must also consider the situation which confronts other residents in the area.

The specific economic hardships that are a fact of life in the north necessarily increase the cost of living for all people in that area. I think we should consider more general approaches that the government could take to ease the economic and social conditions in which those people work and live. I am thinking, for example, Mr. Speaker, of the important role the government plays in providing such services as transportation, communication, health care, environmental protection, housing and social services, to name but a few.

We are all aware of the cutbacks the government was forced to make, but if there were some additional funds to be allocated to northern development, would it not be better to try to improve general services rather than to provide the type of tax incentive suggested in this motion? Mr. Speaker, we should also mention that northerners in general can take advantage of some work related tax breaks; for example, the housing subsidies that some northern employers provide their employees with. Under the Income Tax Act, such special benefits and allowances would be taxable, which means that this rule is intended to prevent income tax evasion. However, in northern Canada, such allowances are said to be essential to attract workers.

Because of this, Mr. Speaker, the government passed last June a rebate order to exempt for income tax purposes subsidized houses, low-cost housing, as well as travel assistance granted by northern employers for holiday purposes or medical reasons. This debate order which dates back to 1978 will remain in effect until 1981. It is a temporary measure which will give enough time to the government to develop a policy aimed at bringing about a reasonable solution to this difficult and complex problem. Mr. Speaker, we should be considering more important matters, such as the extent and impact of government programs and services in northern Canada and the effect of certain taxation policies. These are the matters which will have the greatest long-term effect on social and economic northern development. In these circumstances, I cannot support such a motion even though the motives of the hon. member are very laudable in view of the very hard and difficult life of the people in northern Canada. Once again, and for these reasons, Mr. Speaker, I am opposed to this motion.

● (1740)

[*English*]

Mr. Gordon Taylor (Bow River): Mr. Speaker, I wish to add my support to this motion. I find it difficult to follow the arguments coming from the government side. The last speaker mentioned that this would benefit certain groups. The Income Tax Act is full of benefits for certain groups. Therefore, this will not be a precedent.

Insurance agents are part of a special group. They can deduct their expenses for business trips, office equipment and entertainment from their profits. It is quite legal. Farmers are also part of a special group. They can depreciate, over a number of years, the cost of a combine and, in fact, a home which they may build. Therefore, I do not accept the argument that this will benefit a special group.

A few years ago, it was said it would be too difficult to handle a tax credit for children. It has turned out not to be difficult at all. All one has to do is prove that he has children. I have never received an objection from a constituent complaining that he must prove he has children in order to get the tax credit.

Bachelors are not part of that special group and, quite properly, cannot apply for the tax credit. It is only for those who have children, have had to pay the cost of raising them, who get the special tax credit. I commend the government for that type of legislation because the future of this country depends on our boys and girls.

I suggest that those in the north who earn the major part of their living do so under the most adverse conditions. It would not be difficult for a northern hunter to prove he has purchased a rifle. He could produce it if necessary. The same applies to a snowmobile or proper clothing. These are essentials. A hunter adds to the net worth of this country. He is producing, not taking away. If we would only accept the idea that those who produce should be encouraged, we would have a lot more production and fewer unemployed.

We hear a lot of talk about inflation and rising interest rates, which puts people out of work. Increasing production would be a better way of fighting inflation. The more production, the less inflation because inflation is too many dollars chasing too few goods. We always attack the problem from one end. Let us increase production which would increase the net worth of this country.

Other people in that category include those in the coal or ore mines. I was raised in a coalmining town. My father and brothers were miners. I saw the toll it takes in human life, working in the bosom of the earth, with no sunshine, sometimes on their hands and knees lifting the coal in smoky conditions. They are paid by the ton.

I can take you to coal mining towns in Alberta, and others can probably do the same in Ontario and the maritimes, and show you how the health of the people has deteriorated after having spent their lives producing coal, lead, zinc or whatever the ore happened to be. We should find ways and means to help increase the production and thus fight inflation.

When we have this type of motion which encourages production and asks for an incentive, an encouragement, we should not say it cannot be done, but look to see how we can assist. This bill should be sent to committee, where we could hear from experts on the north, including the hon. member for Nunatsiaq (Mr. Ittinuar). We could find ways and means to help them and increase production. That is why we were elected to this place.

Rather than looking for reasons why we should not do something, we should change our attitude to one that is more positive. I urge members on the government side to not defeat this because of one or two obstacles. It will not cost the government anything to send this to committee where it can be considered. If sound reasons are advanced why this cannot be done, I am sure the hon. member for Nunatsiaq would be the first to accept that.

I am satisfied that we can find ways to increase the production and therefore the wealth of this country. It would give those people doing this type of work, under conditions most people would not even consider, some encouragement and incentive to continue. I urge hon. members to send this to committee where it can be discussed in detail. If there are sound reasons why it cannot be done, it can be defeated there. Let us not throw it out here because there may be one or two obstacles in the way of what we want to do.

Mr. Ian Watson (Châteauguay): Mr. Speaker, I commend the hon. member for Nunatsiaq (Mr. Ittinuar) for introducing this motion to the House. It is one that I basically support. There is no question that the people not only living in the two territories but in the areas close to the territorial boundaries in the provinces are in need of every possible break from the income tax people, every possible fiscal break we can give them.

We think costs have been escalating in the south. This afternoon we heard the hon. member for Nunatsiaq indicate the astronomical increases there have been in the cost of living for those in the territories and the northern parts of many of our provinces. We should do our best to give them the tax advantages that will allow them to make a dent in the continually increasing cost of living which, while we are all subjected to it, seems to affect them in an even more severe way. The idea of giving income tax credits on the purchase of hunting implements may well be a means whereby this can be achieved. There may be other methods as well, and it seems to me we should be looking at this entire question carefully. How can we make aspects of northern livelihood a more important part of the economy up there; how we can encourage, for example, not only by these methods but by others having to do with conservation and a better organization of the management of animal life in these territories, how can we encourage a more effective harvesting of the animal life for the benefit of the people living in those areas.

● (1750)

In parts of the north there is literally a tremendous potential for an increase in the animal harvest. The Lancaster Sound area the hon. member for Nunatsiaq referred to has the potential to become almost a granary of the north because it has such a rich marine life base and the land animals associated with this bountiful marine life are rich in number and potential as well. These rich pockets of animal life in the north, and I understand there are several of them, have the potential to be exploited for the benefit of the local population and we should be doing our best to encourage that, both by setting up the kind of conservation framework that will allow for proper management and more effective harvesting. With proper planning I am convinced this can be done.

I would suggest there are perhaps other methods of bringing the costs of some of these items down for people living in the north. I know the co-operative movement is active in the north but it seems to me there must be better ways of reducing the cost of these items by using better purchasing methods down here or having some sort of centralized purchasing mechanism here that will allow people in the north to benefit from the lowest possible prices instead of having several middlemen along the way taking a percentage, with the result that prices are two or three times as high as we have to pay.

I am a member of the Standing Committee on Indian Affairs and Northern Development and I would support an effort to have the subject matter of this motion referred to that committee. It seems to me that by such a reference our committee could look at not only what the hon. member is proposing, but also at some of the other items I mentioned, at

what we can do to reduce costs for the people living there and achieve a more useful utilization of the marine and animal resources of the north, for the people concerned.

I am convinced there is a method of combining capacity with conservation which will result in a maximum harvest and sensible conservation, and do this in a way that will benefit primarily the people of the north, by referring this matter to committee we can look at the question of tax credits as part of the broader question of helping the people of the north and I hope, Mr. Speaker, that the hon. member for Nunatsiaq would agree that this suggestion makes sense.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): I am very interested, Mr. Speaker, in these recommendations or suggestions made by the hon. member for Châteauguay (Mr. Watson), that we ask the Minister of Finance (Mr. MacEachen) to refer the issue of northern living allowances to the Standing Committee on Indian Affairs and Northern Development.

I think that approach would be preferable to the passage of this particular motion because, as have others who have spoken here today, I find I have difficulty with the narrowness of the motion. It would seem to me to be far better to look at the general question of living allowances or the cost of living in a way that we can improve the standard of living of people living in the north, especially the aboriginal people.

I know the question before us relates only to a tax benefit for hunters or people who earn their livelihood from hunting in the Northwest Territories, Labrador and the Arctic, and I note that the Yukon, for example, would be omitted. I would expect there are remote areas in Canada where similar problems are encountered by the people who live and work there. The hon. member for Prince George-Peace River (Mr. Oberle) I believe has indicated that perhaps some general latitudinal demarcation for tax purposes generally might be an approach. I was quite interested in what he had to say and I would like to consider that more fully.

The hon. member for Bow River (Mr. Taylor) indicated that this particular motion would not be a problem because it would apply, as do many other tax measures, to individuals or groups within the tax system. I would question some of the examples he used because the principles he was espousing apply to all people and would apply in fact to the groups we address here if they had the income from which to deduct those expenses.

People who make a living from hunting can deduct the cost of their equipment and deduct the costs they incur in that undertaking, and that would apply to depreciating equipment such as snowmobiles which, as the hon. member for Nunatsiaq (Mr. Ittinuar) indicated, are expensive and have a short life because of the extreme temperatures. I would think that in any such situation perhaps there could be some form of accelerated depreciation on equipment that has such a short life, equipment operating north of say the 60th parallel. The depreciation schedules could perhaps be altered to take that into consideration so that northern residents who make their living by working with this equipment could depreciate it faster than normal and we would as a result more clearly take into consideration the real life of the asset as opposed to what we in the south assume it to be.

[*Translation*]

The Acting Speaker (Mr. Corbin): Order, please. The hour provided for the consideration of private members' business having expired, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the schedule consequential thereto.

[*Translation*]

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, this afternoon my colleague the hon. member for Calgary Centre (Mr. Andre) developed a theme which I should like to underscore once again, especially for the benefit of hon. members opposite, especially those from what is known as central Canada, and even more specifically those from the province of Quebec. I have been sitting in this House for a very long time now, one could say that I have heard a real litany of appeals from the representatives of the various ridings in Quebec asking other regions of the country to lend a sympathetic ear to their claims as francophone members from Quebec. Matters of culture, matters of language, they asked for our sympathy and they got it, not only that of the Members of Parliament but also that of the people, the country generally. Still, at this time, it seems to me I must point out the extraordinary deafness of a good number of my hon. colleagues concerning the claims of the people of Alberta. We are, above everyone all, the target of government policy here advocated. But, oh no! the hon. members from Quebec tell us, this is for the good of the country, when in fact an attempt is being made to

exploit the whole energy situation for the benefit of central Canada.

[*English*]

That lies ill in the mouths of members from central Canada and the people of central Canada, who last year for purely selfish motives would not accept a certain policy with regard to petroleum products. They insisted they should consume, consume and consume, all based on a subsidy, at ridiculous prices. But no one would suggest that any product from any province in central Canada should be sold at a very favourable price—at 40 per cent of its market value—to the people of the producing provinces. I refer to the iron ore of Ontario, the gold of Quebec and all the riches and natural resources of central Canada. It has suddenly come about that energy petroleum shall be a common resource. I am asking for comprehension and understanding, not an insistence on this foolhardy policy. All those members opposite who are interjecting have to go out and see the results of this policy of public brigandage, this national energy policy, which has been inflicted on the country by the present administration.

● (2010)

An hon. Member: That is not what we are debating.

Mr. Lambert: I invite the hon. member to rise to his feet and make his speech. I am talking about comprehension. There are devices within this package which, if used by unscrupulous leaders, can rob—and I use that Anglo-Saxon term deliberately—the people in the producing provinces of their resources. No one else dares do it. It is done under the guise of "for the benefit of Canada as a whole." This is what we want those people, the very ones who reacted to my words, to understand.

I have seen stories appear in the press as a result of interviews with Members of Parliament from central Canada in which they said that the western provinces owe this as a matter of tribute to central Canada. That is why there is this ferocious opposition to the proposals contained in this resolution. There are no two ways about it, Mr. Speaker. The people in my part of the country understand them to be tied together because that is the way the design has been drawn.

I do not want tonight, Mr. Speaker, to go into the contents of this resolution. Rather, I should like to develop a scenario leading up to this resolution. As was pointed out time and time again, the governing party had nothing to say about the Constitution in its last election platform. It is only as a result of the intervention of the Prime Minister (Mr. Trudeau) in the referendum campaign and during the winter election campaign that the issue was brought out. There was no indication when the referendum campaign would come, what would be the nature of the question, or what would be the nature of the debate in the province of Quebec, but there was this intervention. As the rest of the country also understood it, the people of Quebec expressed their concern about their place in the national framework and about the fact that the constitutional powers as they existed, particularly as to language and culture and a few other matters, were not adequate to meet the aspirations of the people of Quebec.

We heard the Prime Minister saying something will be done about it; suddenly that becomes an undertaking on behalf of the whole country. What that something was, was never spelled out. It was developed during the summer as a result of the ideas of one man and his advisers, not the Members of Parliament—they made no contribution to it at all. That participation in the Quebec referendum seems to have given the Prime Minister and many of his supporting members in the House the idea that they won the referendum campaign. Yet there was a hard working captain of the No forces who was the leader of the Liberal party in the province of Quebec. He worked the trenches far more than the others, but he was dismissed because of his idea, and we know—

[*Translation*]

—and the hon. members from Quebec know that the beige paper of Mr. Ryan and the Quebec Liberal party does not agree with the principles of this resolution. In the matter of the Constitution and its amendment, the beige paper and the Quebec Liberal party are completely ignored. So, who speaks for Quebec? The Right Hon. Prime Minister and his members? The Liberal members? The newspapers are against, public opinion is against, the Quebec government is against, the Quebec Liberal party is against, but here in the House with a majority of the hon. members coming from central Canada, an attempt is being made at imposing amendments to the Constitution, changes in powers.

[*English*]

One must understand, Mr. Speaker, it is not only the question of the patriation of the Constitution with an amending formula that is at issue. There has to be a charter of rights. Who devised the charter of rights; the people who are affected by those rights, the people whose rights they are? They are the last ones to be considered. Mr. Speaker, that is contrary to the legal principles which govern the fashioning and the definition of the Constitution which, according to my understanding of the law, is that body of laws coming from a people that are given to a government for the better governing of that people. There has to be consent to that rule of conduct. Is there consent to this? That is the last thing that seems to worry the Prime Minister and the supporters of this resolution. Eight of the provinces whose powers are affected are against this unilateral patriation with the amending formula as devised and with the charter of rights. How does this in any way square with the definition of a constitution? On the contrary, in the minds of the Prime Minister and his advisers this law shall be imposed upon the people. There have been repeated speeches and statements by the Minister of Justice (Mr. Chrétien), the Prime Minister and supporting members that the people will have to accept this; that this will win and be imposed upon the people. It is a complete denial of the rights of man as a composite of society in this country. It is one of the great tragedies of today.

• (2020)

This whole matter started off on the wrong foot. For a long time I have been an opponent of the idea of first ministers' conferences which come to conclusions and binding agreements without the sanctions of the legislatures beforehand. These depend upon personalities and are subject to the stress and strain of the relationship of 11 men. The present premiers and the Prime Minister are not the first persons to have held these views. These first ministers' conferences make a nonsense of this body, of provincial legislatures and of people who may have opposing views.

There were negotiations during the summer culminating in the September conference. I can readily understand why some of the premiers could not agree. It was because they knew the people behind them in their provinces did not share their views. They did not represent the constitutional views of their people. The premiers of provinces leading minority administrations—even those who hold narrow majorities, including the Prime Minister—do not have the majority of the views of the people backing them. There was not a constitutional debate in the House to see what ideas would come forward, so that they would be adequately presented to the Leader of the Government. Several provincial premiers from time to time have had resolutions debated in their houses before coming to federal-provincial conferences. It would have been better if all premiers had followed such a step prior to the September conference. My comments include the Prime Minister. The Constitution represents or governs all people; all people from various walks of life are entitled to be heard.

Certainly in my book there should have been a constituent assembly. I know some members of the press ridiculed this idea, but it is an honest and proper one.

Mr. Collenette: Parliament is a constituent assembly.

Mr. Lambert: In so far as the people of Canada are concerned, this Parliament does not represent their views regarding a Constitution for this country.

Mr. Collenette: You are insulting yourself.

Mr. Lambert: There is no way that the hon. member opposite represents the supporters on the provincial side of this federation in his province. There are separate powers in a federation. We are not a unitary state. Some members opposite behave as though they are swashbucklers, that everything will fall in behind them, that the provincial houses do not matter, that the provincial houses do not have any real powers, that they are only hangers-on or something to handle the periphery; but that is not so. Under the British North America Act provinces have exclusive powers.

Mr. Chénier: We have not touched them.

Mr. Lambert: I hear the hon. member. The federal government has shoved its nose for years into the field of education. The federal government deliberately grabs. I call it public brigandage, especially with regard to petroleum products.

Mr. Blais: Read the resolution.

Mr. Chénier: You are mixed up.

Mr. Lambert: Hon. members opposite are starting to sense that something is wrong.

Mr. Chénier: We are trying to help you.

Mr. Lambert: I know the superior intellect of the hon. member is hard at work on this subject. He thinks he has come up with the blueprint. All he is prepared to say is, "Ready, aye ready; how high can I jump; how many times shall I vote?"

Mr. Chénier: At least I have read the resolution.

Mr. Lambert: In this country, as in all countries, there are many other people aside from parliamentarians who have a contribution to make to the writing of the Constitution. That should have been the plan. It is easy for the first ministers to meet and to devise a plan for the calling of a constituent assembly representing academic and third parties. For instance, in my province one party has a huge majority, the federal government party has zilch to contribute in so far as the legislature is concerned, and the third party has one man. The third party in my province is the NDP. Its leader has dissociated himself from his national leader. He will not go along with the present proposed arrangements. Also the government of Saskatchewan has dissociated itself. This indicates that there is a diversity of views and that there is no way, in so far as a Constitution is concerned, that they will paint the country the same bland colour with the same broad brush. That is precisely what we were told this afternoon we should do; it should apply to all people across the country in the same way and that there should not be any recognition of any regional diversity. In other words, we were told we should not recognize there is a diversity with regard to language and culture in the province of Quebec. This should apply right across the board. The Atlantic provinces should be handled in the same way as the prairie provinces. Newfoundland, the newest recruit to the Canadian family of provinces, should be squeezed, moulded, pressed and ejected just like any other sausage. That is not Canada. It is only those people who want to bury their heads in the sand in central Canada who will insist upon this.

• (2030)

The government thinks what is good for central Canada, what is good for Quebec and Ontario, shall be good for the rest of the country. That is why we are getting this strong feeling. I must warn hon. members across the floor that the feeling is far more serious than they would believe. They may think I am just crying the blues but, Mr. Speaker, my public life has given me, I hope, some knowledge. As a bilingual Canadian from western Canada, understanding as I do, in part, the feelings of my colleagues in Quebec, I find it extraordinary that there is not that same exchange or that same comprehension of the problems and the aspirations of western Canada.

Some hon. Members: Hear, hear!

Mr. Lambert: I thoroughly reject any suggestion by the Prime Minister to anyone who is not prepared to go along with this type of patriation in the Constitution, regardless of how it is done that, the end will always justify the means, but so say the Liberals. That is commandment number one in their lexicon. The public want a Constitution in Canada, as long as it is a Constitution made in Canada, and that should satisfy them. That is not so. We found in the referendum campaign an example of the end justifying the means.

As you know, members of this house have the privileges of distributing householder mailings at public expense. Just prior to the calling of the referendum campaign there was issued from the facilities in this House a householder mailing limited to the province of Quebec. A uniform householder mailing, in the name of a person other than the one who represented the constituency, was circulated. The three commissioners who were selected by the Prime Minister, before Madam Speaker was elected, authorized and approved the nature of the document. It did not conform to the guidelines for printing documents in this House. In addition to that, it was not printed by the facilities of this House but was farmed out to some outside contractor without any submissions. By the time the Post Office costs had been calculated into the total cost it was estimated that this mailing cost something over $600,000. The cost to the House was buried in the supplementary estimates over which the guillotine fell. I queried it but the guillotine fell when I was absent from the country. I raised the question earlier with respect to this matter but the answers have not been forthcoming. But, Mr. Speaker, they will.

What I mean is that certain Quebec members can get together in a common effort toward the Quebec referendum campaign. This does not excuse letting that job out to a favourite Montreal printer without any submissions. Five semi-trailer trucks pulled in behind the Confederation Building and bundles of printed matter were distributed through this institution.

Mr. Collenette: When will you talk about the Constitution?

Mr. Lambert: I am talking about the ends justifying the means. It is the same with this Constitution. The Prime Minister says the British government must accept the resolution regardless of its nature. He says it has been done in the past, in some cases. Never has it been done with the opposition of the provinces, as he is to do it now.

I would like to point out to hon. members, some of whom have perhaps never taken their law, that under the common law the theory of a trust has been developed. They do not know what trusts are in civil law. For them, they do not exist. But the trustee has an obligation toward all parties and all beneficiaries under a trust. When the Statute of Westminster was amended, at the request of the federal government and the provinces, the question of the amendments affecting the powers was deliberately left within the Statute of Westminster. They could not agree on the amending formula. The government trots out this 54 years of trial; that is a lot of malarkey. There have only been a few attempts at reaching agreement on an amending formula. There has not been a constant struggle. That struggle is in the imaginations of a few people. Now, because there is a document before us, and the other place, which has an amending formula that is unfair to some provinces does not matter. The provinces' rights and consent to the administration of this trust shall be overridden at the behest of one of the parties to the trust. Since when is that legal? It never has been.

Mr. Collenette: The Manitoba Court of Appeal says so.

Mr. Lambert: It never has been legal and the British certainly will not think it is. The British do not think it right and they are the ones who will have to act. The idea that the British will have to hold their noses as they vote in favour of it, again, is an exemplification of the end justifying the means. The end is merely the patriation of a Constitution in order to have it in Canada regardless of how it protects the rights of the people. I find this to be totally incomprehensible. As far as one can ascertain, a substantial majority of people are against the unilateral patriation with the charter as devised. Eight out of ten provincial administrations say it is wrong. The majority of newspapers in this country, regardless—

• (2040)

An hon. Member: Where do they stand in the polls?

An hon. Member: That means we are right.

Mr. Lambert: It is only those who have closed minds who would dare disregard the opinions of others. Might is right in the eyes of the hon. member. There is another saying that there is nothing so tyrannical as a temporary majority. The epitome of that saying is the tyranny of this situation at the present time; the desire, yes, the insistence upon going to Westminster before the Supreme Court of Canada shall have ruled on the question.

Just imagine the sort of a result that would be; for the Prime Minister of Canada to request the government at Westminster to pass this resolution to amend Canada's Constitution, on the unilateral request of the Parliament of Canada, containing amendments which the Supreme Court of Canada—not the Privy Council—would rule were beyond the powers of the Parliament of Canada. What sort of a horse's neck situation would that be? I am only using the polite end of the horse.

Again, the end would justify the means, disregarding that in this House the majority of the support for the resolution is not wide; nor is it in the other place. That should give hon. members pause.

I will admit some hon. members are opposed to the resolution for differing reasons, but that is only part and parcel of the whole situation. For instance, we cannot accept a charter of rights which denies the right to property, and the lawful use of that property. That is fundamental to all of us.

My colleague, the hon. member for Calgary Centre (Mr. Andre) talked about his grandparents coming to this country before the turn of the century so they might own property.

This is the dream of all men. I can go up and down the rows on this side and on that side of the House, and I will see post-generations of people who did the same thing, who came from Europe because they could own land in Canada. Have any of the members from the metro area ever inquired of their Italian friends why they came to this country? Having dealt with Italian immigrants for decades, I know their dream was to own property, which they could not own in their own country. Economic conditions would not prevent them from owning property. Let us look at those countries that are being collectivized. Let us look at all those tens of thousands of people who have come to us from China. People have come from all parts of the world.

Like many of the hon. members on the other side, my first male ancestor came to this country in the mid-seventeenth century. These people were peasants from France who could not own land. At that time the system did not permit the ordinary man to own land, so they came out to colonize. They were given grants of land. The first record of my male ancestor is the notarial act granting him land in Lotbinière county in the province of Quebec in 1670.

On my mother's side, prior to 1910, my grandfather, who was a tradesman, a machinist, and later a hardware man, came to this country to take a homestead. He did so because he could own land. Will we deny to our fellow Canadians, through the Constitution, that they shall have a right of property?

Mr. Baker (Nepean-Carleton): Never!

Mr. Lambert: That is a denial, of the most fundamental nature, of a principle injustice in that charter of rights.

Some hon. Members: Hear, hear!

Mr. Douglas Roche (Edmonton South): Mr. Speaker, some eight years ago, during one of my first speeches in the House of Commons, I said, "It is time for Canada to hear the voice of the new west. We want justice for ourselves, just as we are ready to do our part to obtain justice for all." I called for "a new harvest of national unity in which the rights of all Canadians would be protected and fostered." Today, in this historic debate, I return to my central theme of justice for all Canadians; and, even more, faithfulness to the integrity of Canada itself.

I have not come here today to be partisan or to indulge in personal attacks on anyone. I appeal to members opposite, who have the same love of country which has brought me here, to listen to a voice from the new west. I speak to you as one who was born in Montreal, grew up in Ottawa, sat in the galleries of this House for hours upon hours as a student, lived in the United States, and travelled the world, and now proudly claims Alberta as my home, a province where all my children have been educated in the French language and are fully bilingual.

Let me start by saying what I stand for on behalf of my constituents in Edmonton South. I want a Canadian Constitution that is made in Canada. I want our Constitution, the British North America Act, brought home from Britain, and any and all changes in it made here in Canada by Canadians. I want reforms that strengthen Canadian federalism not destroy it.

● (2050)

What will the proposed resolution do if passed? Instead of a new Constitution made in Canada, we would have one made in Britain. Instead of changes being made by Canadians, we would have the fundamental federalist nature of Canada radically altered by the Parliament of the United Kingdom. Instead of reforms which would strengthen Canadian federalism, we would institutionalize and perpetuate a second-class citizenship for the province of Alberta.

I cannot believe that members who take their responsibilities seriously to the history and to the future of Canada would ever pass such a resolution. Members must understand the gravity of what lies before us. For the federal government to unilaterally force Westminster to violate the federal basis of the Canadian union would lead to the breakup of Canada.

This is not a flag debate revolving around the emotions evoked by symbolism. This is a constitutional debate which will change the balance of power under which all Canadians are governed.

We must keep our eyes squarely on this issue.

The resolution before us does violence to the basic tenets of a federal state in which the rights and responsibilities of the federal and provincial levels of government have just claim to equal recognition and respect. The resolution does violence to this principle because it proposes an amending formula which would give two provinces, Ontario and Quebec, a permanent veto over any constitutional change. This would clearly make the Canadians I represent second-class citizens in their own country. Note well, Ontario and Quebec would always have a veto, no matter what population shifts occur in Canada. Alberta and the other provinces would not have a veto as individual provinces unless they comprise 25 per cent of the population. Right now Alberta has 8 per cent of the population of Canada. We are rightly concerned that under this resolution a future amendment could take away Alberta's rights to its natural resources. The resolution does even more violence because it would give the federal government unilateral power to use a referendum to make constitutional changes without any reference whatever to the elected provincial governments and legislatures.

To serve some unspecified goal, the federal government has torn up its own white paper on the Constitution written in 1965, which reads:

> The Canadian Parliament will not request an amendment directly affecting federal-provincial relationships without prior consultation and agreement with the provinces.

The reason the Progressive Conservative Party is fighting this resolution with all its strength is because we recognize that it would end completely the partnership of Canadian federalism. That is why my party overwhelmingly supports the

amendment introduced by the hon. member for Provencher (Mr. Epp) to delete the referendum section from this resolution.

My colleagues and I did not come to Parliament to rip apart the very fabric which has made our country great. It is impossible for successful constitutional revision to emerge out of a process which is unilaterally forced and inherently divisive. That is the essence of the message we must go on repeating. Of all those who are fighting this attack on the Canadian system, one man has stood out as a champion of a united Canada, namely, the Leader of the Official Opposition (Mr. Clark)—

Some hon. Members: Hear, hear!

Mr. Roche: —who instinctively recognized the grave dangers in the resolution when it was unfolded by the Prime Minister before the Canadian people on television last fall, and who immediately opposed it at a time when public opinion appeared to favour the Prime Minister. It is the Leader of the Opposition who deserves the credit for awakening our country to a full realization of what this resolution contains.

Let us look for a moment at the record of opposition throughout Canada and Westminster to this proposal. Sixty-four per cent of Canadians, with a majority in every region, disapprove of the federal government's unilateral action. Only 22 per cent approve. Eight of the ten provinces are against this action. Six provinces have taken the government to court. Both Quebec Premier René Lévesque and Liberal leader, Claude Ryan, are totally opposed to this proposal as are the major editorialists in that province, despite the Prime Minister's claim that his resolution is a positive response to the Quebec referendum.

The provincial NDP has publicly opposed this resolution in Saskatchewan, Alberta, Manitoba and Quebec. Four New Democratic Members of Parliament have broken with their leader on this issue. So far, three Liberal senators have spoken against the proposal in the Senate. Last Thursday, in the House, the Parliamentary Secretary to the Secretary of State for External Affairs (Mr. Duclos) gave a very important and moving address recording his opposition. Maxwell Cohen, one of the Liberal government's expert witnesses before the constitutional committee, and Gordon Robertson, former secretary to the cabinet for federal-provincial relations, have both opposed the referendum provision.

The inter-party committee of the British House of Commons, headed by Sir Anthony Kershaw, has raised serious questions about the ability of Westminster to properly respond to a constitutional demand by Canada which lacks the kind of provincial government support but would henceforth be written into an amending formula.

In addition to this diverse and widespread opposition, we are just beginning to hear from the courts. Although the Manitoba Court of Appeal rendered a split decision in the government's favour, I believe the opinion of Mr. Justice O'Sullivan will turn out to have wide support from among the judiciary elsewhere. Mr. Justice O'Sullivan said:

> Each province has entered confederation on the understanding that our country is a federal state, a federal union. Its fundamental terms cannot be changed without unanimous agreement, because such a change in a fundamental term would change the very nature of the federal union.

Mr. Justice O'Sullivan went on to say:

> This does not mean that every amendment which affects dominion-provincial relationships requires unanimous consent, but only those amendments which affect fundamental terms of the union.

Surely it stands to reason that constitutional change, as Senator Manning, the distinguished former premier of Alberta, has argued:

> —should not be the first but the last step in any constructive process to implement such changes as are not only desirable but acceptable to the people and governments concerned.

Senator Manning concludes:

> A successful revision of the Constitution of this or any other democratic country will not be the reward of those prepared to tear the country apart to gain their own ends, but of those who by wise, patient, constructive leadership have first guided the nation into an era of mutual trust, willing co-operation, and national goodwill.

Trust, co-operation and good will are desperately needed on all sides if we are to hold this country together. In my home province of Alberta the seeds of frustration and alienation, so long in the ground, have become a shoot of separatism.

● (2100)

No one can deny the anger that prevades my province as a result of the government's constitutional and energy policies which manifestly discriminate against us. You can be sure that every responsible politician in Alberta at both the federal and provincial levels is trying to stamp out separatism, but separatism will grow unless the constitutional and energy questions, which are clearly interrelated in Alberta, are resolved with a sense of justice for all.

The new west has economic strength and it will never stand for second-class citizenship or policies which take unfair advantage of our resources just to build the political popularity of the government in heavily populated central Canada. In Alberta, we are not asking for special treatment, we are asking for fair treatment. When the fires of separatism were burning brightly in Quebec, the federal government went out of its way to develop policies designed to show the people of Quebec why they should stay in Canada. Now when some Albertans feel provoked enough to consider separatism, the federal government seems bent on policies that encourage the separation argument. I call on the federal government to show in Alberta today the same concern for national unity that it demonstrated in Quebec.

In the 1970s, the people of Alberta came to understand, and be sensitive to, the problems of Quebec. Before the Quebec referendum there was an outpouring of support in Alberta for a better deal for the people of Quebec in a renewed federalism. In my own constituency, I held a national unity rally—in order to send a message to Quebec—that was one of the most successful political events I have ever held.

Out west, we care about people throughout our country because we intuitively understand it is the combined strength

of all the regions, each with its own characteristics and integrity, that gives Canada its over-all strength. Out west we do not regard the provinces as appendages of our federation, we regard them as integral. Just as we in Alberta expanded our view of Quebec, now I ask particularly the Quebec members of Parliament to enlarge their view of the true new west, the real Alberta of hopes and fears and dreams that I and my colleagues represent. When the Minister of Justice (Mr. Chrétien) goes out west, stumping for this resolution, he says he is selling Canada. But we do not need to be "sold" Canada. We want to play a stronger part in Canada, not pushed off into a corner.

We listened in Alberta when the question was asked, "What does Quebec want?" Now we ask for Parliament's response when the new question is asked: "What does Alberta want?"

Alberta wants a strong central government, balanced by strong provincial governments. We believe provincial governments provide an important "check and balance" in Canada's federal system. In 1978 Alberta released a position paper on the Constitution, "Harmony in Diversity", which made 29 recommendations for constitutional change. We support the proposed amending formula known as the "Vancouver consensus", because under its terms all provinces would have equal constitutional and legal status.

I said a moment ago that in Alberta the constitutional and energy issues are interrelated. In fact, an Edmonton *Journal*-Calgary *Herald* poll published over the week end shows that 68 per cent of Albertans disapprove of the federal government's unilateral move on the Constitution and 79 per cent disapprove of the government's energy policies. Just as the constitutional resolution would make Ottawa more dominant, the National Energy Program reflects a desire to further centralize authority in Ottawa. The present energy policy is an unprecedented attack on provincially-owned resources.

Members from central Canada must understand that resources, as Premier Lougheed puts it, "are the passport to the west." We do not have the potential in manufacturing that central Canada does. We are a long way from markets. We have high transportation costs. We are not on tide water. The only way we can have jobs at home is to have a strong resource industry and then work to process that industry.

Let me pause to note that one of the greatest political leaders in the entire history of Canada is Peter Lougheed. The reason he is so firmly supported by Albertans is that, in strongly defending the rights and aspirations of our province, people recognize the Lougheed way is the only way to a strong and truly united Canada from sea to sea. I might add, the fact that Alberta is the only province of the ten where the government's share of the economy has shrunk in the past decade, has not hurt him.

It is said that the Alberta heritage savings trust fund is making us inordinately rich. But this fund, which is built from a rapidly depleting oil reserve, represents just eight weeks of federal government spending. It is said that Alberta must share the benefits of our resources with our fellow Canadians, which is a not too subtle way of saying we are selfish. But Alberta has already contributed $35 billion to our fellow Canadians since 1973 by selling our oil at less than we could have received in the marketplace. We are not asking to be canonized for this contribution, but is it right that we should be portrayed as self-serving when we want to develop our resources in order to make Canada self-sufficient in energy and thus continue to make a major contribution to the national Canadian interest?

Alberta is prepared to charge only 75 per cent of the U.S. price for our oil, and for natural gas 85 per cent of the price of oil. In Quebec, the price of natural gas would be as low as 65 per cent of the price of oil. This would be a four-year contribution of $24,000 per Albertan. Moreover, Alberta is committed to $7 billion for an all-out effort to develop the Alberta oil sands.

What are Alberta's conditions? First, no punitive taxation of the industry, and, second, respect for provincial ownership by having no export tax or wellhead tax which would invade provincial jurisdiction. Instead, the National Energy Program proposes a lower price for natural gas, an oil price that will be less in real terms than the already low 40 per cent of actual value, and taxes which can be described in no other way than as a federal royalty on a provincial resource. As a result of a taxing regime which has created chaos in the conventional industry so vital to the economies of the producing provinces, there is now taking place an alarming exodus from Canada of drilling rigs, the result of which will be 140,000 lost Canadian jobs in not only the energy industry, but steel, housing and other principal industries in central Canada.

• (2110)

When the people of Alberta see energy production halted because of wrong-headed federal government policies, when they see jobs lost not only in the west but in central Canada as a result of these policies, when they see a deadlock in negotiations, when they see us blithely spending $5.2 billion a year to buy offshore oil from countries such as Mexico and Saudi Arabia at world prices without the money coming back to benefit Canada, when they see a federal government determined to force constitutional changes which will further reduce provincial strength; in short, when Albertans see our part of Canada weakened and impeded in trying to play our role in strengthening the whole of Canada, this fuels the fires of anger, and if this situation continues it will force a breakup of our union.

I say to my colleagues: It is time for the members of Parliament from Quebec to look seriously at what is happening in the new west. It is time for the Liberal Party to take stock of the present situation and to contemplate the future of that historic party which has given our country Laurier, St. Laurent and Pearson. It is time for the business community of central Canada to raise its voice of protest and be heard in the corridors of power in Ottawa. This debate can truly save our country. Or, if one listens, it can be but a footnote in the historians' analysis of the Canada that was.

I have tried to make it clear that the amending formula and the divisive referendum are at the heart of my opposition to this resolution. There is, however, one other matter that deeply disturbs me and that is the form of the charter of rights. I cannot ignore in this, my major contribution to the debate, what is wrong in the charter.

First of all, the right of the provinces to give their assent to human rights provisions that fall within their jurisdiction has flowed from the nature of our federation. Surely even the most superficial reading of our history makes that clear. The federal government itself underscored the point in the 1970 Foreign Policy Review when it recognized that not even United Nations conventions on human rights could be ratified by this country until those provisions that fall within provincial jurisdiction had been supported by the provinces. The convention on racial discrimination and the convention on civil and political rights were specifically mentioned. The review even urged the development of effective procedures to consult with the provinces on a "more extensive and meaningful scale."

Ten years ago the government upheld provincial consultation as the route to entrenching human rights; today it acts unilaterally. Throughout our history, Section 92 of the BNA Act has protected provincial sovereignty in such fields as education; today the government would violate those rights by forcing Westminster to pass a new charter of rights that the provinces do not accept. Hardly an auspicious beginning to the so-called new era of rights.

In looking at the charter we again see before us the heart of the matter. The federal government is determined to force Westminster to violate the trusteeship of our federation which Ottawa and the provinces asked Britain to hold in the first place. What might otherwise be declared illegal by our courts will become legal through the legislative intervention of the British parliament. And the federal government dares to assert that something good will come out of this immoral, illegitimate process.

This charter is even more reprehensible.

Mr. Irwin: Which sections are you against?

Mr. Roche: It would have us believe that rights are conferred on people by their governments. This is quite the reverse of reality. In fact, human rights are inherent in human beings.

An hon. Member: And that is how it is drafted if you read it properly.

Mr. Roche: Everyone's civil, political, economic and social development rights are protected, not given, by governments. Whether a charter exists or not, every person, everywhere, has the right to life, to bodily integrity, to food, shelter, medical care and employment. Every person has the right to freedom in searching for truth, the right to a basic education and to be informed truthfully about public events. Everyone has the right to a just and sufficient wage, the right to private property with its accompanying social duties, the right to—

The Acting Speaker (Mr. Blaker): The hon. Minister for the Department of Supply and Services (Mr. Blais) on a point of order.

Mr. Blais: On a point of order, Mr. Speaker. If the hon. gentleman would simply pay attention to the text of the resolution he would see that the rights are declaratory; the drafting is declaratory. Human rights are not granted, it is a process of recognition of the human rights that the hon. gentleman cherishes and I wish he would make that particular distinction.

Some hon. Members: Hear, hear!

Mr. Roche: To continue, everyone has the right to membership in the human family, the right to physical security and to live in peace.

These rights exist because they are implanted in every human being by God, the Creator of life. How ironical that not only does the charter ignore this, it even ignores the pre-eminence of God.

Some hon. Members: Oh, oh!

Mr. Roche: The preamble in the Diefenbaker Bill of Rights declared that every human being created in the image of God has certain inalienable rights. Who dared to erase that preamble?

The Progressive Conservative Party moved an amendment in committee:

> Affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions.
>
> Affirming also that individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law—

This amendment was rejected by the government. I wonder why? In rejecting a recognition of the supremacy of God the government has offended countless Canadians who want the spiritual values we inherited to be passed on to our children. This is not a Godless society; woe to the government that tries to make us one.

Moreover, we look in vain in this charter for a recognition of the special place of the family in our society, the right to the enjoyment of property, to protection from unreasonable interference with privacy, and to access to information.

As to the language provisions of the charter, I point out to members that in Alberta we already have a system of education which provides a tax supported full education program in the French language from kindergarten to college. No one had to force Alberta to do this. It has come about because there is in our province support for minorities and a desire to be fair to all. Those who argue that the implementation of rights is best left in the hands of legislators, sensitive to changing public needs, rather than the fixed view of courts, can find in Alberta much substance for their view.

I come now to the very difficult question of abortion as it will be affected by the charter. The government has said that the charter will not affect the abortion situation. I submit that

that view is entirely wrong. In fact, one of the results of this charter, little discussed as yet, will be the entrenchment of abortion.

We should not be fooled by the opening words of section 7: "Everyone has the right to life . . ." The courts have ruled that a fetus must be born to assert rights. The legal opinion submitted to all Members of Parliament by Stephens, French and McKeown, emphasizes that this charter gives rights only to persons who have been born.

• (2120)

Medical evidence today that a fetus is indeed human is overwhelming. I believe the unborn child has the right to life and, of course, that the mother has her right to life. When these rights come into conflict, as they do in rare medical cases, then one right must give way to another. Hence, our law permits abortion when the life or health of the mother is in danger. This law is grossly abused. It is impossible to believe that the 65,000 abortions annually in Canada are caused by medical problems. Many people want the present law tightened, but that is a matter for debate by itself. We leave that alone for now.

What I am stating here is that if the present charter is passed confirming that a fetus has no rights, then the age of abortion on demand will have arrived. I do not think hon. members want this to happen. The government could eliminate any ambiguity by specifying in Section 7 that the right to life begins at conception, and such action would not interfere with a mother's legitimate right to abortion. I say very seriously that it would be a sacrilege if, in the name of human rights, this charter denies the right to life of the unborn.

To sum up, I support, as our party has all along, the patriation of our Constitution with the Vancouver amending formula. That would be a positive, constructive action for the government to take and would end this debate instantly. In such an atmosphere of renewed good will, politicians at all levels would be under great pressure to agree on a charter of rights made in Canada which would be acceptable to the widest number of people. Then we would be able to get on with the pressing work of Parliament; the solving of our increasing economic, energy and social problems. We would then be able to turn our attention to the world outside Canada, which is in great conflict. The economic, social and political problems of the world are alarming, and Canada is not playing its full role because so much of the time and energy of government and Parliament is taken up by our internal preoccupations.

Let the federal and provincial governments get back to the bargaining table. That is what Canadians want. Failing that, I must continue to oppose the unilateral and divisive action of the federal government.

In my speech eight years ago, to which I referred, at the opening of my remarks I said of the new west:

> We have no time for narrow fixations or old battles. We want to spend our energies solving the economic and social problems facing us. In the west we have brains, energy and goodwill, and we will not be deflected from our task.

To all hon. members I say, let us get on with the job of helping all Canadians achieve their levels of greatness.

Mr. Lyle S. Kristiansen (Kootenay West): Mr. Speaker, in discussing the motion and amendment before us I would like to begin by saying that I support the motion and reject the amendment currently before the House.

I would like to make the observation that there was a mood among the Canadian people across the country which reached its peak, I believe, during the last two winter campaigns. I ask hon. members to reflect on that mood. The mood was sparked by months and months of high profile squabbling prior to both the 1979 and 1980 elections. As I read it, and as many others, including many in the media, read it, the mood of the people at that time was: for God's sake, stop being so partisan; stop beating each other over the head; stop reducing political debate to negative commercials with slow-motion hockey, card tricks and shell games; stop making politics a joke; stop being negative; stop being critical; and start co-operating together to solve some of the country's problems. They were saying basically: If the idea is good, support it; if the idea is bad, reject it; try to improve things, regardless of labels and regardless of party.

I told the people in the constituency of Kootenay West, and NDP candidates right across Canada told the people of this country, that if elected—and a number of us were—we as Members of Parliament and as New Democrats would strive to be constructive, not negative, and to judge policies presented by whatever government should be in office on their merits regardless of the source. We further pledged that we would work together with all members of all parties in an attempt to come to grips with all the problems, structural, social and economic, which face us as a people and as a nation.

I am proud to say that the NDP as a party and, in all humility, I believe I as an individual member, have done just that during this debate, during the House consideration of the entire constitutional resolution and all of the proceedings which preceded the presentation of the resolution. We have kept our word, and we will continue to keep faith with those who sent us here in the spirit of the commitments we made at that time. That is why the NDP and I support this motion.

What does the motion do? We are bringing our Constitution home. Everyone knows that. Everyone apparently agrees on that, although one would have to wonder, with some of the discussion which takes place.

Second, we are providing an amending formula which can work. It has a built-in mechanism for providing a more broadly acceptable formula over the next two years with a deadline and a fair deadlock-breaking mechanism. There is no arbitrary action there. Some of my colleagues, those to my right in particular, have been saying that we ought to have another go-around with the premiers. That is in the package; it is in the resolution. There will be another go-around, and perhaps several. That is built into that two-year period. There is simply a deadline for reaching an agreement.

If I may say so, all of my experience, all the experience of millions of other Canadians in the Canadian labour force who are members of Canadian trade unions and the experience of thousands of others throughout industry, has been that when you are bargaining about sharing money, power and authority every year, as those people do, negotiations without deadlines cannot and will never bear fruit; they never, never do. Agreements just do not happen that way. This may work in some armchair academic debating society, but it does not happen that way in real life. When real power, real authority, real dollars and real interests are at stake, that is simply the way it is. Frankly, I am rather dismayed when members of this House show such little knowledge of the realities of political life and power-sharing that they cling to such kindergarten level dreams as unanimous agreement on formulae for nation-building.

I would like to get back to what the motion is about and to what we are doing.

Mr. Blenkarn: That is a good idea.

Mr. Kristiansen: The third point is that we are establishing a charter of rights with new clarifications and judicial protection for women, for the disabled and for such national minorities as those who, in the experience of many members of this House and certainly thousands outside, had the experience of being in internment camps during the Second World War. Many of these people are still resident in my constituency. We are finally providing such people with protection.

There is not a written law anywhere in the world which can stop fools from behaving like damned fools. If governments insist on acting arbitrarily, as ours did in this country with citizens of Japanese descent, and if we should again go through another aberration of the misuse of power and authority, as happened in 1970 with the War Measures Act in the province of Quebec—and the hindsight around here is tremendous—then nothing will stop the initial brunt of that kind of brute force. But there can be redress, and, to the extent it is possible for a judicial and legal system to provide protection for people, that is what this charter attempts to do.

● (2130)

This is not a perfect document. I do not think any of us are so enamoured of ourselves that we think we are capable of perfection, but we strive for it and that is what life is all about. According to Gordon Fairweather, a former leading member of the Conservative Party, now head of the Human Rights Commission—a man for whom I have the highest personal regard and with whom I have worked on matters of race relations—this charter is one of the best charters in the world, if not the best. This has been stated now by hundreds of other organizations which have contributed to the building of this charter.

People say that the charter is not being written in Canada. My God, I cannot think of any other single piece of legislation during my 25 years of active political life in which I have seen so many people involved in the drafting. We have had some 300 contributions from organizations, each of which has involved thousands more Canadians, and in some cases hundreds of thousands more Canadians, who have had meaningful and direct input into the drafting of that charter. For some people to suggest that we should cast that aside simply boggles the mind.

There is also the matter of the entrenchment of the important recognition of aboriginal and treaty rights for the first time in this land in a Canadian document. To those who say there should be unanimous agreement among the provinces on this, let me say that the way I read Canadian history and political life, I doubt that the provinces would ever agree to the entrenchment of those rights. We will certainly not castigate people of other parties necessarily. There have been provincial jurisdictions and provincial governments in this land composed basically of people of my own political persuasion, and our record in the past in that regard is not the best. But provincial governments and provincial legislatures guard some of those rights very carefully, and for us to suggest that we can have our cake and eat it too, that we can provide rights and still have unanimous agreement within the next few months, is really kidding somebody. Certainly the people who advocate that idea are, I suggest, only kidding themselves.

In the matter of the charter of rights, it has been argued by some that it is not couched in soulful terms, that it is not a beautifully written document. They ask why we cannot have something more similar to the Diefenbaker Bill of Rights, something as profoundly worded as the American Bill of Rights or the Declaration of Independence or like some other historic documents which have been written in flowery language.

Mr. Blenkarn: Something we can be proud of.

Mr. Kristiansen: Those people who make that criticism suggest that, at the same time, it is not written in sufficiently tight language. I suggest if you want a document which will stand up technically and properly in law, you have to forgive the fact sometimes that it does not use the most beautiful wording in the world. The two things do not necessarily go together.

Mr. Blenkarn: You cannot even be proud of this document.

Mr. Kristiansen: Is the hon. member saying he cannot be proud of it because it does not do the job or because it does not read well? One necessitates the other.

Mr. Blenkarn: It does not read well, and we cannot be proud of it.

Mr. Kristiansen: If the gentleman would prefer to have a document that reads well but provides no protection, that of course is his option, and it may very well be the option that has been taken by the Conservative Party during the entire debate.

There are others in the land who have said they reject the document because the process itself has been divisive. That is why they reject the proposition which, some of them admit, is

good in substance. I am afraid I do not have much sympathy with that kind of argument. Some of these people remind me of those happy warriors who, as soon as enemy reinforcements come to the scene of battle, leave the flanks or the rear of their allies unguarded because, suddenly, the process has become divisive.

If we look back on Canadian history, we see that the battle for hospital insurance in the province of Saskatchewan was not exactly peaceful, that the fight to protect farmland in British Columbia was not all peaches and cream, and that the fight for medicare in the province of Saskatchewan was no piece of cake. In fact, anyone who looks at history, either in this country or anywhere around the world, would have to say that the struggle for social progress, human rights and societal change is, by definition, divisive, and if people cannot stand the heat, they had better get out of the kitchen. It is as simple as that. I find it almost inconceivable that serious people who really want change cannot, for some reason, accept the fact that once in a while the process becomes divisive.

There are others in this land who say their big problem is that now the Senate can veto constitutional reform. That is another red herring which has been thrown into the debate on the Constitution. These people mistakenly believe that it is something new. Constitutional change in this country, even when it has been rooted in the BNA Act, has always necessitated Senate agreement, and there has always been a Senate veto.

A colleague of mine, who is not here this evening, the hon. member for Humboldt-Lake Centre (Mr. Althouse), was recently asked to sum up the argument of those who insist that we have now lost the chance we once had for Senate reform. My colleague, in his rather folksy but usually rather accurate manner, responded by saying: "I think the argument goes something like this," and it is not one with which he agreed: "If you get the pig into the shute on the way to the pen and it gets away on you, it is harder to get it back in the second time around." That, to me, is a rather specious argument for rejecting a process and a resolution which, in substance, offers much of that for which progressive-thinking Canadians have been fighting for years and years.

I would say again that the argument that somehow we are making the provinces weaker by this process amazes me. What is happening is that we have a federal government using its unilateral power, which is recognized politically, and now recognized legally, to ensure that we will never have federal unilateral power again. It is reduced to as simple an argument as that. How this action can be imagined by anyone of good faith and good will to be creating some kind of centralist state with dictatorial powers in Ottawa simply boggles the mind, not only mine but that of hundred of thousands of Canadians across the country.

In addition to using its unilateral power to ensure that it will never again have that power, there is also provision within the motion before us not only to recognize certain rights of resource ownership, resource management and indirect taxation and to reconfirm rights which provinces, prior to the court battles of the mid-1970s, thought they had, but there are additional powers of indirect taxation such as would provide, for instance, almost $600 million, at a minimum, to the province of Alberta alone. Those are new powers to the provinces; plus confirmations of previous powers that were taken away.

● (2140)

Again, there is no strengthening at the centre, but central authority and power is being used in order to ensure that the process of constitutional change is the one which has been demanded for years and years in this country. This process was promised during the referendum campaign in the province of Quebec in May of 1980, not only by many politicians and others, but by the leaders of all three federal political parties. At that time we promised that substantive changes would be made and that we would embark upon that course of action soon. It is the keeping of a commitment; it is the beginning of the road. It will provide what was pledged to the people of that province at that time. That is one of the reasons there is some sense of urgency.

I should like to comment for a moment on some rights which do not appear in the charter. There are those in the country who have suggested they cannot support the charter because it does not include the long list of so-called new social and economic rights which many people believe should be embedded in some form in Canadian statutes or hopefully in a Canadian Constitution. For instance, there is the right to collective bargaining; the right to withdraw one's labour which was granted as "No man shall be forced to build bridges" as far back as Magna Carta. It is not as important to spell out in any charter the collective rights of groups in society which have some power, albeit a negative power, and to protect their basic rights, as it is to protect individuals who have no clout or muscle of their own.

As I have always understood it, the first purpose of law is to give protection to those who are defenceless and do not have the means to protect themselves. As a Canadian worker and as a trade unionist, I have been able, together with my peers, to exercise a certain negative power to protect my fundamental collective rights. People who do not have the benefit of such organization are unable to do so. But there is another reason why some of us are not even eager to have them recognized within the Constitution.

For instance, the collective right to organize, to bargain and to withold labour was not first established by law. It was established because thousands of working men and women in Canada and elsewhere throughout the world collectively claimed it and exercised it. When government gave legal recognition to that right, it was limited thereby. There were many more severe limitations imposed than existed prior to its legal recognition. Certainly there are penalties and dangers inherent in defining and legally recognizing the rights of people who have some clout to defend themselves. When we weighs the two issues in balance it does not make many of us

unhappy that those rights have been left out. Our experience with law has not always been a loving relationship.

In the time remaining I should like to say a few words about a few other subjects which have been raised. This has been a very emotional debate in some areas around the country. Oft times contributions were very far from accurate, not only in the argumentative sense but in the factual sense as well. I must say I was puzzled by some of the comments a few moments ago by, I believe, the member who immediately preceded me, that somehow abortion was being ruled out totally by the Constitution. It was not long ago that a former member of the House—

Mr. Baker (Nepean-Carleton): Ruled in.

Mr. Kristiansen: Fine, I stand corrected, I appear to have misstated something. But, the argument was that abortion was made legal by this Constitution and that it was now impossible to make political decisions in Canada to reverse that.

Mr. Baker (Nepean-Carleton): That is correct.

Mr. Kristiansen: That was simply an opinion, not a ruling. Not long ago a former member of the House, the previous member for Kootenay West, visited my constituency and said the exact opposite. He said that because of the wording of this Constitution, it might now be possible—and it might be ruled by the courts in the future—that "the right to life" would become a fact of life, and the advocates of that campaign would have their way. People cannot have it both ways. This is simply one small example of the duplicity which has characterized so much of this debate around the country. I hesitate to use the word "duplicity", but I cannot think of another one.

The hon. member for Vancouver Centre (Miss Carney) was in my constituency not long ago stating very clearly in the press, before reporters and audiences, in order to discredit some of those who supported this resolution and this process, that this party and its members had supported closure in the House of Commons.

Mr. Blenkarn: You did.

Mr. Kristiansen: That is a lie; that statement is a lie. If that member or any other member wishes to raise that point, so be it. She was here a moment ago, but she seems to have left; perhaps she is behind the curtains.

The Acting Speaker (Mr. Blaker): Order, please. Perhaps I did not fully understand the hon. member, but was he attributing to another hon. member of this House the statement that that hon. member had lied?

Mr. Kristiansen: Shall I stand, Sir, and reply?

The Acting Speaker (Mr. Blaker): I ask the hon. member to assist the Chair. I will put it in the form of a statement rather than a question. If the hon. member was indicating that another hon. member had lied, then it is the obligation of the Chair, pursuant to the rules of debate, to ask the hon. member to withdraw that statement. But, I am not sure I understood the hon. member perfectly; accordingly, I ask him to clarify his position.

Mr. Kristiansen: Sir, you may not have understood me perfectly. I said that it was reported in the press in my constituency and by people who attended a meeting addressed by the hon. member for Vancouver Centre that she said the members of this party in the House of Commons during the process of this debate had voted for closure. What I said is that that statement, if made, was a lie. I did not call the hon. member a liar. She may still choose to raise that question in her own way.

Mr. Knowles: The statement was incorrect.

Mr. Kristiansen: It was grossly incorrect.

The Acting Speaker (Mr. Blaker): Order, please. I want to deal with that particular manner of debate. Whatever may be said from time to time of those who occupy the chair, there is one matter which presents a problem particular to me as one individual who occupies that position. I do not think what our standing rules prohibit directly ought to be permitted to be understood or accepted indirectly. I am not sure whether the hon. member is in fact attempting to attribute the characteristic of lying to another hon. member. But I do not intend to enter a splitting of hairs with any hon. member in this place. While I occupy the chair, if any hon. member directly or indirectly attributes that characteristic to another hon. member I will ask the hon. member who makes the accusation, directly or indirectly, to withdraw. I want to be clear about that so that any hon. member, not just from the far corner but from every side of the House, understands me perfectly. The next hon. member who goes against what I have just said will be called to order by me and I will proceed, as I ought to, in the most rigorous sense. There are enough characteristics of debate which can give it heat and quality without resorting to that type of thing. I am not suggesting the hon. member has moved to one side or the other, I just want to take this occasion to make it clear that this officer of the chair will not have it, whether directly or indirectly.

• (2150)

Mr. Kristiansen: Mr. Speaker, to make it clear, I did not suggest that the hon. member was a liar or had lied. I did not do this by inference. I did not say that and it was not my intention. But the statement which was reported in the press was untrue. The public and hon. members of this House can draw their own conclusions. At some point the hon. member may wish to clarify her statement. This is simply one issue which has caused some problems for many Canadian citizens who have been trying to follow the debate and who have been trying to make up their minds on the basis of fact.

I had the privilege one night last week to listen to the hon. member for Edmonton East (Mr. Yurko). I would like to briefly quote some of his words. They are found at page 8107 of *Hansard*. He said:

However, I am distressed over accusations in the debate in regard to the inclusion of a reference to God in the Constitution. My belief in God is secure; it does not need to be enshrined in secular documents. It is now enshrined in the greatest of all constitutions—the Good Book. I wholeheartedly accept its inclusion in the Diefenbaker Bill of Rights and I would be delighted to see God enshrined in the preamble to the Constitution. What distresses me is the postulate that somehow we on this side are somehow more godly than members on the other side of the House, or that they are more godly than we, or that one person here in his or her judgment is somehow more godly than someone else in the House. Time will bring forth a constitutional preamble and God will be in it, if He so wills it to be.

I would recommend to some hon. members to my right the reading of that passage again and again, morning, noon and night. They would do well to learn a little humility from one of their colleagues, whom I certainly admire for his intestinal fortitude.

Another question which has been raised during the process of this debate, at least since a certain amendment was proposed by the government, and then withdrawn by it, has been the question relating to property rights. A number of people have been running back and forth across the country suggesting we were about to take everyone's toothbrush away, seize their homes or steal their rolls of toilet tissue since we did not include a section on property rights in the charter within this Constitution. The opposition to the inclusion of property rights is rather widespread, not only among us evil socialists, as some would say, but among many Conservatives and provincial governments from one end of the country to the other. I therefore find that argument more than a little hypocritical.

Some hon. Members: Hear, hear!

Mr. Kristiansen: I find it more than a little hypocritical for those selfsame advocates of unanimity and provincial rights to suggest at the same time that we should be putting property rights within the charter in the Constitution. That would do more to take away from provincial powers and authority than almost anything else which could be included in this document.

What would we say to people in the West Kootenays, the Okanagan, Prince Edward Island, Saskatchewan or British Columbia who believe they must do something to stop foreign ownership of lakeshore land and of waterfront land on both our coasts? What would we say to those who want to do something about preserving farmland and forest land in Canada? It is a direct infringement of provincial rights. Again, I would suggest that some of my friends to my right would do well to consult with some of their provincial colleagues to get their act in order before harping on that issue much longer.

It is not only my experience but the experience of many working people in this country and throughout the world that human rights are a relatively new invention on this planet. It is only recently that human rights have been protected by the state in almost any country. It is very recent in terms of human history. Property rights are so entrenched in the common law that they are in no danger. If we are ever to see a society in which human rights receive equitable treatment before the law with rights of property, then I suggest it is not a bad idea to entrench many individual human rights within this charter while leaving property rights to the protection of the common law. Those rights have certainly been well protected throughout the history of this country.

The section on multiculturalism provides some new protection here as well. Recently in the state of Texas an employee was fired for speaking to a fellow employee in a language other than English. The Supreme Court of the United States rejected the appeal. Some might ask why? It is because of the right of an employer, under property and management rights, to tell his employees what language they can speak, not to customers but to each other. It just may be that with the language we have and have not put into this charter of rights, plus the section on multiculturalism, we may in fact be able to prohibit that kind of unacceptable action against minority language groups in this country.

If people think that kind of action does not take place in real life in the industrial world, then they know nothing of labour relations, and they know nothing of life on the floor of an industrial plant in many of our far-flung, single resource communities. Actions are taken in those places every day by employers which academics, lawyers and doctors simply would not either appreciate or believe. These actions are accepted because property and management rights are sacred. Very often individual human beings have nothing to go on except the collective strength of their fellows. Often the laws in place in this country make these people powerless. They are only able to act illegally in order to defend the basic human rights which should be granted to every individual throughout this land.

I simply say in conclusion that I and my party are proud to support the resolution before us. Many parts of this resolution have been amongst our party's policies dating back to our predecessor party, the CCF, and to its founding convention in 1933. Certainly the call for a charter of rights in the Constitution was included then. That is one of the reasons we felt honour-bound to accept in principle the proposal before us. We have attempted to take a constructive attitude toward it.

• (2200)

I would finally conclude with a very short piece of prose—perhaps poetry—which I wrote when I was about the age of 17, which I entitled, "My Only Demands". We are talking about rights. Some of us prefer to use other words. It is:

Give me the right and the opportunity to love;
but also, and equally as important,
give me the right and the opportunity to challenge and to vanquish
all that would destroy that which I do love.

That is why I am here. There are many thousands of Canadians who share similar sentiments. We are proud to take our place in this debate on an historical challenge and an historic occasion for Canada. We only hope the partriation of our Constitution and the divisive role which has been necessitated by the kind of debate which is giving birth to it will perhaps set a new era in place across this country, so that Canada may find itself able to take some of the other, sometimes uncomfortable decisions that must be made if we are not only to patriate our Constitution but to repatriate our econo-

my, and to take some of those crunch decisions necessary if we are to build a better country and fulfil the faith Canadians have on so many occasions shown; a faith not only in this country, but also a faith in those they continue to send to this place.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

AIR TRANSPORT—DIRECT AIR SERVICE BETWEEN OTTAWA AND NEW YORK

Hon. Walter Baker (Nepean-Carleton): Mr. Speaker, I am delighted to see the Parliamentary Secretary to the Minister of Transport (Mr. Bockstael) in his place, because he and I know that the subject matter of this debate is an important matter for the national capital region. Indeed, it is important for Ottawa-Carleton, and it is rather important for the country, as well. It has to do with the provision of direct air service between the Ottawa International Airport—I suppose it would come from there—and the City of New York.

On March 13, last, I asked a question of the Minister of Transport (Mr. Pepin), which reads this way, and this is the gist of the matter:

In view of this development, and it seems to be a new development, would the minister undertake to expedite negotiations with respect to changes that may be needed in the bilateral arrangements between Canada and the United States so that such a service can be provided as is desired by every responsible group in Canada?

The Minister of Transport answered that question in part, indicating to me that his first step was to see if some American airline would like to operate under the present agreement; that is, a single route, New York/Montreal/Ottawa, Ottawa/New York/Montreal. He admitted there was some difficulty in finding an airline, and he went on to say this:

If we do not find an American company willing to use this approach, then we will fall back on the regulatory approach—

In the course of the next question, I expressed incredulity at the remark. I could not believe that to be the case. I said:

—he is looking for an American carrier to provide the service between Ottawa and New York.

I could not believe that. In the answer to the subsequent question, he said:

I am not looking for Americans, but it seems to me that this is the first way to go.

He is really looking for Americans, first of all, to do it. I must ask myself as a member of this House what kind of Canadian policy this is, that a minister of transport in discussing the importance of such a service should look to Americans first? Why is a Canadian minister running around looking for an American airline to perform a service for which two Canadian airlines, First Air and Air Atonabee, are vying or will soon be vying before the Canadian Transport Commission?

● (2205)

The idea of a direct air service from Ottawa to New York has the support of every municipality in the Ottawa-Carleton region, and it has the support of the region. There are two air carriers which have flown test flights to New York. I was privileged to be on one of them. A direct air service has the backing of the business community as it is represented in any configuration one would want. These demonstration flights have proved this service to be a useful concept. For me as a Member of Parliament a service such as this is most advantageous. I was able to visit the Canadian Consulate in New York and I called on the Canadian ambassador to the United Nations when I went to New York. Public servants go back and forth to New York but to get there, it takes three and a half hours via Toronto or Montreal. Time is of the essence to most people.

I have to congratulate the Ottawa *Citizen* for the public interest that paper displayed in this matter. We have to widen the assessment base in our group of municipalities. If we can do that by promoting new industry in this area, we will not only widen but we will diversify the employment base and bring a new kind of prosperity to the area at a time when government seems to be levelling off from its untrammelled growth.

This service is just as important to the local area as is special education which would supply men and women with training to work in the new industries settling in the western part of the national capital region, particularly in the city of Kanata and the city of Nepean. Local government cannot do it alone; the provincial government cannot do it alone. It requires a kind of commitment from the federal government. It requires the kind of commitment which the Minister of Transport did not demonstrate in his response to my question. The federal government has a role to play. It has to play it with courage, with determination and it has to deal with the United States in as firm a manner as possible.

Air Canada has now stepped aside from its wish to provide this service. I think the time has come for the Minister of Transport to move. No U.S. carrier wants to serve this route, and no Canadian carrier wants to serve this route because their jets are too large for the service required. This route is ideal for a regional airline. It is ideal because of the capacity and willingness regional carriers have shown.

I think the time has come for the minister to speak up for Canada. I think it is time for the minister to speak up for his own constituency. I believe it is time for the minister to speak up on behalf of those governmental, business, professional and other organizations who can see nothing but good in this service. Because there is this interest, I think I have a right to expect that the minister's assistant will say he will move to

change the agreement if it is necessary, and he will press upon the people in the United States the importance of allowing Canadians to compete for that right. I hope that will be the answer I shall receive from his parliamentary secretary. I look forward to it tonight with hopeful expectation.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, as the Minister of Transport (Mr. Pepin) pointed out in the House on March 13, this issue cannot be answered as though there were no air transport agreement between Canada and the United States. The agreement exists, and it gives the United States certain rights which we have to respect, in the same way as we expect the United States to respect Canada's rights. In particular, the agreement gives a U.S. carrier the right to operate between New York and Ottawa.

On this basis, it is difficult to see why the United States would agree to allow a Canadian carrier to operate this route until it had been shown that no U.S. carrier is interested. Expressed in a different way, the U.S. has first right of refusal to that route.

Recognizing this reality, the minister urged the U.S. authorities to determine as quickly as possible whether there was, in fact, any U.S. carrier interested in serving the route. If not, then there would be a strong presumption that the U.S. would agree to a Canadian carrier being granted the right to operate an Ottawa to New York service. In that case, if the CTC saw fit to licence either First Air or Air Atonabee, that carrier would be free, immediately thereafter, to seek the same authority from the U.S. Civil Aeronautics Board, which it must do before it can begin service.

• (2210)

The approach the minister has been following is the only practical one, given Canada's legal obligations. It certainly promises faster results than any approach, such as the one apparently being suggested by the hon. member which would ignore these obligations.

RAILWAYS—ROLE OF CANADIAN TRANSPORT COMMISSION

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, on January 20 last I raised a matter with respect to the Grange commission report which had been delivered to hon. members the day before, January 19. The report was a result of a train accident which took place in the city of Mississauga on November 10, 1979, at 10.15 p.m. wherein a CPR train travelling on the main CPR line through Mississauga at 50 or 60 miles an hour derailed because of a hot box.

The commission to look into that accident was formulated as a result of a unanimous motion in this House on November 12 which was followed up by questions in the transport committee on November 13. On November 13 the Canadian Transport Commission said it would inquire into its own faults. As a result of that hearing before the transport committee, it became apparent that the CTC had been acting as a sleeping policeman.

The CTC had been involved in a similar inquiry in 1971. In that inquiry a number of recommendations were made with respect to safety and the carriage of dangerous goods. Being a sleeping policeman, the CTC went back to sleep and did nothing.

If the Canadian Transport Commission had not gone back to sleep the evacuation of the city of Mississauga would not have occurred. Indeed, the accident probably would not have occurred. As the minister suggested in a response to me, the CTC was very interested in relation to the economic viability in connection with the existing considerations. He said maybe the time had come to change that view of economic considerations.

The accident in Mississauga occurred partly and perhaps largely because the Canadian Transport Commission, which is in charge of rail safety under the Railway Act, was a sleeping policeman. It refused to recognize that chlorine was a dangerous substance, more than just a compressed gas, and refused to recognize the explosive properties of propane. It refused to understand the dangerous properties of caustic soda.

The train which sped through Mississauga at 10.15 p.m. November 10 developed a hot box, another subject of CTC inquiries dating back many years. In particular, the 1971 inquiry was not looked at. When you look at the recommendations of Mr. Justice Grange you will see it says: The CTC or Transport Canada shall; the CTC should require; the CTC should require an immediate trial by railways of the following; the CTC should implement its intention expressed in Glacier, British Columbia. Recommendation after recommendation says the CTC should have done, it should have acquired, it should have performed.

• (2215)

The Minister of Transport (Mr. Pepin), defender of bureaucracy, defender of ineptitude, sits back and says: Well, these things happen; perhaps it was a question of the times, but refuses to come to grips with the problems of rail safety. All of my constituents, residents of Mississauga, were evacuated, most for an entire seven days, and the CTC was partly, indeed largely, responsible. Had the organization we entrusted in the Railway Act defended rail safety, brought the red book up to snuff, a book containing a set of rules prepared by the American Railway Association back in 1919 and hardly amended since, had they paid attention to the security of people in built-up areas, then perhaps the Mississauga derailment might not have occurred. The Grange Commission points that out seriously. We have not yet had action by this minister even though he had the report from the Grange Commission at least six weeks before it was in the hands of Members of Parliament. The replies I received from the minister on January 20, sir, indicate a Minister of Transport who is not prepared to do his job.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I am delighted to be afforded the opportunity to inform the House of the recent initiatives of the Canadian Transport Commission in the field of rail safety.

I would particularly like to highlight recent CTC activities in five major areas related to the movement of dangerous goods.

First, on November 27, 1979, an order was issued to each railway company under the committee's jurisdiction requiring that tank car shipments be marshalled so that flammable compressed gases are separated from tank car shipments of chlorine, anhydrous ammonia or sulphur dioxide by at least five rail cars containing no dangerous commodities. Second, two years ago, CTC instigated a tank car retrofit program that is still in progress. Equipment to be retrofitted includes double shelf couplers, head shields, bottom fitting protection, and thermal protection, precisely the equipment recommended by Judge Grange in his recent report. Third, the commission has intensified its inspection program for dangerous commodity storage facilities located on railway rights of way. As a direct result of this program, two such storage installations in Alberta have been closed in the last year. Fourth, the CTC has instigated a review of dangerous commodity movements in various sections of the country. Last, the commission has issued a series of regulations affecting the "red book" regulations, life saving devices, the contents of shipping documents, and tank car outage requirements.

The CTC also upgraded its response to rail accidents in three specific ways. First, the railways have been required to instigate a telephone alert system to ensure that all major accidents are immediately reported to the commission. Second, the CTC has appointed a commissioner to investigate major accidents on site, to recommend interim and long-term measures which would enhance safety, and to hold public inquiries when warranted, in the aftermath of accidents. Third, the commission is now purchasing protective clothing and updated hazard-detecting equipment for its staff for use at accident scenes.

● (2220)

Judge Grange restricted his inquiry, according to his mandate, to "the lessons from Mississauga". The Canadian Transport Commission obviously cannot take such a limited view. To respond to the need for greater safety we cannot afford to focus all our attention on Mississauga or any other single accident to the exclusion of other equally important safety factors.

Finally, I should like to address the question of resources available to the commission. A submission is now at Treasury Board seeking an additional 31 person-years in respect of rail safety. I trust that Treasury Board will view this submission favourably so that Canadian Transport Commission rail safety responsibilities may be enhanced to a greater degree.

These points demonstrate that the Canadian Transport Commission is taking its rail safety responsibilities seriously and that the existing programs, combined with the response to the Grange inquiry, will ensure that Canadians continue to have a safe and efficient rail transportation system.

THE ENVIRONMENT—SUGGESTED DISCUSSION OF ACID RAIN PRECIPITATION IN CANADA-UNITED STATES TALKS

Mr. Derek Blackburn (Brant): Mr. Speaker, last week I asked the Prime Minister (Mr. Trudeau) what specific proposals he would be making to President Reagan concerning the acid rain crisis while the latter was visiting Ottawa. The Prime Minister responded that the issue would be discussed but that he would not use any threat in order to conclude an agreement on trans-boundary air pollution.

In his remarks the President of the United States alluded only briefly to the acid rain problem, and to this date there have been no specific concrete proposals made by either country as the result of the President's visit. In other words, we will apparently continue to discuss, to debate, to study and to procrastinate while the most critical environmental hazard continues to destroy our lakes and rivers, our crops and our forests.

Acid precipitation is produced in both Canada and the United States, but the United States dumps four times as much SO_2 on Canada as we dump on the United States. In Canada, fairly successful attempts have been made to reduce acid rain in recent years. For example, in the Sudbury basin Inco Metals Limited, the largest single acid rain polluter in North America, has reduced its emissions by 80 per cent in the last ten years. Ontario Hydro has been ordered to reduce its fallout by 50 per cent. Steps are being taken in Alberta to prevent acid rain from becoming an environmental problem.

In the United States, regrettably, the picture is very different. To date there has been no appreciable reduction in acid rain whatsoever. Worse still, with the vast conversion in that country to coal-fired electrical generating plants in the northeast, acid rain will increase substantially in the near future, further damaging Canada's environment, particularly in Ontario, Quebec and the maritimes.

Ontario has already lost or is about to lose 4,000 lakes, and within ten years, we are told by the scientific community, some 45,000 lakes in Ontario will die if nothing is done now. We cannot afford to wait while an anti-environmentalist U.S. President dithers.

We cannot afford to continue to be polite and continue to negotiate as friends and neighbours if those friends are ignorant and complacent and for political reasons their government has committed itself to go easy on environmental issues for purely economic reasons.

We have a fairly good idea of the cost of cleaning up trans-boundary pollution. It is in the billions of dollars. But to wait will cost infinitely more, and if we wait too long no amount of money will repair the damage.

In my remarks to the Prime Minister last week I suggested that if the United States could not be persuaded to conclude a treaty to reduce and eliminate acid rain precipitation, then Canada should threaten to cut off hydroelectric power to that country. This would be a very drastic measure to take, and I admit that, but I am convinced this kind of threat is the only effective way to get action on this political issue. How else

does one convince an ignorant and apathetic people and its foot-dragging President to resolve an issue of this magnitude?

The province of Ontario recently launched a legal suit against some 18 power plants in the United States which are converting to coal from oil. This is a long and costly process. What is needed at this time is political action. We already have a memorandum of intent, signed on August 5, 1980. We must proceed to a strong treaty immediately.

• (2225)

There is already overwhelming scientific evidence concerning the critical damage caused by acid rain. There is also well documented evidence as to its sources. We also have the technological know-how to stop it. What we do not have is a Prime Minister with the courage to tell the U.S. that enough is enough. In other words, we do not have a prime minister with the courage to tell President Reagan that his country has to stop killing ours.

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker, first of all let me thank my good friend, the hon. member for Brant (Mr. Blackburn), for allowing this opportunity to have this rather urgent subject aired once again. I believe, as I understand he believes, that a good part of the acid rain issue, both in the United States and in Canada, is the lack of awareness and public profile it commands at present. That is especially true in the United States. I share his concern and I welcome the opportunity to endorse the sentiments he has expressed in so far as those sentiments relate to the depth of his concern. I do not share his sentiments as to the strategies which he has advocated, and I shall take a moment of the time of the House to indicate why I do not share his proposed strategies.

Last week, when the President of the U.S. was here, Mr. Reagan, the Prime Minister, (Mr. Trudeau) and the Minister of the Environment (Mr. Roberts) took advantage of the opportunity to state very clearly our concerns here in Canada over acid rain and the need for continued co-operation and progress under the memorandum of intent to which the hon. member for Brant has referred this evening. President Reagan gave his assurance at those meetings last week to the Prime Minister and the Minister of the Environment that his administration will continue to support the activities of the Canada-U.S. work groups which were formed under the annex to the memorandum of intent last August. Indeed, the interim report of these groups was released on February 13, and further reports can be expected in mid-1981 and early 1982. The reports of these work groups will be the foundation for the negotiation which we hope will begin within the next few months, by June of this year it is hoped.

The forecast of increased emissions of sulphur dioxide in the United States, referred to by the hon. member for Brant in an earlier question on this subject, is speculative at this point. It is speculative in the sense that it assumes no control action will be taken by the United States government in respect of existing sources, nor for those thermal power plants which are slated to be converted from oil to coal. I believe it would be counterproductive for us to enter into negotiations with the U.S. on the basis of such an assumption. It would be equally inopportune, I submit, to begin brandishing the threat of sanctions against the United States before the negotiations even begin.

Finally, contrary to what the hon. member has suggested, we have no indication at this time that the U.S. cannot be persuaded to conclude an agreement. Indeed, the indications right now are quite to the contrary. They are pursuing, in good faith, their work jointly with us in the Canada-U.S. work groups.

The Acting Speaker (Mr. Blaker): The motion to adjourn the House is now deemed to have been adopted and, accordingly, this House stands adjourned until two o'clock tomorrow afternoon.

At 10.29 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, March 17, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

THE CONSTITUTION

MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the former B.C. Liberal leader has now firmly and publicly rejected the Liberal government's constitutional proposal when he said, "The current approach to patriation is unilateral partisan confrontation, without any regional consensus and making quite improper use of vestigial colonial ties" and in view of the news report in British Columbia indicating that the Liberal government feels that Dave Barrett's support is more important than Gordon Gibson's, I move, seconded by the hon. member for Vancouver Centre (Miss Carney):

That the Minister of Justice make a statement on motions indicating whether the Liberal government has now rejected all western Liberal Party leaders and that the Prime Minister indicate in the same way whether or not he values western NDP support more than western Liberal support.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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REGIONAL ECONOMIC DEVELOPMENT

PROGRAMS APPLICABLE TO NEW BRUNSWICK—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Due to the fact that the ministers responsible for the distribution of government funding for programs such as the manufacturing tax incentive program and the Canada community development program refuse to recognize that all citizens of New Brunswick should be equal rather than just those in constituencies represented by Liberals, I move, seconded by the hon. member for York-Sunbury (Mr. Howie):

That the political minister responsible for New Brunswick, the Minister of Fisheries and Oceans, intercede with his cabinet colleagues and advise them that New Brunswickers living in ridings represented by Conservatives are in fact not second-class citizens.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*Translation*]

CANADIAN BROADCASTING CORPORATION

GOVERNMENT MEASURES TO SETTLE DISPUTE—MOTION UNDER S.O. 43

Mr. Lorne Nystrom (Yorkton-Melville): Madam Speaker, pursuant to the provisions of Standing Order 43, I ask the unanimous consent of the House to move a motion of pressing and urgent necessity.

Since the CBC dispute has been dragging on far too long, and since this intolerable situation is due to the management's refusal to make reasonable offers, I move, seconded by the hon. member for Winnipeg-Birds Hill (Mr. Blaikie):

That the federal government take all necessary steps to urge the CBC management to bargain in good faith and be in a position to make serious proposals.

Madam Speaker: Order. The presentation of such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1410)

[*English*]

ENERGY

NON-IMPLEMENTATION OF ENERGY TAX CREDIT—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The Liberal government was elected in February, 1980—

Some hon. Members: Hear, hear!

Mr. McMillan: —largely on a promise to keep down consumer energy prices. In view of the fact that since then the price of regular and unleaded gasoline in the Atlantic provinces has soared by about 41 cents a gallon, I move, seconded by the hon. member for Malpeque (Mr. Gass):

That this House condemns the government for breaking its major election promise, and in particular for not introducing an energy tax credit to cushion the effects of those increases on low and middle-income Canadians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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HEALTH AND WELFARE

PROVINCIAL EXPENDITURE OF FEDERAL FUNDS—MOTION UNDER S.O. 43

Mr. Ray Chénier (Timmins-Chapleau): Madam Speaker, on a matter of urgent and pressing necessity under the provisions of Standing Order 43, I move, seconded by the hon. member for Gatineau (Mr. Cousineau):

That this House commend the announcement by the Minister of National Health and Welfare, who has served notice that the provinces must spend money voted by this Parliament as enacted and urges the government to pursue this policy in its federal-provincial financial negotiations in the next year.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MARINE TRANSPORT

TWO-PRICE SYSTEM FOR MARINE FUELS—MOTION UNDER S.O. 43

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, I have a motion of some urgency to move under the provisions of Standing Order 43. It will be of interest to the Minister of Transport (Mr. Pepin) and, I hope, the whole House generally.

While recognizing the need for the government to prevent foreign flag ships from taking advantage of the low domestic price for fuel in Canada, this policy has, as the minister is aware, singled out DMA members who are registered Canadian companies as the lone segment of Canadian industry required to pay world fuel prices for international trade. This will result in an additional $30 million in costs, encouraging our shippers to use less fuel-efficient modes of transport and having a detrimental impact particularly on the Quebec-Labrador mining industry, as well as forcing grain cargo route diversions.

I move, seconded by the hon. member for Vegreville (Mr. Mazankowski):

That this House urge the Minister of Energy, Mines and Resources to introduce a two-price fuel system for Bunker C and diesel fuels which would not violate international agreements relating to marine transportation and would provide equity to the Canadian marine industry.

Madam Speaker: Is there unanimous agreement for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE ECONOMY

CALL FOR INTRODUCTION OF BUDGET—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, I rise under the provisions of Standing Order 43. The annual report for 1980 of the Bank of Canada indicates that the deficit for the Government of Canada is uncomfortably large. That is one of the reasons offered for the monetary policy followed by the bank not working to control inflation. I therefore move, seconded by the hon. member for Fundy-Royal (Mr. Corbett):

That in view of the escalating inflation rate and the fact that the government's fiscal policy is not appropriate for reducing inflation, the government forthwith present to this House a new budget and file in this House new estimates reducing the over-all level of government expense in order to deal realistically with inflation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RIGHTS OF MEN—MOTION UNDER S.O. 43

Miss Pat Carney (Vancouver Centre): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. As the Tory critic responsible for the status of men, I am appalled by the failure of the Liberal government to ensure that men will be offered equality under the proposed charter of rights. Since women already have the protection of the courts, which have ruled that women are equal persons, and since men have never been awarded similar protection as persons, I move, seconded by the hon. member for Vancouver Quadra (Mr. Clarke):

That this House instruct the government to amend the proposed charter of rights to state that the provisions of the charter apply equally to women and men

and thus ensure that the rights of this important minority group are enshrined in the Canadian Constitution.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous agreement for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

COMBINES

SUGGESTED ADVANCE NOTICE OF COMPANY MERGERS—MOTION UNDER S.O. 43

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. There has been a rapidly increasing number of mergers going on within the Canadian economy. It was in the order of one thousand over the last three years. That is grossly underestimated in terms of the assets and the numbers involved, because the government obtains its information only by clipping files out of the newspapers. This country more and more is beginning to resemble a banana republic in which the economy is concentrated in the hands of a small number of families, such as the Bronfmans, the Irvings, the Westons, and so forth.

I move:

That the minister urge the government to pass regulations requiring any person wishing to proceed with a merger or takeover of a Canadian business to give the government written notice in advance of his intentions in these matters.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

BANK OF CANADA

STATEMENTS IN ANNUAL REPORT RESPECTING GOVERNMENT POLICIES

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Minister of Finance, but first I will say "top o' the afternoon" to him, or "top o' the gallows"—one or the other—

Some hon. Members: Oh, oh!

Mr. Crosbie: The annual report of the Bank of Canada for 1980 was made public yesterday. It reviews the experience of the last five years in fighting inflation in Canada and concludes by saying "we have made only limited progress". The report concludes that the lack of success was not due to the fact that the government's anti-inflationary fiscal or financial policies were ill conceived, but rather because they were pursued with gradualism. My question to the minister is this. The bank says it will continue these policies, which will mean high interest rates and tight money over the next five years, presumably with his approval. Likely this will mean that inflation and high interest rates will continue, unless there is a new fiscal approach by the government, because until now the minister's approach has been one of gradualism. Will the minister adopt a new fiscal approach to correspond with the approach of the Bank of Canada and, if so, what will that approach be?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, if I understood the comments of the Governor of the Bank of Canada when he spoke about gradualism, he was speaking about the application of monetary policy. What I have laid out in the budget is an approach which will reduce the budget over time, and that is the policy I propose to follow. I would draw to the attention of the hon. member that the governor himself said in his annual report that he was pleased that in the last budget the government recognized the need to reduce its over-all deficit in the years ahead. I find that support from the Governor encouraging. I wish it were equally strong from all sections of the House of Commons.

Mr. Crosbie: Madam Speaker, the governor is certainly an optimist if he is pleased with that pious expression of the minister's. It is the action that counts, not the pious expression of principle.

REQUEST FOR ASSISTANCE FOR HOME OWNERS

Hon. John C. Crosbie (St. John's West): Interest rates are 3 per cent higher than they were in March of last year. The minister made this promise last year:

The federal government will consider special assistance to home owners if interest rates soar under the new floating rate approach.

They have soared; they are over 3 per cent higher. In November of 1979 the finance critic, the minister's colleague, said that the Liberals wanted action to prevent the hardship which the high interest policy was creating for millions of Canadians and their families. In view of the fact that interest rates are over 3 per cent higher, is the minister now going to introduce a policy to help alleviate the hardship which these higher interest rates are creating for millions of Canadians? I am not referring to the old age assistance supplement—we know that was increased. I am referring to the home owner, the potential home owner, and the consumer hurt by these high rates.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I believe the hon. member in his two questions identified the flaw in his approach to this question of inflation. On the one hand he encourages the government to reduce its deficit over time, and in the next question he asks me to bring in a new spending program in order to help a particular group in the community. It is quite impossible for the government to follow restraint in government spending, to control expenditure and to reduce deficit over time, and at the same time to launch new spending programs. There is no magic. The hon. member discovered that when he was minister of finance. That lack of magic is still a fact, even on St. Patrick's Day, when I reciprocate and offer the hon. member "the top o' the night".

Some hon. Members: Hear, hear!

Mr. Crosbie: If the minister was so concerned about expenditure restraint, why did he and his colleagues make these promises? Why did he make his promise of March, 1980, that if interest rates rose higher he would offer special assistance to home owners? The home owners of this country are getting tired of this minister's blarney, not just today which is St. Patrick's Day, but every day of the year.

● (1420)

When will the minister carry out his commitments and reduce expenditures elsewhere? There are many other areas in which to make reductions—ministerial salaries, for example. The deputy governor of the bank is not prepared to forecast future rates of inflation, the value of the Canadian dollar, or whither we are headed. Will the minister now give us a forecast? What is the minister's new forecast of the inflation rate this year, of the Canadian dollar this year, and whether or not these policies will be successful? The deputy governor will not even forecast if they are going to be successful. Will the minister do that? Will he let Canadian people in on it? Does he have faith in these policies? What are his forecasts?

Mr. MacEachen: Madam Speaker, as the hon. member knows, in the budget of last October I attempted the risky business of forecasting.

Mr. Crosbie: You sure did.

Miss MacDonald: And you were all wrong.

Mr. MacEachen: Like my hon. friend in his effort at forecasting, I proved not to be 100 per cent correct.

Mr. Crosbie: You were not correct at all.

Mr. MacEachen: In fact there was a margin of error in the forecasting, because for 1981 I called for an inflation rate of 10.2 per cent. It is obvious, since developments of that time, that the inflation rate will be higher in 1981. We had one year-to-year average a month ago, and the rate was about 12 per cent. So, it is obvious to the hon. member that the inflation rate will be higher than projected in the budget. At the same time I can tell the hon. member that, because of the strong performance of the economy, the unemployment rate is likely to be less in 1981 than was forecast in the budget. These are the two trends I would like to indicate to the hon. member. I do not intend, like the deputy governor of the bank who has a lot of experience in these matters, to make a precise forecast for 1981 at this stage.

CRITICISM OF GOVERNMENT DEFICIT

Mr. Harvie Andre (Calgary Centre): Madam Speaker, I remind the Deputy Prime Minister and Minister of Finance that the deputy governor of the bank also said that procrastination will make matters worse.

In his annual report the Governor of the Bank of Canada observed that, besides gradualism, the large deficit run up by the government is a major contributor to the failure of the bank's monetary policies to control inflation. While praising the provincial governments for their restraint, the governor observed the following:

> The Government of Canada, however, has experienced a large and growing over-all deficit—

He went on to say:

> From the point of view of dealing with inflation, this was an uncomfortably large deficit—

Does the minister accept that view of the Governor of the Bank of Canada, and, if so, why is he not doing something about it? Why is he not dramatically and immediately reducing expenditures and the deficit, rather than carrying on this failure of a gradualist approach?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member is correct in citing the comment of the Governor of the bank about the deficits which have been in operation over the last few years. As the hon. member pointed out, the Governor went on to say:

> From the point of view of dealing with inflation, this was an uncomfortably large deficit for the Government of Canada to have.

I believe this is the key point—when the level of economic activity relative to the economy's demonstrated capacity was as high as it was then. Looking in retrospect, probably there would be no difficulty in agreeing with that judgment, though at the time the forecasting probably with respect to the rate of economic activity could be as uncertain as we have proved it to be or shown it to be in the last year.

The hon. member referred to that citation. Then he failed to read on when the Governor of the bank went on to congratulate the government by saying he was pleased that in the last budget the government recognized the need to reduce its over-all deficit in the years ahead. That is the policy which is being followed, to reduce the deficit substantially over the next several years.

Some hon. Members: Oh, oh!

Miss MacDonald: It is St. Patrick's Day, not April Fool's.

Mr. Andre: Madam Speaker, my supplementary question is directed to the same minister. As the minister may be aware, one of his Liberal predecessors, the Hon. Donald Macdonald, said in his budget of March 31, 1977, "The deficit will be reduced—". His immediate Liberal predecessor, the current Minister of Justice, said in his budget of November 16, 1978, "Significant reductions in the deficit can be expected—"

● (1425)

My question for the minister is very simple. Could he please explain to the House, barring any firm evidence, why we should give his word any more credence than the word of his predecessor was obviously worth, which is absolutely nothing?

Some hon. Members: Hear, hear!

Mr. MacEachen: Madam Speaker, the hon. member will have to wait and see, and he will have to live long enough, to see that the expenditure plan laid out in the budget will be followed and the deficit reductions proposed in the budget will be followed over the next several years. If he is here three years from now he will be up on St. Patrick's Day probably talking about another subject rather than the deficit.

* * *

[*Translation*]

HEALTH CARE

REQUEST FOR LEGISLATION TO BAN EXTRA BILLING BY DOCTORS

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, my question is directed to the Minister of National Health and Welfare.

[*English*]

In view of the reports which claim, to no one's surprise in the New Democratic Party, that the Canadian public is paying some $56 million extra for health care than they should be, as a result of extra billing, can the minister tell us whether she is now prepared to bring in amendments to the Medical Care Act as recommended by Mr. Justice Hall, to ban extra billing before a bad situation becomes worse and medicare, as we have come to know it, goes down the drain?

Some hon. Members: Hear, hear!

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I am not ready to recommend that course of action to the government at this point in time.

I am pleased to have a chance to state very clearly our position on extra billing. It is no news to Canadians that this government is opposed to any form of extra billing. However, it is a much more difficult thing to reach enough of a consensus between the players to permit them to ban extra billing directly where jurisdiction lies first, which is at the provincial level. If the federal government were to ban extra billing right away, it might easily be challenged in the courts, which would not assist anyone in restoring full integrity to medicare.

I agreed with the provincial ministers to work with them toward a consensus with a view for some of them to be able to ban extra billing without losing their doctors to neighbouring provinces, and then for the federal government eventually to include a ban on extra billing in our renegotiation of EPF.

SUGGESTED WITHDRAWAL OF FUNDING FROM CERTAIN PROVINCES

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, the minister's passion for consultation and long answers is well known. But it has now been six months since the Hall report was tabled and no action has been taken at all. The federal-provincial health ministers' conference has been postponed. In the meantime Alberta has passed legislation legitimizing extra billing. British Columbia will be heavily into balance billing as of April 1, and Ontario people continue to be ill-informed about who has opted out and who has not.

Some hon. Members: What about Saskatchewan?

Mr. Blaikie: How long will the minister procrastinate while medicare suffocates from the violation of its basic principles? Will the minister consider putting her money where her mouth was in two successive election campaigns and threaten in this House, not in the media, to withdraw funding from delinquent provinces? And will she table the documents which support the $56 million claim?

Some hon. Members: Hear, hear!

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I regret that the relatively new hon. member to this House was absent during the debate—

Some hon. Members: Oh!

Miss Bégin: —in March, 1979, when we started fighting for medicare in this House of Commons. He is very late in his judgment. He has not realized that we are improving medicare and that the terrifying description which he has just given is about one year old right now. In this year we have witnessed one province backtracking completely and cancelling all user fees which it had imposed on its population through a budget. That province was New Brunswick.

We have witnessed a number of doctors in Ontario opting into the medicare system again. We are building a consensus toward a common understanding of all the partners, that no extra billing will be acceptable in this country.

● (1430)

Mr. Blaikie: Madam Speaker, I may be new here, but the judgment of my colleagues here at the time was right on the mark. We predicted exactly what was going to happen.

Some hon. Members: Oh, oh!

Mr. Blaikie: I am tempted to get up and say, "Thank you, mother", for the lecture.

Some hon. Members: Oh, oh!

Mr. Blaikie: The problem is particularly bad in Ontario. Some 71 per cent of the $56 million that we are talking about was spent in Ontario as a result of extra billing. It is now almost impossible to have an operation in Ontario—

Madam Speaker: Order, please. Would the hon. member ask the question?

Mr. Blaikie: I want to ask the minister, in view of the fact that it is almost impossible to have an operation in Ontario without paying money to some specialist or other, and in view of the fact that premiums continue—

Madam Speaker: Order. That was not a question. I just want to remind the hon. member that when the Chair asks the member to go on with a question, that is exactly what the Chair means. This is not the opportunity for the hon. member to continue with a long preamble. Let us have the question now.

Mr. Blaikie: Will the minister tell us what she intends to do about premiums, about the recommendation in the Hall report that premiums be abolished, or does she still hold to the safe and comfortable view that this is strictly a provincial concern and not a concern of national health care standards?

Miss Bégin: The hon. member started his line of questioning by asking about the most important problem facing medicare today, namely, extra billing. I suggest that we do not discuss the problem of premiums now, but continue to speak of extra billing.

An hon. Member: You can't even handle the first one.

Miss Bégin: The hon. member is probably afraid to face the reality, and still wants a flamboyant answer to a subtle situation. What can the minister of health for Saskatchewan who is faced with, if I remember correctly, over $2 million in extra billing, do to ban extra billing if he loses all his doctors and specialists to the neighbouring province that does not want to ban extra billing? That is the problem.

We are facing a problem where Canada, because of its geographic entities, should act as one, moving toward a common front to save medicare for all Canadians. We are working towards that, and will succeed.

Some hon. Members: Hear, hear!

* * *

FISHERIES

FISHING VESSEL CONSTRUCTION SUBSIDY PROGRAM

Mr. Mel Gass (Malpeque): Madam Speaker, I had a question for the Minister of Fisheries and Oceans, but in his absence I would direct it to the parliamentary secretary. It concerns fishing vessel subsidies. I have been informed that three 65-foot vessels are being built in Caraquet, New Brunswick, for New Brunswick fishermen, at the approximate cost of $900,000 each. Thirty-five per cent, or $945,000 of the cost of these vessels, is being paid by the federal government through its vessel subsidy program. Can the parliamentary secretary confirm whether or not this is true?

Mr. George Henderson (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I am not familiar with those three specific vessels that the hon. member brings to the attention of the House. I will check into it. I presume that vessels up to 65 feet in length are eligible for vessel subsidy, and I presume that there will be nothing wrong in subsidizing three vessels in New Brunswick—

An hon. Member: The fishermen don't get anything—

Mr. Henderson: There will be nothing wrong with subsidizing three vessels in northern New Brunswick, or three vessels in Nova Scotia, Newfoundland, or P.E.I.

Madam Speaker: The hon. member for Malpeque has the floor.

Mr. Gass: The parliamentary secretary knows that the minister tries to portray himself as the champion of the inshore fishermen.

Some hon. Members: He is!

Mr. Gass: $945,000 would have provided funding for about 80 inshore fishing boats for the small fishermen. It is quite apparent to me that the Minister of Fisheries and Oceans is more concerned about himself and his own area than he is about the other—

Madam Speaker: Order.

Mr. Gass: My supplementary question is directed to the same parliamentary secretary. What are the department's plans for the vessel subsidy program for the up and coming year, and specifically, how much money will be provided in the budget for the smaller boats for the inshore fishermen?

Mr. Henderson: The hon. member for Malpeque should have shown the same concern when his government was in power, because there were very few vessel subsidies given out—

An hon. Member: Answer the question, George.

Mr. Henderson: I think about $2 million was in the budget which we inherited last year, and through a number of omnibus bills, and one thing and another, the Minister of Fisheries and Oceans, who is the champion of the inshore fishermen—

Some hon. Members: Hear, hear!

Mr. Henderson: —was able to secure more funds for the subsidy program in the last fiscal year.

As I understand it, the minister is reviewing the proposed vessel subsidy program for the coming year, and when that review is complete it will become public information for all members of the House of Commons.

* * *

AGRICULTURE

CONSTRUCTION OF VETERINARY COLLEGE IN ATLANTIC PROVINCES

Mr. Tom McMillan (Hillsborough): My question is directed to the Prime Minister. Since, as he will know, all four Atlantic provinces have agreed to participate in the establishment of an Atlantic regional veterinary college, will the Prime Minister tell the House whether, for its part, the federal government will contribute its share of the capital cost of that important project which is badly needed because of the dire shortage of veterinarians, not only in the Atlantic provinces, but right across Canada as well?

[*Translation*]

Mr. Marcel Ostiguy (Parliamentary Secretary to Minister of Agriculture): As it happened, Madam Speaker, the Minister of Agriculture visited the Atlantic provinces last week. He had a meeting with the Prince Edward Island premier who submitted a project which is now under review, and within a few days the Minister of Agriculture ought to be in a position to make his views known about that study.

[*English*]

Mr. McMillan: Madam Speaker, my supplementary question is directed to the acting minister of agriculture in the absence of the Minister of Agriculture. When I asked the Prime Minister whether the government supported the college, he replied that the federal government is ready to support the college if the Atlantic provinces are in agreement with the establishment of the institution.

Now that the four Atlantic provinces have in fact agreed to participate in the establishment of a fourth veterinary college for Canada in the Atlantic region, and in light of the firm commitment we were given by the Prime Minister, will the government honour that commitment and support the college to the tune of something like 50 per cent of the capital cost, an example that was set with the other veterinary colleges across Canada?

[*Translation*]

Mr. Ostiguy: Madam Speaker, I might say to the hon. member opposite that the Government of Canada is prepared to support the construction of a fourth veterinary college, in accordance with the Howell report. Of course, construction has yet to begin simply owing to a misunderstanding among the four Atlantic provinces as to where the college ought to be built.

[*English*]

EXTERNAL AFFAIRS

EL SALVADOR—INFLOW OF ARMS TO REBEL FORCES—STATEMENT BY UNITED STATES SECRETARY OF STATE

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, in the absence of the Secretary of State for External Affairs I would like to direct my question to the Prime Minister. In view of the fact that U.S. Secretary of State Haig admitted to reporters in Washington on Friday last that the rebel forces in El Salvador were "running out of ammunition," and that he was not as concerned about arms flow via Nicaragua, which he described as having slowed down, can the Prime Minister explain why the Secretary of State for External Affairs, just two days before, bought so completely the argument then being made by Secretary Haig that there was a "massive influx of Cuban and Soviet arms" into El Salvador, creating a "huge imbalance of forces" there?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, I think that the explanation is quite obvious. When they met, Mr. Haig, the American Secretary of State, took that opportunity to brief the Secretary of State for External Affairs on the new situation.

• (1440)

[*English*]

Miss Jewett: There were two day's difference, Madam Speaker. I should like to ask the Prime Minister how he can explain there having been a huge imbalance of forces, presumably on the Soviet side, in El Salvador on a Wednesday, and no imbalance of forces on a Friday? Will he assure the House that he will now raise his voice against the increasing U.S. military build-up in El Salvador, since if there is any imbalance of forces it is on the U.S. side? Or does the Prime Minister intend to have the Secretary of State for External Affairs continue to be the United States administration's favourite mouthpiece?

[*Translation*]

Mr. Duclos: Madam Speaker, I believe the hon. member is referring to a period of two days. During his visit to Ottawa last week, the American Secretary of State very simply wanted to indicate that in the previous week—

[*English*]

Miss Jewett: He doesn't give a damn.

[*Translation*]

Mr. Duclos: Madam Speaker, he very simply wanted to indicate that as far as he knew, arms shipments from Cuba through the Nicaraguan territory had been reduced in the preceding days.

[*English*]

TRANSPORT

AGREEMENT ON HIGHWAY STRENGTHENING PROGRAM

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question is for the Minister of Transport. The agreement between the Atlantic provinces and the federal government with regard to the primary highway strengthening program was terminated in 1980 for Nova Scotia, and will terminate at the end of this month for Prince Edward Island, New Brunswick and Newfoundland. Has the minister any plans in progress to renegotiate a further agreement to continue the program?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, this is very much the subject of study by the committee on economic affairs of the government at this time.

Mr. Corbett: Madam Speaker, as the minister is aware, it is written in the present program that at completion it will be determined whether or not the program is to be continued and whether the federal government will continue to participate. Has the minister conducted an economic viability study and an evaluation of the past program in order to determine future participation and, when it is completed, will the minister table the results in the House?

Mr. Pepin: Madam Speaker, my department has analysed the previous use of this program and, generally speaking, has found that the projects that were developed under the program were extremely worthwhile. The provincial departments in the Atlantic provinces have now presented a whole series of new projects, and my department is quite impressed by the quality of these. It is a matter of money, really, and I am finding out if this is available.

PROVINCIAL CONTRIBUTIONS TO PROGRAM

Mr. Maurice A. Dionne (Northumberland-Miramichi): Madam Speaker, my supplementary question is also directed to the Minister of Transport. If the minister renews these highway strengthening agreements with the provinces, will he make sure that the federal money will not be used as an excuse by the provinces not to expend a fair share of the provincial budgets on the highways in those areas?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I will be speaking in the debate this afternoon on this particular subject. The recent studies which have come from the Atlantic provinces, for example from both Nova Scotia and New Brunswick, indicate that the priority given to transportation has been going down. In other words, when they look for industrial development, for example, it is considered now, in the studies that I am referring to, that transportation is not a major issue.

An hon. Member: Why don't you twin it, like the Prime Minister says?

SHIPPING

PROVISION OF SAFETY TRAINING COURSES

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I, too, wish to direct my question to the Minister of Transport. Some facts have been revealed about the training, or lack of training, by the recent inquiry into the sinking of the scallop dragger *Margaret Jane*, with the loss of four men when it was involved in a collision with the stern troller *Cape Beaver*, a few miles outside Lunenburg, Nova Scotia. I should like to ask the minister what steps he is planning to take to ensure that proper training is provided to the captains and crews in the use of navigational aids such as radar, mandatory safety drills on board ship during a voyage, as well as ensuring that in future there will be an adequate compliance by masters and mates with the basic rules of the sea?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I must admit that I have not seen the result of that inquiry. Usually when such an inquiry is conducted, there are a number of recommendations by the judge or whoever is in charge of it. I will see what the recommendations were, and I am sure that my department will want to comply with them.

Mr. Crouse: Madam Speaker, it would appear that I am ahead of the minister, because his department has already provided me with the results of that inquiry. I want to thank the minister for sending me the report because it was very helpful.

With *Loran C* coming into general use this year, will special stress be placed on training masters and mates of our offshore, mid-water and inshore fleet in its technical fine points? This is something that could be done during refit periods. Will steps be taken to upgrade the requirements for a master's certificate, and will the safety equipment on board ship be inspected more frequently by officials than once a year?

Mr. Pepin: Madam Speaker, I am convinced that the hon. member is deeply interested in these matters, and so am I. Unfortunately I do not have this information at my fingertips. I shall ask for the report from my department and will communicate it to him in the spirit of generosity and friendliness in which I always communicate with the hon. member.

Madam Speaker: The hon. member for Annapolis Valley-Hants.

Some hon. Members: Hear, hear!

* * *

PORTS

WITHDRAWAL OF DART CONTAINERLINE SERVICES FROM HALIFAX—STUDY OF FREIGHT RATE STRUCTURES

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, I must say that I appreciate that the handclapping is in honour of my patron saint who was named after me, rather than the other way around. In that spirit of generosity, recog-

nizing that there are leprechauns around the world, and perhaps even between the treasury benches and the opposition benches, perhaps I may be able to get the Prime Minister's ear, since he is paying some respect to the patron saint of Ireland.

In view of the controversy over the unilateral move of the Dart Containerline facility from Halifax to Montreal, and the involvement of the CN, a Crown corporation in that move, and in order to amplify what I understood the Minister of Transport to say outside the House, would the Prime Minister direct the Canadian Transport Commission to commence a study now into the imbalance in freight rate structures that, in effect, aggravate this type of situation, so that Atlantic Canada may know that it is being treated fairly, certainly as between the ports of Halifax, Saint John, and other ports in Canada?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I will be discussing this very issue this afternoon because there is a motion before the House on that subject put down by the opposition. The Premier of Nova Scotia has three opportunities to bring this subject forward in the coming months. First, he can ask for an inquiry by the Canadian Transport Commission under section 23 of the act; second, he can participate in an inquiry which is bound to take place on the acquisition by CP ships of part of the Dart company, under section 27 of the act, and third, should CN decide to increase its share ownership of Dart in coming months, CN will have to go to CTC under section 27 also. So there are two and possibly three opportunities for the Premier of Nova Scotia or his government to bring the subject of freight rates to the attention of Canada.

Mr. Nowlan: Madam Speaker, I appreciate, in part, the answer of the minister, since the Prime Minister did not answer a general policy question. That is fine as far as the Premier of Nova Scotia is concerned. But my question is directed to the government and to the minister. Regardless of what avenue the Premier of Nova Scotia takes in this very controversial matter, will the minister lend the weight of his good offices or those of the government, to commencing a study? Will the minister ensure that the appropriate authorities within the scope of the national government have input into that study so that in terms of regulation and policy there is no discrimination as a result of this very unfortunate situation?

• (1450)

Mr. Pepin: Madam Speaker, other hon. members, including the hon. member for Dartmouth-Halifax East, have raised this question before. The hon. member wants us to make sure that justice is not only done but appears to be done, and that there is no discrimination against the port of Halifax in matters of freight or general charges. I will be dealing with this question in my speech this afternoon. I promised the premier of Nova Scotia that I would give him a number of statistics and other information, the purpose of which would be to establish a non-discriminatory system of freight rates and port charges.

Oral Questions

AGRICULTURE

HERD MAINTENANCE PROGRAM—QUERY RESPECTING CRITERIA AND FUTURE PLANNING

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, my question is to the Minister of Regional Economic Expansion in his capacity as minister responsible for the Prairie Farm Rehabilitation Agency, and it relates to the herd maintenance program. Given that the minister has been approached by the appeal board and a number of farmers with appeals, as well as some rural organizations and provincial governments, regarding the herd maintenance program, can he give some indication of the improvements to the program that PFRA is prepared to consider and undertake, to do something about the 12,000 appeal applicants? Will he ensure that they will receive some compensation for the huge feed bills to which they have committed themselves, and for which compensation has been rejected?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): Madam Speaker, the hon. member is referring to the criteria of the herd maintenance assistance program. I would first point out that the herd maintenance program has been a tremendous success.

Some hon. Members: Oh, oh!

Mr. De Bané: We were attempting to help the farmers keep their herds, and we managed in that regard. Over 80 per cent of all applicants will be paid.

Mr. McKnight: When?

Mr. De Bané: Between now and the end of March, within two weeks. Second, the criteria were set after extensive consultation with producer associations. I listened very attentively to all sides before deciding on the criteria. Therefore, I would ask the hon. member not to misrepresent the figures, as did an hon. member the other day when he wanted an emergency discussion under Standing Order 43 with regard to those who were asked to return their cheques. Not more than six people out of more than 20,000 who received cheques were asked to return them because there had been a mistake. Therefore, please do not overplay this matter.

Mr. Hovdebo: The program is very successful for those farmers who have received payment. However, the 12,000 who have not received payment think otherwise. Some of them live right across the road from persons who have received payment.

Madam Speaker: Order. We would rather have a question than an enumeration of all those who did not receive their money.

Mr. Hovdebo: Will the minister give us a specific undertaking that those 12,000 people will be considered and that the criteria, which to some extent are based on rainfall and crops, will be eliminated? Further, since the messy administration of this program is a result of the inability of the agency to handle

it, will some preparation be made for next year in case the same kind of situation develops?

Mr. De Bané: With regard to the last part of the question, Madam Speaker, I have already instructed my officials to make preparations in case there is another crisis. With regard to the first part of the hon. member's question, that we discard the precipitation criteria, I fail to see the logic in that request when we have been dealing with a drought situation. In order to put everything into perspective, let us not forget one thing. The federal government has opted to alleviate this crisis with four different programs totalling $67 million. The government of Saskatchewan has adopted programs totalling less than $600,000.

Some hon. Members: Shame.

* * *

[*Translation*]

TRANSPORT

MODERNIZATION OF COMMUTER TRAINS IN MONTREAL—INQUIRY WHETHER PRELIMINARY AGREEMENT SIGNED WITH QUEBEC

Mr. Bernard Loiselle (Verchères): Madam Speaker, my question is for the Minister of Transport.

Last September 12, the minister agreed with his Quebec counterpart to share financially in the upgrading of commuter trains in the Montreal area. Can the Minister of Transport tell us, first of all, whether the memorandum of agreement has indeed been signed, and second, whether the federal share of $80 million is conditional upon the three lines being updated?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, the federal contribution of $80 million is indeed conditional upon the three lines involved being upgraded. As for the agreement itself, it is now in the hands of the provincial transport minister, and there does not seem to be any reason for delaying the signing of this agreement by both of us.

* * *

[*English*]

MARINE TRANSPORT

TWO-PRICE SYSTEM FOR MARINE FUELS—GOVERNMENT POSITION

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, I have a question for the Minister of Energy, Mines and Resources on a subject in which the Minister of Transport and others in this chamber are very interested. It has to do with the government's imposition of a bunker and diesel fuel surcharge with regard to Canadian shipping. Is the minister in a position to respond to the very urgent request of the Dominion Marine Association, which represents about 95 per cent of the Canadian merchant marine, to exempt Canadian registered ships from the world price principle, whatever percentage that might happen to be? Is the minister in a position to respond to that request and give some indication to the Canadian shipping community that those charges will not apply to Canadian owned and crewed Canadian registered ships operating in Canadian waters in the export trade?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, that question is very much before the Department of Finance at the present time. I am having consultations with various ministers, including the Minister of Transport.

Mr. Forrestall: Madam Speaker, I am pleased that the matter is now before the Minister of Finance. Can we ascertain from the minister whether the imposition of this surcharge on Canadian registered ships engaged in domestic and foreign trade was a mistake, and the government is now attempting to devise a two-price formula which will exempt Canadian ships from this onerous charge and put them on an equal footing with other modes of transportation, such as highway trucking?

Mr. MacEachen: Madam Speaker, I can assure the hon. member that the decision to impose this charge or to take this particular action was not a mistake. It was not done without careful consideration. However, representations are being made by interested parties and it may be that new facts or considerations will bear upon the subject. That is what we are trying to do at the present time.

* * *

• (1500)

[*Translation*]

HOUSE OF COMMONS

NOTIFICATION OF VACANCY

Madam Speaker: I have the honour to inform the House that I have received a communication notifying me that a vacancy has occurred in the representation, namely, the Hon. Roch La Salle, member for the electoral district of Joliette, by resignation.

Accordingly, I have addressed my warrant to the Chief Electoral Officer for the issue of a new writ of election for the said electoral district.

* * *

[*English*]

ST. PATRICK'S DAY

Hon. Steven E. Paproski (Edmonton North): Madam Speaker, since this is a great day for the Irish and those who wish to be Irish, may I wish the O'Ouellets, O'Trudeaus, O'Hnatyshyns, O'Sauvés, the O'Mazankowskis from the O'Paproskis a very happy St. Patrick's Day. Erin go Bragh!

Some hon. Members: Hear, hear!

PRIVILEGE

MR. ELZINGA—S.O. 43 MOTION OF MR. SCHRODER

Mr. Peter Elzinga (Pembina): Madam Speaker, this is a follow-up to the matter I raised with you last week in regard to a Standing Order 43 which two members opposite raised in the House of Commons on March 10. The reason I rise on a question of privilege in this regard is that I believe the implication of this Standing Order 43 reflects upon my role and effectiveness as a Member of Parliament representing my home province of Alberta. The motion attempts to muzzle a free, democratic and responsible press from reporting the reality of what is happening in Alberta.

The stupidity of this motion is what I object to because the newspapers of my region are not stirring up dissension; rather, they are simply reporting the dissension that exists in western Canada. If the members opposite are ignorant of that dissension, I suggest they resign from office because they are not fulfilling their mandate of representing all Canadians.

Some hon. Members: Hear, hear!

Mr. Elzinga: Madam Speaker, this dissension is a result of the constitutional and energy proposals brought forward—

Some hon. Members: Order, order!

Madam Speaker: I do have to interrupt the hon. member. From the notice he gave me I was not quite sure that he had a question of privilege. I warned the hon. member of the reasons why I thought so. He is not now developing any new arguments and is really entering into debate on a motion on which the House has passed judgment. If he had wanted to debate the Standing Order 43 motion, it was possible for him to do so then.

Now, I know he was not in the House on that day but there is a saying:

[*Translation*]

—to the effect that the absent are always in the wrong.

[*English*]

Quite possibly the hon. member is not to blame because he was probably attending other important duties elsewhere in connection with his role as a Member of Parliament, but when these motions are put to the House, the rules do provide for debate at certain times. Therefore, I must apply those rules. The hon. member had an opportunity to debate the motion at that time, but unfortunately he was not here. He should use some other way of bringing this matter, which obviously concerns him very much, before the House, but not by means of a question of privilege.

ROUTINE PROCEEDINGS

[*English*]

FINANCE, TRADE AND ECONOMIC AFFAIRS

Eighth report of the Standing Committee on Finance, Trade and Economic Affairs—Mr. Cullen.

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

* * *

[*Translation*]

POST OFFICE DEPARTMENT

TABLING OF REPORT OF COMMISSION OF INQUIRY

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, pursuant to the provisions of Standing Order 41(2) of the House of Commons and on behalf of my colleague, the Minister of Justice and Minister of State for Social Development (Mr. Chrétien) and on my behalf, I have the pleasure of tabling two copies in both official languages of the report of Justice René-J. Marin, Commissioner of the Commission of Inquiry on the Security and Investigation Services Branch of the Post Office Department.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,873 and 2,010 to 2,019 inclusively.

[*Text*]

DEPARTMENTAL POSTAL SERVICE RATES

Question No. 1,873—**Mr. Herbert:**

Has the office of the Secretary of State or the department determined that other departments shall have access to postal services at rates less than those applicable to the public sector and, if so, which departments are affected and what was the estimated cost of this subsidy in each of the past three years?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): In so far as the Department of Communications is concerned, the reply to the above question is as follows: the only program of reduced postal rates involving the Secretary of State is that covered by the memorandum of understanding with the Postmaster General, which has now been transferred to the Minister of Communications. The major categories of mail included are second-class publications and third-class publishers' books. Federal government departments receive no special privileges

which are not offered to the public sector under the same terms and conditions in any of these reduced rate categories.

INCARCERATION UNDER LIEUTENANT GOVERNOR WARRANTS—BY PROVINCE

Question No. 2,010—**Mr. Young:**

1. In the province of Newfoundland, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): There are no federal penitentiaries located in the province of Newfoundland. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of that province.

Question No. 2,011—**Mr. Young:**

1. In the province of Prince Edward Island, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): There are no federal penitentiaries located in the province of Prince Edward Island. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of that province.

Question No. 2,012—**Mr. Young:**

1. In the province of New Brunswick, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of New Brunswick is nil. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of the province.

Question No. 2,013—**Mr. Young:**

1. In the province of Nova Scotia, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of Nova Scotia is nil. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of the province.

Question No. 2,014—**Mr. Young:**

1. In the province of Quebec, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of Quebec is nil. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the minister of justice of the province.

Question No. 2,015—**Mr. Young:**

1. In the province of Ontario, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of Ontario is nil. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of the province.

Question No. 2,016—**Mr. Young:**

1. In the province of Manitoba, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of Manitoba is nil. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of the province.

Question No. 2,017—**Mr. Young:**

1. In the province of Saskatchewan, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): 1. The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of Saskatchewan is five.

Case No. 1

(a) Twenty-four years old.

(b) Five months, 30 days.

(c) Second degree murder.

Case No. 2

(a) Twenty-two years old.

(b) One year, 13 days.

(c) Arson.

Case No. 3

(a) Thirty-two years old.

(b) Two months, 29 days.

(c) Second degree murder.

Case No. 4

(a) Thirty years old.

(b) Eleven months, one day.

(c) Non-capital murder.

Case No. 5

(a) Thirty-seven years old.

(b) One year, one day.

(c) Arson.

Persons confined under Lieutenant Governor warrants have been found unfit to stand trial by reason of insanity or have not been found guilty of the indictable offences they were charged with because they were insane at the time the offences were committed.

2. Three are mentally disabled, one has improved considerably and one has been admitted for assessment only under federal-provincial agreement. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of that province.

Question No. 2,018—**Mr. Young:**

1. In the province of Alberta, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): The number of persons who, under section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of Alberta is nil. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of the province.

Question No. 2,019—**Mr. Young:**

1. In the province of British Columbia, how many persons are presently incarcerated under Lieutenant Governor warrants and, in each case (a) what is the age of the person (b) for how long has he/she been incarcerated (c) for what offence?

2. How many of the total being held are mentally disabled?

Hon. Bob Kaplan (Solicitor General): 1. The number of persons who, under Section 545 of the Criminal Code, have been directed to or transferred by virtue of a Lieutenant Governor warrant to a federal penitentiary in the province of British Columbia is two.

Case No. 1

(a) Thirty-five years old.

(b) Two years, 11 months, two days.

(c) Six counts of non-capital murder.

Case No. 2

(a) Twenty-seven years old.

(b) Five years, ten months, five days.

(c) Capital murder.

Persons confined under Lieutenant Governor warrants have been found unfit to stand trial by reason of insanity or have not been found guilty of the indictable offences they were charged with because they were insane at the time the offences were committed.

2. Both individuals are mentally disabled. If the hon. member wishes to obtain information about persons incarcerated under Lieutenant Governor warrants in provincial prisons, he should communicate with the attorney general of that province.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,669 could be made an order for return, that return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,669 be deemed to have been made an order for return?

Some hon. Members: Agreed.

Transportation

[*Text*]

DEVELOPMENT OF MORE HUMANE METHOD OF TRAPPING ANIMALS

Question No. 1,669—**Mr. Murta:**

1. During each fiscal year between 1969-70 and 1979-80, were programs undertaken by the government to encourage the development of a more humane method of trapping fur-bearing animals and, if so (a) what were they (b) what were the total expenditures, by fiscal year?

2. What programs and expenditures are projected for the coming fiscal years?

Return tabled.

[*Translation*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S.O. 58—ALLEGED GOVERNMENT FAILURE TO DEAL ADEQUATELY WITH NATIONAL TRANSPORTATION PROBLEMS

Mr. J. M. Forrestall (Dartmouth-Halifax East) moved:

That this House condemns the failure of the government to deal adequately with national transportation problems, and specifically condemns the Minister of Transport for:

1. abandoning the use of transportation as a tool of national and regional economic development;

2. allowing Canadian National Railways to totally disregard legitimate maritime business needs and close CN Express offices without adequate financial justification;

3. permitting CN Marine to impose excessive increases in ferry rates for 1981 after showing an $8 million profit last year;

4. failing to ensure an adequate supply of reefer cars or to recognize the growing requirement for farm door "piggy back" trailer service, particularly in Prince Edward Island;

5. failing to initiate changes designed to speed up the "appeal" system under the CTC regulatory process, causing substantial dollar losses to Atlantic transportation users;

6. allowing a serious deterioration in freight rate structures, leading to a loss of the traditional parity between river and coastal ports;

7. failing to bring before the House acceptable legislation dealing with a new national transportation act, ports policy, the Maritime Code, or coastal shipping;

8. permitting unconscionable delays in providing a new air terminal in Charlottetown; and

9. allowing undue delays in the construction of the St. John's syncro-lift facility.

He said: Madam Speaker, part of the purpose of my motion today is to try to bring to the attention of government supporters opposite some of the very pressing and historic problems that Atlantic Canadians face in the area of general transportation. Earlier this afternoon the Minister of Transport (Mr. Pepin) indicated to the House that as time goes by transportation is becoming less and less important to people in Atlantic Canada. Well, obviously the minister was speaking on the advice of others, not from any personal knowledge, or he would never have made that comment, particularly in the context in which he made it.

For over 115 years the central government has caused problems in this area, to the serious economic, social and cultural disadvantage of the people of Atlantic Canada. The suggestion that everything is fine there with respect to transportation, that it is going along great and that we do not consider it a problem, is utter nonsense and should be rejected out of hand.

My motion, Mr. Speaker, ranges from freight rate structures to the fiasco involving the syncro-lift facility in the port of St. John's. We have seen the abandonment by CN of the rail line along Nova Scotia's eastern shore at a point in time when that province had just started construction of an industrial park based on the presence of that rail line. We have witnessed inexplicable delays in the construction of a new air terminal at Charlottetown, in the works for five years. We learned today it is another two to three years down the road. It was promised five years ago! We are now looking at a seven-year fiasco.

• (1510)

There has been continued procrastination by this government with respect to the gradual redevelopment of the Canadian deep sea fleet. There has been a thoughtless approach in implementing fuel surcharges. I just raised this subject with hon. members on the treasury benches. Surcharges on shipping fuel lump foreign and Canadian ships into one discriminatory basket. There are a dozen and one other very clear examples which we will attempt this afternoon to bring forcibly to the minister's attention. There continue to be marine transportation and general transportation problems for us in Atlantic Canada.

The motion cites nine basic reasons. We talk firstly about abandoning the use of transportation as a deliberate tool of national and regional economic development. For years Treasury Board officials and former ministers of transport right up to the last minister of transport committed themselves to the deliberate use of transport as a tool of development, but government, if for no other reason than the three or four examples I cited just a moment ago, has in fact not used transport as a tool of development.

There are contradictions. The left hand does not know what the right hand is doing. Facilities have been built; federal assistance has been sought; there has been some degree of approval; but then the Ministry of Transport allows Canadian National to tear up lines intended to service the industrial sector. We are not deliberately using transport as a tool, when it could be the most useful tool we have available to us.

We have allowed Canadian National Railways to disregard totally legitimate maritime business needs. CN Express offices have been closed without adequate financial justification. The

Standing Committee on Transport dealt with this issue some weeks ago. Just a number of days ago the report of the Standing Committee on Transport was concurred in by the House of Commons. That report called on the minister to use his offices to direct Canadian National to maintain express service at the 1979 level. We hope that during the course of the debate this afternoon the Minister of Transport or others on his side of the House who speak will be pleased to indicate to us just how the minister intends to react to that direct request of this House. Will he accede to the wishes of the House, or will he ignore them? We will be interested in hearing about that later on.

With respect to CN Marine ferry rates, we understand there is a proposition before the government which would reorder the terms of reference within which CN Marine and the regulatory agencies arrive at formulae for increasing rates. This will be dealt with in greater depth by one of my colleagues later on. However, we wonder what the minister will have to say about putting in place new terms of reference and setting new directions with respect to CN Marine ferry rates. That august agency made for itself $8 million or $10 million profit last year.

In our motion we have touched on the historic numeric inadequacies of reefer cars for potato producers in Prince Edward Island and New Brunswick. In the 15 or 16 years I have been in this House I have not once gone through a year in which western grain producers were not howling about boxcars and hopper cars. Over that same period Atlantic potato producers and other horticultural producers experienced the same desperate need for reefer cars and other means to get their produce to market. This is what we are concerned about. The problem is chronic, and it is real. The minister suggests that it is other than that, but that merely indicates to the people of Atlantic Canada that he has not bothered to take a close look at this himself.

Some years ago there was a movement on the part of the government to examine closely the Canadian Transport Commission, which regulates transportation. Out of that came some thoughts about breaking down the CTC and establishing in western Canada a regional office which would give western producers and western transportation people geographically and psychologically closer access to their regulatory agency, the CTC. When the hon. member for Vegreville (Mr. Mazankowski) became minister of transport, he picked that idea up and carried the ball. There now is in operation in western Canada a branch office, so to speak, of the CTC.

Aside from the generally beneficial effect of decentralization in these matters, the purpose of the CTC is to reflect realities and respond more adequately to the needs of Canada's regions. Westerners no longer have to deal with Ottawa either in terms of geography or the psychology which comes about with respect to distance every time they need new licences, renewals or rulings or every time they wish to state grievances regarding rulings. But lo and behold, not only do we in Atlantic Canada not yet have this facility; there is no indication we will ever get it. That is again another prime example of ignoring the legitimate needs of eastern Canadians.

There should be established in eastern Canada an office of that regulatory agency which is accessible to eastern users of transport and those directly involved in transportation as an industry. The delay is inexcusable. Eastern Canada should be treated at least on an equal basis. There should also be the recognition that, like Ontarians and Quebecers, we too are Canadians.

We have taken a run at the minister for something which is historical and runs a little deeper than some of us in Atlantic Canada care to see continue happening. It is manifested by the apparent deterioration in the competitive position of eastern producers as a result of inadequate control and monitoring of freight rate structures. There is developing in eastern Canada a growing sense of mistrust of Canadian National Railways. CN is our lifeblood. God knows that except for the port of Saint John all of us are captive to the CN. We know what the CN has done in recent years in relation to general freight rate structures. We know its attitude with respect to the closing of its express offices. We know about its involvement in CAST, which is the most damnable involvement any minister of transport could permit of a Crown agency. Crown agencies must act in contemplation of good business practices and in contemplation of profit.

● (1520)

Mr. Pepin: That was done in 1975.

Mr. Forrestall: However, that should not lead to a growing appearance of conflict of interest which Canadian National is beginning to enjoy now in the eyes of Atlantic Canadians. There may not be conflict of interest today, nor was there four or five years ago when the minister's predecessor once removed allowed Canadian National to involve itself in CAST steamships, but that potential conflict of interest is rearing its ugly head in the port of Halifax today. I suggest to the minister that he is not so naive as not to know that there is some grain of truth in what I am saying and some reason for me and others on the east coast to worry. At some point in the not too distant future, that conflict of interest could result in a disastrous rate war between shipping lines servicing the ports of Halifax, Nova Scotia, and Saint John, New Brunswick, and shipping lines servicing ports from Quebec City to Montreal. We condemn the minister for having allowed this to happen.

The former minister of transport, the hon. member for Vegreville, did much in his short time in office to correct and stem this disastrous trend. In the past, the minister has not seen fit to pick up and carry on where his predecessor left off. They were good programs, the programs I mentioned. I say to the minister: give us an eastern office of the Canadian Transport Commission. It was a good idea, and let him not reject it just because it came from this side of the chamber. If it is a good idea, let him use it. We welcome the positive and beneficial initiatives of the Minister of Transport and his colleagues on the treasury benches.

I will give an example of that, Mr. Speaker. A prime example is the Ocean Industries agreement which has been ready for signature for over a year. Where is it now? It is not in the office of the responsible minister, not in the Treasury Board nor in cabinet. It sits on the desk of the political minister for Nova Scotia, the Deputy Prime Minister (Mr. MacEachen). And why will he not approve it? He will not approve it because the minister of industry and development in the province of Nova Scotia said to a reporter one day: "The details of the agreement are included, and we have agreement". That was months and months ago. The Deputy Prime Minister said to himself: "I will teach that whipper-snapper a lesson; you people in Nova Scotia will not get your Ocean Industries agreement until I am ready to approve it". I wish that distinguished Cape Bretoner were in the House because I would like to say to his face that we do not appreciate that. That is just an example, and I will not dwell on it any further.

How have all these things happened? We could go on and on about this if the minister would listen this afternoon. Probably it has happened because the present National Transportation Act in this country is 14 years old. It reflects the thinking of 15, 16, 18 years ago. In the early 1960s we were drafting the act which ostensibly governs the development of transportation policies in this country. The transportation policy dreamt up and prepared in the early 1960s does not adequately meet the demands of that sector in the 1980s; it is long past due.

When will the minister and the government address themselves to the problems of putting a clear statement of philosophy and principle in front of the Canadian people from which can flow the essential transportation policy and legislation which is required to sort out the mess in transportation, not only in eastern Canada but in Canada generally? I think probably that is at the root: we have no philosophy to which we can attune a port policy or a coastal shipping policy. We have no standard against which we can measure the desirability of the gradual development of a Canadian deep sea fleet, although failure to do so is costing us about $4 billion annually. We have no statement from this government, nor have we had a statement from any government for some 12 or 14 years now, on what the essence of transport and transport legislation is and should be in this country. In front of us we have 15 or 20 carts, but we do not have a horse to push them—the old one is 12 or 14 years now and he was put out to pasture two or three ministers of transport ago.

Nobody, apart from the former minister of transport, has given any public indication of the desirability and necessity of bringing forward a new National Transportation Act. We need a new act. We need a new ports policy, and we need to complete the five books of the Maritime Code. We have to resolve the coastal shipping program. We have to resolve the fuel surcharge problem or we will drive users of water-borne vehicles, the most efficient mode of transport, to using less efficient modes of transport which do not have to pay the surcharge, which is discriminatory in itself.

I referred to the air terminal at Charlottetown. It was somewhat alarming for us to learn earlier today that a study, which we thought had been completed in the minister's department some months ago, is just now at the point where yet a further study can be undertaken with respect to the provision of new air terminal facilities at Charlottetown. We learned quite by accident earlier today—although probably it had been known—that in place of a new air terminal they are going to add 15 feet on to the luggage handling section of the airport at Charlottetown right on the eve of the 1981 tourist season in that province. It is mind boggling!

The purpose of today's debate is to draw to the attention of the minister and his parliamentary secretary—both of whom we are very pleased to see in the chamber—as well as the other members of the Standing Committee on Transport, selected topics, by no means all-inclusive, and examples of the concerns of transportation users in Atlantic Canada.

• (1530)

I have not even touched upon rail passenger service, the difficulties at the Halifax International Airport or the continuing difficulties with air connections in and out of Fredericton, New Brunswick. I have not talked about the regional air carrier policy or the need for much closer, effective working arrangements between Air Canada and the regional air carrier. The list is somewhat exhaustive.

Over the course of the next two or three hours, the House will hear from my colleagues from St. John's West, Malpeque, Carleton-Charlotte, Hillsborough and Annapolis Valley-Hants about these and other problems which confront the people of Atlantic Canada.

I close by reiterating my concern that some ministerial adviser got to the Minister of Transport and said to him: "Do not worry about transport in Atlantic Canada; our best advice to you is that they no longer consider it important". As long as this government is in office, I do not ever expect to know one Atlantic Canadian who will not, at the drop of a hat, give me 101 reasons why the government should resign or 1,001 reasons why the Minister of Transport should resign.

Some hon. Members: Hear, hear!

Mr. Les Benjamin (Regina West): Mr. Speaker, I am pleased to take part in this debate. Transportation in Canada needs much more attention than it has been receiving. At the outset I want to say that we have carefully read the motion of the hon. member for Dartmouth-Halifax East (Mr. Forrestall) on behalf of the official opposition and we agree with the motion proposed by the hon. member.

His motion starts off by condemning the Minister of Transport (Mr. Pepin) for abandoning the use of transportation as a tool of national and regional economic development. We agree that a national transportation policy should be used as an active instrument to encourage regional growth, but successive federal governments have not done this. Instead, they have treated transportation in isolation.

Prior to confederation, Atlantic Canada had a prosperous trade up and down the east coast of the United States. When it was decided to develop Canada as a country independent of the United States, confederation encouraged east-west trade by building the Intercolonial railway. Thus, the deal was a national policy of relatively low-cost east-west transportation to the maritimes and protection of central Canadian industry. Now the problem is that Atlantic Canada is not provided with low-cost, efficient east-west transportation. This situation must be changed if our country is to grow stronger, particularly in Atlantic Canada. Poor east-west transportation will continue to balkanize our regions and encourage them to do more north-south trade because transportation costs may be cheaper or more convenient.

The second paragraph of the motion condemns the minister for allowing CN Express to pull out of Atlantic Canada as well as other parts of the country. I thank the members of the Standing Committee on Transport from both the other parties for supporting my motion to which the House unanimously agreed last week. How can the minister and his government accept a motion which asks the government to consider doing a certain thing regarding CN Express and not take some action on it? He cannot use the excuse that CN must make these corporate decisions independently. I could recite a motion which was accepted in the House in 1970 or 1971 on CN pensions which CN chose to ignore. The minister of that day got in touch with CN and let them know that they had darned well better do it. He can do the same thing now.

Point three condemns the minister for allowing CN Marine to impose ferry rate increases. We believe that the national government, in concert with the provinces, should treat our ferries and coastal services as an integral part of our rail and highway systems. There should be nominal tolls and, in some instances, there should be no tolls. Certainly there should be no increases. They should be funded as our highway systems are funded. At least 21 new vessels should be built for ferry and coastal services for Atlantic Canada alone.

The fourth point condemns the record on potato movement. Since 1968 the transport committee was in Atlantic Canada three times, and the same problem was presented on every occasion; there is nothing new about it. It is not only the supply of reefer cars for potato movement; the railroads have never provided sufficient accommodation to handle the traffic in almost every commodity for shipment out of Atlantic Canada, western Canada and some parts of central Canada, as is required under Section 262 of the Railway Act. There is a shortage of stock cars, cars to move fruit and vegetables, cars to move potatoes, cars to move grain and so on.

The fifth point condemns the slow appeal system of the CTC. We agree that the Railway Act and the National Transportation Act should be amended to protect shippers and to speed up the process.

Point six condemns the freight rate structures. A railway consultant recently said that CN rates on containers are double the cost of providing service. In fact, the consultant said that CN could cut its rate on containers from Halifax to Montreal by half and still make a profit. Those high costs hurt maritime ports.

The entire matter of rates has been a chronic problem in Atlantic Canada as well as western Canada. There are still anomalies which the Prime Minister (Mr. Trudeau) and previous ministers of transport agreed should be corrected. For example, in 1977 it cost 2.8 cents per tonne mile to haul fish 800 miles from central Canada to Atlantic Canada, but it cost nearly double that amount, or 5.29 cents per tonne mile to haul fish from Atlantic Canada to central Canada. There are problems with the steel industry in Cape Breton. In 1979 it cost 71 cents per hundred pounds to ship steel billets 375 miles from Hamilton to montreal, but it cost $2.84 to ship a hundred pounds of steel billets 354 miles from Sydney to Moncton. Nothing has been done about those rate anomalies, to put it mildly.

The seventh point condemns the minister for his failure to bring in amendments to the National Transportation Act, the Maritime Code or bring in a policy on coastal shipping. The National Transportation Act should be amended to give regional development priority over profits. The shipping legislation needs to be updated. The hon. member for Comox-Powell River (Mr. Skelly) will deal with that later. The Minister of Transport has implemented a new ports policy without consulting Parliament. He approved Treasury Board action which forgave interest payments on $300 million of National Harbours Board debt but opposed the marching orders from Ottawa that all NHB ports are on their own and must be profitable.

I was glad to see the change of heart by the official opposition. On September 26, 1979, the then minister of transport had his National Harbours Board chairman telex every port commissioner in Canada asking for a business plan which would make each port self-financing within three years. The telex read:

● (1540)

Would you please review all of your port's tariffs and submit a plan for proposed increases up to 1982, which will result in revenues equal to or greater than—

He was referring to the cost of operating the ports. I am glad that there has been a change of heart since in Halifax there has been, for example, a 400 per cent increase in rental fees per square foot used for containers. No wonder containers go to Montreal instead of Halifax. It is the principle of user-pay; the port must break even or make a profit.

The hon. member for Dartmouth-Halifax East mentioned the delay in building a new air terminal at Charlottetown. I want to tell him that we fully agree and sympathize with him over that delay. But he should take a look at what has been happening in Regina—or, rather, what has not been happening in Regina. Five years ago the deputy minister of air administration told me in the transport committee that the construction of an air terminal in Regina would be completed within three years. That was five years ago and it has not even been started yet. In fact, plans are being drawn again and the

time-frame for completion is now 1985 or 1986. We outgrew our airport terminal about eight or ten years ago. So, the situation is not just peculiar to Charlottetown. I submit that places like Regina, St. John's and Moncton are in a similar category.

There has been no action on the synchrolift facility at St. John's. The construction of that facility would add 150 jobs to that shipyard and would increase its capacity.

Mr. Crosbie: Two hundred jobs.

Mr. Benjamin: The hon. member says 200 jobs, which is all the better. The capacity of every shipyard in Canada should be increased. Government should adopt a policy to create a Canadian merchant marine and encourage Canadian shipbuilding.

The motion presented by the official opposition today, Mr. Speaker, is one that we can support. We want to add three more points to it which we believe will be acceptable to my colleagues to my right and, hopefully, to the government.

I suppose that the motion is somewhat hard on the present minister. At the moment I am not about to ask him for his resignation, although if he will clean up his act and implement a large number of measures which members from parties on this side of the House have been suggesting and urging these many years, he would not have to suffer the slings and arrows of opposition motions and questions.

The three items which we think should be added to the motion are as follows. We think the government should be persuaded or should agree to give up profit and user-pay priority over service to shippers and the travelling public in Atlantic Canada—for that matter, in all of Canada. Because of our climate and geography it is inevitable that all Canadians must equitably share the costs of transportation. That is particularly important for development in the Atlantic region, as well as in the west and the north. Confederation was not built on user-pay, and our climate and geography has not changed since then.

User-pay goes back to the MacPherson royal commission of 1961, which treated the concept of transport for development purposes as outdated. Some 20 years later every day in all regions of Canada we see how outdated the recommendation of the MacPherson report is. If we were to follow that policy through to its logical conclusion, it might also be possible to shrink Canada from 4,000 miles to 400 miles. It might also be possible to level the Rocky Mountains. That policy of user-pay and profitability taking priority over the provision of adequate transportation services to all regions of this country is doomed to fail. If it does succeed it is doomed to do irrevocable harm to our unity, more so than even the present debate on the Constitution.

I do not believe that it was appropriate for the previous Conservative government to send a directive calling for increases in port fees because that was simply carrying on at all costs the policy of user-pay profit which had been introduced by the previous Liberal government under a former minister of transport whom the voters finally caught up with.

The government should develop an industrial strategy providing Atlantic Canadian employment in building a modern and updated transportation system. There should be public investment to upgrade railways right across Canada. Rail steel is produced at Sydney, Nova Scotia and freight cars are produced at Trenton, Nova Scotia. I am happy to say that Saskatchewan, other provinces and the federal government bought many of the hopper cars from Trenton. But what about reefer cars for the movement of potatoes? The Newfoundland railway should be converted to standard gauge and curves should be straightened. This alone would consume enough steel to keep production at Sydney going for at least six months.

We need 21 vessels for CN Marine coastal and ferry services. We need a policy to create a merchant marine, support the Canadian shipbuilding industry and use short take-off and landing aircraft to serve coastal and northern communities. We do not need an elitist STOL service to handle business executives, MPs and deputy ministers between Toronto, Montreal and Ottawa; they can take the train.

We need public investment in urban transit in all cities in Atlantic Canada. We need multimodal stations to reduce terminal costs so that buses, railways and airlines can combine their operations, thus reducing costs to the travelling public. We need a more modernized VIA Rail service. This requires a higher priority from the national government.

Before I run out of time, Mr. Speaker, I would like to move an amendment to the main motion and continue my remarks for as long as you and the members of the House are prepared to allow me. I move, seconded by the hon. member for Comox-Powell River:

> That the motion be amended by changing the period at the end thereof to a semi-colon, and by adding immediately thereafter the following words:
>
> "10. putting profits and user-pay ahead of service to Atlantic Canada;
>
> 11. failing to develop an industrial strategy to create employment in Atlantic Canada by building a modern transportation system; and
>
> 12. failing to modernize rail passenger service in Atlantic Canada."

I believe that my amendment is relevant to, and a suitable addition to, the main motion proposed by the hon. member for Dartmouth-Halifax East. I hope it is acceptable not only to him and his colleagues, but also to the minister.

In the building of an industrial strategy or in the building of a strong economy, to use the words of some government cabinet ministers, transportation is an essential foundation to the success of an industrial strategy, a growing economy and full employment. Unless we can move goods and people fairly as well as efficiently, then any economic plans, private, public or governmental, cannot succeed. We should also have a policy in place which quits discriminating against people and their goods in this country because of where they happen to live or are located.

● (1550)

The Minister of Transport could set an example and lead the way in co-operating with the provinces and the territories for a system of equalized and/or subsidized transportation costs, freight rates and fares. When it costs $2 or $3 for a quart of milk in the Arctic but only 75 cents or $1 down south, surely that is discrimination. It is strange how provinces can equalize the price of liquor—I have been known to take the odd drink. Provinces can equalize the price of liquor from one end of the province to the other but they cannot do it with milk, fresh fruit and vegetables, propane and heating oils, flour and sugar, all of which are essential goods. This could be done for people on the Atlantic coast, the Pacific coast and those in northern Canada. As long as this government, or any government, adheres to the principles and theories of the 1890s when it considers transportation matters, we will fail to do the kind of job we could be doing.

Atlantic Canada needs a rebuilding of its transportation system. It needs electrified rail lines, additional rolling stock, and improved ferry services provided at cost or less than cost. I would prefer the latter, because at cost fares would have to increase. That cost should be borne by the nation as a whole, whether the cost is incurred on the Atlantic coast or the Pacific coast.

These kinds of transportation services will provide the type of infrastructure and foundation which will allow Atlantic industry to sell and ship to central Canada, to the United States, or overseas, since there are not enough people in Atlantic Canada to provide a market for all its potential production capacities. These people have to move their goods out of Atlantic Canada. We have seen too many instances where home industries in Atlantic Canada went bankrupt because they could not compete due to transportation costs and inadequacies, or compete with goods coming into central Canada from other parts of the world or the United States.

I hope the House will support our amendment and the motion of the hon. member for Dartmouth-Halifax East.

The Acting Speaker (Mr. Blaker): Order, please. I will read the motion. Moved by the hon. member for Regina West (Mr. Benjamin), seconded by the hon. member for Comox-Powell River (Mr. Skelly):

That the motion be amended by changing the period at the end thereof to a semi-colon, and by adding immediately thereafter the following words:

"10. putting profits and user-pay ahead of service to Atlantic Canada;

11. failing to develop an industrial strategy to create employment in Atlantic Canada by building a modern transportation system;

12. failing to modernize rail passenger service in Atlantic Canada."

The Chair finds the motion to be in order, relevant and debatable.

[*Translation*]

Hon. Jean-Luc Pepin (Minister of Transport): Today, Mr. Speaker, the Progressive Conservative opposition is moving a motion condemning the policy of the government and particularly the conduct of the Minister of Transport on nine issues which, of course, have to do with transportation, particularly as it affects the Atlantic provinces. And just now the spokesman for the New Democratic Party has raised three more issues. I am pleased with the somewhat academic tone of the debate so far because I too am interested in giving hon. members as much information as possible so that the public at large will be in a better position to see what is going on.

Since we now have twelve topics, I will not be able to cover them all. For my part, I will speak to paragraph 1 concerning the use of transportation as a tool of national and regional development which, it is said here has been abandoned. Then I will go on to paragraph 6 of the motion which states that there has been a serious deterioration in freight rate structures, and paragraph 7 concerning the legislation which deals with ports, the Maritime Code and coastal shipping and which, according to the hon. member who moved this motion, has not been introduced in the House. And, as in his case, my colleagues will deal with the other topics. My colleagues from Moncton (Mr. McCauley), Egmont (Mr. Henderson), Restigouche (Mr. Harquail), Burin-St. George's (Mr. Simmons), Cape Breton-The Sydneys (Mr. MacLellan) and Northumberland-Miramichi (Mr. Dionne) will deal with the other topics, namely the CN Express offices, CN Marine and its ferries, the Charlottetown airport, the St. John's syncro-lift facility, certain types of railroad cars, and potatoes of course. They will address themselves to all those subjects and this evening, probably around 9.30 p.m., the hon. member for St. Boniface (Mr. Bockstael), whom I am pleased to have as parliamentary secretary, will gather all questions left unanswered and clean up the whole slate. This way, Mr. Speaker, we hope to answer the numerous questions raised in this motion. Before going any further—

[*English*]

—I would like to say that the department and the minister have not neglected consulting with the governments and people of the Atlantic provinces. This subject was mentioned by the mover of the motion. I want to assure the House that the mechanism of consultation between governments has been reactivated. It has been pretty slow in recent times. In the last years, particularly in Newfoundland, a federal-provincial committee of Atlantic region transportation officials has been meeting quite regularly. As a matter of fact, it is meeting today in Ottawa.

I may add that I have had discussions with all my provincial counterparts in their own capitals, and in Ottawa and Toronto in the last year. I am going to St. John's, Newfoundland, at the end of this month for purposes of negotiation. There will probably be announcements of major importance, particularly with respect to the Newfoundland railway.

On the first point, the national transportation policy, there is action. The motion says that the minister has been abandoning the use of transportation as a tool of national and regional economic development. I am quite surprised by this perception because my impression is that we have been adding to it. In my view, the federal government, through Transport Canada par-

ticularly, is very much present in the transportation systems of the provinces; all $564 million worth of presence, if one counts in dollars, and a much higher per capita presence—$252—than anywhere else in Canada. That presence is recognized in all modes of transportation: railways, ferries, coastal services, search and rescue, urban transportation, airports, highways, etc.

The hon. member for Dartmouth-Halifax East (Mr. Forrestall) regrets that the National Transportation Act does not make specific reference to the objective of regional development. He knows better than I do that previous attempts at legislating this particular preoccupation have failed. There is no time to bring in a bill on that subject now. It would be damaging and sad if the government—this one and previous ones—did not give quite a lot of attention to the use of transportation as an instrument of regional development.

What about the impact of improvement ports on regional development? Consider what took place in Halifax, for example, concerning the building of the Fairview Cove at the second terminal. There is the proposal to build a potash facility at Saint John. There is also the matter of improved air facilities and services within as well as to and from the region.

● (1600)

At the time, the hon. member for Dartmouth-Halifax East approved the government's decision to allow EPA instead of CP Air to fly direct from Halifax to Toronto as a way of strengthening the economic base of EPA. He must be even more pleased now because Halifax is also being served by CP Air from Montreal and other points, with the exception of Toronto. Yesterday I heard that Air Canada had announced a non-stop Calgary-Halifax route for the coming months. I am sure his colleagues from Newfoundland rejoice in the new airport facilities on the Labrador coast. There are four of them and more to come. A new service facility is being built at Gander. I could go on and illustrate the impact of ferry subsidies and the improved services.

A moment ago the hon. member for Regina West (Mr. Benjamin) told us that the government should ignore profits when setting its transportation policies in Canada as a whole, and in the Atlantic provinces in particular. Most of us know that the rate of subsidization of ferries in the Atlantic area is considerable. In the last ten years, cost recovery has been reduced from 23 per cent to 20 per cent. If that is not the abandonment of profit for the purpose of regional development, I wonder what is. The same applies to the impact of the freight subsidy and the impact of federally-supported highway construction on cutting down distances and linking various centres in the Atlantic provinces.

To sum up, Mr. Speaker, I fail to see that the use of transportation and transportation policies to support economic, national and regional development has been weakened in any way. As a matter of fact, I think it has been strengthened and this will be demonstrated in the coming months.

Paragraph 6 of the motion states that freight rate structures have experienced serious deterioration and claims that there has been a "loss of the traditional parity between river and coastal ports". I have notes enough here for the next three hours, Mr. Speaker, but that would be a Castro-type speech!

The first point I want to deal with under this heading concerns rail freight rates. There are numerous studies available dealing with freight rates in the Atlantic provinces. They conclude that freight rates in the Atlantic region are higher than the national average. This is a fact and it can be explained by what is referred to as the "commodity mix". That is, the mix of density of traffic, length of hauls, nature of the goods being transported and so on. It would take too much time to explain how that works and it is not peculiar to the Atlantic provinces; it is a national and international phenomenon. The same situation is experienced all over the world.

The difference between Atlantic rates and national rates reflects the relatively low rates in western Canada for such long haul commodities as coal and grain and the relatively short haul rates for Atlantic region commodities.

In the Atlantic provinces 80 per cent of rail traffic is in manufactured goods which originate or terminate there. The traffic is mostly short haul and, for obvious reasons, short haul is more expensive than long haul. However, Atlantic region freight rates compare favourably with those in Quebec and Ontario where most of its competition is. If hon. members would care for more information on this subject, I would be glad to send them notes that I have used today. I do not see how we can speak of "serious deterioration" when this phenomenon has been constant in the history of Canadian transportation.

As was indicated in question period today, the difference in freight rates has been identified by Premier Buchanan in recent days as one of the reasons for the Dart Containerline company moving from Halifax to Montreal. As I said in question period, there will be many opportunities in the coming months for that point to be proved. Until now, I have not seen much evidence of it. As a matter of fact, the president of Dart and the president of Halterm, the operator of Terminal I at Halifax which is partly owned by the government of Nova Scotia, has said very clearly that freight rates, or the position of CN in CAST, has not been a factor in that decision. He called it a straight "business decision", justified by the particular circumstances of a number of shipping companies. In the opinion of the experts with whom I have talked, the rail rates in Halifax are fair and equitable now. Of course, there could be any number of debates about what is fair and equitable. I have asked my experts—compared to what? They gave me a stock of comparisons.

Rail freight rates between Halifax and central Canada, particularly Montreal, have gone up 177 per cent in the last ten years. Compare that to the freight rate increase between Montreal and Toronto of 220 per cent; compare it to the consumer price index which is 216 per cent; compare it to the shipping rates across the Atlantic which are 425 per cent. That is about all one can produce in terms of estimating what is fair.

My friends on the other side should also be aware, as I am sure they are, that CN has equalized its rates with the port of

Saint John in New Brunswick, which gives the port of Halifax 200 miles of free transportation.

So much for freight rates, Mr. Speaker. The other point that I wish to develop is what my friend the hon. member for Dartmouth-Halifax East called "a loss of the traditional parity between river and coastal ports". I have investigated that matter with the help of my specialists. As far as I can see there are three factors that could change that "parity between river and coastal ports".

The first one could be the higher charges levied by the National Harbours Board. I have asked the National Harbours Board to do some research and give me the figures. I find, as a result, that harbour dues are charged on the gross registered tonnage of the vessel are the same for all east coast ports—Halifax, Saint John and Quebec. So there is no discrimination in the matter of harbour dues. Berthage dues, money paid on the movement of ships at the dock, is the same throughout all eastern Canadian ports, so there is no discrimination there either. These are the facts and if hon. members want to challenge them, they should bring forward some evidence.

Then there is the wharfage charge on the cargo. This is on the basis of $1.78 per metric ton for containers, throughout east coast ports. However, Halterm, operating out of Terminal No. I in Halifax, enjoys a 50 per cent rebate on all wharfage charges. No other port in Canada enjoys this special arrangement. It represents a degree of subsidization on the part of the National Harbours Board which in 1980 was estimated at $1.8 million. If one wants to talk about discrimination being exercised against Halifax, one must bring up contrary facts to those I am now placing before hon. members.

● (1610)

The next point is with reference to rental and the National Harbours Board. This was alluded to in today's question period. The fact is that for the first ten years Halterm was given a development contract of 15 cents per square foot. I repeat, this was for a period of ten years. After the ten years, an assessment was made of the fair market value and it indicated that an increase was called for, I think last December, from $388,000 to $1.76 million, a pretty big jump. This was referred to in question period today.

The National Harbours Board has known all about this. This increase was fairly assessed by two experts and the lower of the two assessments was chosen. Other contracts signed with lessees at the port of Halifax in recent months have been at the same level. Halterm is entitled to appeal, and it is doing that through the Federal Court.

On the general subject of the situation in the port of Halifax, there are a number of people with more optimistic views than those expressed regarding the Dart move. Again, the move will not take place before the end of the year, as was mentioned by the Dart people. Yesterday Gary Blaikie, the executive director of the Halifax-Dartmouth Port Commission, made a speech in Halifax. He looked at the good side of things when analysing the development of containerization in the world today. He said that developments are taking place in the Caribbean, India, East Africa and so on. He saw Halifax, being in proximity to New York, as one of the prime locations for Canadian traffic. In a more positive and concrete way, he referred to a number of things that have taken place recently. For example, there is the contract that Ceres, which operates Terminal II at Fairview Cove, has with a Polish line and Soviet line representing 17,500 containers per year.

There is another piece of interesting news; I do not know whether my friends from the Atlantic have seen it. A news item of today states that 100,000 tons of flour will be shipped to the Soviet Union this year from Canada, most of which will be moved through Halifax, beginning next month. Are members opposite aware of that? The flour order is expected to provide steady work in Halifax for 300 longshoremen during the next four months.

I come back to my theme. If there is, as the mover of the motion says, a loss of traditional parity between river and coastal ports, my advice is that this is not caused by the National Harbours Board.

Another factor of disparity could be the Atlantic shipping rates which are determined by shipping conferences. As members know, these conferences are exempted from the rules of competition under the Shipping Conference Exemption Act of 1979. This is for the sake of stability and regularity of service. I understand that shipping conferences can equalize the cost of shipping from point x in Europe to Halifax or Montreal. This is often a subject of debate in Canada. The exemption is valid from 1979 on for five years. Two years ago the CTC inquired into this subject. I tabled the CTC report on the operation of the shipping conferences yesterday. One can read in it that there has been no complaint about the operation of these conferences in Canada. Nevertheless, this is a subject of debate with arguments both for and against.

Another factor which might influence the traditional parity between river and coastal ports is the cost recovery by Transport Canada of navigational services. This was raised in the debate recently when some people said that the expenditure of the department on icebreaking in the St. Lawrence was "unfair competition" against the interests of the port of Halifax.

The subject is difficult because icebreaking is done for purposes other than navigation, such as the control of floods. There are other navigational aids to commercial transportation than icebreaking, so why choose this one and not others? There are also other ports in the Atlantic provinces which experience icing and come under the icebreaking program of the department. Be that as it may, it is estimated that the cost of icebreaking on the St. Lawrence and in the gulf is about $17 million. When that is divided by the commercial tonnage on the St. Lawrence and in the gulf, icebreaking aid can be assessed at the maximum, at $1.60 per ton, on the total cost of transportation. Experts say it is immaterial. So much for my analysis of freight rates, shipping rates and St. Lawrence rates.

Mr. Baker (Nepean-Carleton): Now let's deal with the motion.

Mr. Pepin: In the next five mintues I will try to answer some of the questions raised by the hon. member for Dartmouth-Halifax East. He asked about our coastal trade policy. He knows better than I that earlier legislation on the subject was opposed by the Atlantic provinces and others. A team from Transport Canada has had extensive consultations on the subject. I know the hon. member speaks regularly with the officials of Transport Canada to keep in touch with developments in the world of transportation. He may realize that coastal trade is not the issue he thought it might be when he first became interested in it. I understand that 95 per cent of the coastal trade in Canada is done in Canadian bottoms. That eliminates the subject as a dramatic issue.

On the second subject, that of a deep sea fleet, the hon. member knows of the deep, deep division on this among Canadian public opinion. I have been exposed to this reality at a number of meetings, for example with the forest industry of British Columbia. Reconciliation efforts are being made. I have had meetings with people on both sides of the issue. My predecessor did not exactly move the world on this issue either. He knows that shippers are afraid that sooner or later the government might force them to use Canadian registered ships. He knows also that Canadian shippers are afraid of what happened on the union side.

● (1620)

On the Maritime Code question the situation is that because of the degree of urgency, amendments to the Canada Shipping Act were passed by cabinet last December and we hope they will come to the House for implementation next fall. These amendments will be to complete the revision of part XX of that act regarding liability and compensation for pollution.

With respect to the totality, as the Leader of the Opposition (Mr. Clark) would say of the Maritime Code, my officials expect that cabinet will receive it by August, 1981, which indicates that it might come to the House for legislative action in the fall of 1982. So progress is being made.

We may be closer to success with regard to port policy. During the summer, and more recently, I regularly met with groups and members of port authorities. The marine administrator of my department has done a tremendous amount of work in recent months on this subject, and there is a paper coming to cabinet in the coming days. The hon. member for Dartmouth-Halifax East is aware of the gist of the legislation that might develop from that paper. The general idea would be the creation of a national ports corporation, a maxi-corporation, as I call it, with much broader regional representation, and a number of mini-corporations in the different ports—Halifax, Montreal and Vancouver—with a much higher degree of management autonomy given to the local adminitrators. This is going to be very practical, down to earth and realistic, as the Minister of Transport is, and consequently I think it will have a good chance of being approved by Parliament.

Finally, the hon. member for Dartmouth-Halifax East said there was not enough philosophy, objectives, planning or sense of orientation in matters of transport at this time in Canada. I would just like to put my two bits in. It is not a magnificent idea but one borrowed from others, like all ideas—no one has ever invented one—and I am trying to push it as hard as I can now because I think it makes sense.

Often enough today, I and others have referred to amounts of money the federal government is spending on transportation in the Atlantic provinces. Speaking very frankly, I am not at all sure that this money is always spent in the most worthwhile fashion. One of the reasons for this is the lack of planning and co-ordination between the interested parties. Another reason is the fear the provinces have of not getting all the help they can from the central government in each mode separately. I have been impressed by that. They tend to look at railways, ferries, air transportation and highways separately because in each case they feel they are in a better position in bargaining with the federal government.

To obviate that, and borrowing a chapter or two from the Sullivan report, we have offered to the Atlantic provinces in recent months a new approach which can be described in three words—multimodal, envelope and trade-off. Multimodal simply means that rail, highway, air transport and ferries will be looked upon together instead of in isolation. The envelope concept simply means that the money not spent in one province will not be returned to the Receiver General; it will be put in an envelope. The third word is trade-off. In that envelope it can be shifted from one mode to the other.

Now, I repeat, it is an idea that is not new at all but it makes sense, and personally I found it very well developed in the Sullivan report. So if the hon. member for Dartmouth-Halifax East was looking for a philosophy, for a direction, there is one that he could accept. This is the sort of deal we expect to strike with Newfoundland in the coming days.

As for the railways, maybe yes, maybe no; we would like to include them in that approach. It is quite possible that the provinces will want to treat them separately; but on other matters that I am not at liberty to reveal today, this approach will be taken. Premier Peckford and Mr. Brett, who is the Newfoundland minister of transport, have given approval in their own assembly recently. We hope to carry the same approach to other Atlantic provinces. That is about all I wanted to say.

An hon. Member: Tell us about Charlottetown airport.

Mr. Pepin: Others will do that. I could only take one third of the 12 points where members of the opposition do not agree with what I have done. I hope I have given a lot of information, although some of the points raised were not really objective in the sense they did not correspond to reality. In the case of the hon. member for Dartmouth-Halifax East, I think I have answered a great number of his questions which tended to indicate that no action was taking place; my answers, I think, tend to indicate the opposite.

Hon. John C. Crosbie (St. John's West): Mr. Speaker, first I would like to point out that the only reason transportation is

being discussed in this chamber today is that my party has some priorities that come ahead of the Constitution. I would like to point out that if the Constitution went to England tomorrow and every change the government proposed was adopted, we would not be one bit further ahead in solving the transportation problems of Canada than we are right now.

What this government is doing, Mr. Speaker, is slumbering while the Constitution constipates the government. There is no movement in transportation, in economic development, in the economy or in housing. Why not? Because of the Constitution. We have had it for 114 years but that is all this government can think about.

An hon. Member: Vote on it.

Mr. Crosbie: Vote on it? We are not going to accept this load of garbage you are handing us; we will vote on it when we are ready and after it has been amply discussed. The government could postpone this debate and bring before this House the things they should be bringing forward on the economy, inflation, transportation and the like.

The minister just tolled the death knell for the hopes of Newfoundland for economic development, and that just fits in with the first clause of our non-confidence motion. We are censuring the government for abandoning the principle of the use of transportation as a tool of national and regional economic development. That is just what he said. He has come up with a new magic formula. It has to be one that is multimodal when he deals with the provinces. There is a certain envelope of spending and you will not get any more than that.

Then there are trade-offs. Well, how can there be trade-offs in the economic development of a region or province? How can you trade off a railway against decent road transportation? How can you trade off decent rail transportation against decent shipping transportation? Why should a region be expected to do that?

Central Canada has had all of these transportation modes for the last 114 years, but other areas of the country, like the Altantic provinces, have not. Why should we now be told to trade off? That is one of the three great points of this minister's policy. He is going to Newfoundland and saying: "Under the terms of union of 1949 we had to subsidize your ferry service across the gulf. We are going to take the amount of money that is costing us today and put it in your envelope, so there is $50 million or $60 million that you cannot have for other transportation needs in Newfoundland as a result of this alleged trade-off." That is not a trade-off; it was a constitutional right given to Newfoundland in 1949 and should not be in the envelope at all.

Some hon. Members: Hear, hear!

Mr. Crosbie: So it is the death knell. This minister has been in office now for 13 months. He has been short-taken now for 13 months. What has he done? He has been looking, hesitating, obfuscating, bewailing, excusing and hand-wringing. He has been sighing. He has been crying. He is not doing, and he has been double-crossing.

• (1630)

What did he do? Where was his double-crossing? If the minister wants to know where he did the double-crossing, he did his double-crossing in Newfoundland when he changed the water transportation assistance directorate that his government promised it would move down to Newfoundland. He announced last year that the water transportation assistance directorate was no longer going to be transferred to Newfoundland, that he was reversing that policy because now there are more important policies. It was not going through. That was a commitment made in two elections, a solemn promise made to some of the employees transferred to Newfoundland, and the minister reversed that decision. He has been busy double-crossing, but he has not been acting.

Where are his transportation improvements? There have been very precious few that I can see. He did make one good decision, and that was on the route for EPA from Halifax to Toronto. I have to give the minister credit for that. He did the right thing there.

However, in area after area this government has no transportation policy. Its only policy is to squeeze the provinces, squeeze the regions, squeeze them till their pips squeak, give them the old talk about multimodal, give them the old talk about the famous envelope, give them the old talk about trade-offs till there is nothing left and no way for them to build up their economic development. I suggest that what we need here are six ministers to replace the present Minister of Transport (Mr. Pepin). We could have a minister of state for water transport, a minister of state for air transport, a minister of state for ground transport, a minister of state for Atlantic transport, a minister of state for western transport and a minister of state for excuses. All six of those together might be able to do a job which this minister certainly is not doing today. We need a minister whose whole time is devoted to excuses.

In my own province of Newfoundland the Trans-Canada Highway agreement terminates on March 31, 1981. This is March 17, St. Patrick's Day, and in 14 days' time this agreement expires. The minister has not concluded a new agreement with the government of Newfoundland. He has not told them what money is available. They are looking for $75 million in another three-year agreement. Just two weeks before this agreement expires there is no decision reached. We have the most miserable, spavined Trans-Canada highway in the whole country. It is a narrow, double-laned highway badly needing upgrading and repairing. It is the main route through Newfoundland and there are no trade-offs. That highway has to be strengthened and improved, or transportation comes to a halt in Newfoundland, but the minister has not yet entered into an agreement. It should be a 90 per cent federal and 10 per cent provincial agreement, not 50-50. That is one priority the minister should have, and he has apparently been doing nothing about it.

There has been only one DREE agreement signed since the present government took office and we had the forestry agreement in January. They are still waiting to sign a coastal Labrador agreement. Although the Minister of National Revenue (Mr. Rompkey) represents Labrador, he is doing nothing to expedite that agreement. He should be ashamed of himself. That is the only proposed DREE agreement which has any funding in it for roads. The Straits road in coastal Labrador badly needs repair, but the Department of Regional Economic Expansion will no longer spend any funds on roads in Newfoundland. The Witless Bay line in my own district is very important for economic development in the region and for transportation of products from fish plants. The road from Trepassey to Peter's River in my own district of St. John's West badly needs reconstruction and paving to enable fishery products to be taken out and transported in, workers to get to their jobs and the like. Nothing has been done. The government will not have anything to do with roads under DREE agreements.

Then there is the Newfoundland government's study on the Newfoundland railway; the minister has announced no decisions on that. The minister is going to Newfoundland at the end of the month to announce a new containerization plan for the Newfoundland railway. They are going to attempt to go to containerization to help save that railway or to see if it can become economic. But I am concerned, as are the people of Newfoundland, about the 300 jobs that are now redundant and the additional jobs that may become redundant under that agreement. So I hope when the minister goes to Newfoundland he will deal adequately with that problem and see that these people get generous treatment, retraining, other jobs, early generous pensions or whatever is necessary.

With regard to the Deer Lake and Stephenville airports, I hope the minister—the member for that district has said this, and I hope he is correct—is going to keep both those airports operating as well as the airport in St. Anthony. I hope the minister is also going to start spending some money on the airport at St. John's. We have a major airport at St. John's which this government has always been prejudiced against. That airport handled 580,000 passengers in 1980, but a 100 per cent increase in air traffic volume in St. John's is expected in the next ten years due to the oil and gas development off the coast of Newfoundland. A 100 per cent increase in the next ten years, yet this government does nothing. It is not even improving the instrument landing system, as it is at other Canadian airports. I quote a release dated March 9:

> Present planning calls for replacement of ILS at the following airports: Windsor, Whitehorse, Frobisher, Terrace, Moncton, Dorval, Sault Ste. Marie, Churchill, Thompson, Sudbury, Toronto, Halifax, Yellowknife, Stephenville, Hamilton, Fort St. John, Abbotsford, Edmonton, Sandspit and Lethbridge.

Sandspit comes ahead of St. John's airport which handled 580,000 passengers last year, with a 100 per cent increase in the next five to ten years anticipated. Yet this government will not even instal, a first-class ILS at St. John's airport. These are the kinds of things the minister should be giving his attention to. Never mind the multi-modal excuses. Never mind the envelope. Never mind the trade-offs. There can be no trade-offs for proper transportation services in the more remote areas of Canada.

What about the patronage aspect? Patronage is overloading the whole transportation system. This minister is up to his ankles, up to his knees, he is approaching his chest in patronage. Here is one examples. The minister was written to on February 19 by the Newfoundland Shipowners, Agents and Brokers Association of St. John's—they represent Newfoundland shipowners—about a complaint concerning Canadian National and their tender operations in connection with services to Labrador. Their complaint to the minister went in almost a month ago. There has been no reply yet. Their complaint was that on January 7, 1980, CN Marine advertised a tender call for an ISU container-carrying vessel. The specifications for that vessel referred particularly in specification 5, to the vessel having derricks or cranes capable of handling safe-working loads of 22.5 tons specification, implying that the vessel had to be used in small ports. I have the specifications here. "Vessels should preferably be equipped with bow thrusters for requirement of operating in smaller coastal ports". Derricks or cranes were required.

The people who belong to the Newfoundland Shipowners, Agents and Brokers Association tendered for this vessel on the basis of these specifications. They located a suitable vessel that would meet those specifications. Tenders closed, and after tenders closed, lo and behold, the final announcement is made by CN on February 10 that they have awarded a contract for this vessel to Coastal Shipping Limited, but not for the kind of boat that they specified in their tender call. It is for a new roll-on, roll-off container shipping service between St. John's and Goose Bay, Labrador, only. The vessel does not have to go into small coastal ports. The vessel does not have to have derricks or cranes capable of handling 22½-ton loads.

CN called a tender for one kind of vessel, publicized it and only allowed 23 days to put a bid in. The people who were not on the inside, knowing nothing about the fact that they wanted some other kind of vessel, located the kind of vessel that was specified, and then they were told that their vessel was not suitable, that the lowest tender was submitted by Coastal Shipping Limited, who tendered for a roll-on, roll-off vessel. Who is Coastal Shipping Limited? Coastal Shipping Limited is Mr. Mel Woodward, the biggest Liberal in the Happy Valley-Goose Bay area, a man heart to heart, brain to brain and toe to toe, with the Minister of National Revenue. This cries out for an investigation. Why was this method used? On page 2 of their letter to the minister, they asked why the time permitted for tendering was limited to 23 days—

> —in light of the fact that the service was not scheduled to commence for some four months;
>
> Why did the specifications require a vessel equipped with derricks or cranes when presumably roll-on, roll-off was acceptable and indeed now appears to be preferable for the service intended;
>
> Why was there a reference in Specification 8 to "smaller coastal ports" when the service is actually St. John's to Goose Bay?

They were going to make this same Mr. Melvin Woodward a director of Petro-Canada until they found out that he represented Imperial Oil Limited up in Goose Bay and all

along the coast of Labrador. What are they going to do with him now? They are going to make him a director of the Bank of Canada, I hear. He is going to replace Spencer Lake. So, Mr. Minister, let us have a quick investigation. It was only a month ago that it was brought to the minister's attention. This situation cries out for investigation into the reasons that CN adopted this peculiar procedure. The whole transportation area is rife with this kind of, let us call it suspicious circumstance that requires explanation, particularly when you find that the Coastal Shipping company have the preferred deal. They must have had inside information as they happen to be also connected with one of the most prominent Liberals in Newfoundland, a man who was a member of the House of Assembly for that district at one time.

● (1640)

So do not talk to us about multimodal, do not talk to us about envelopes and do not talk to us about trade-offs. We have seen the trade-offs; Mr. Woodward just got a trade-off. What he got for the trade-off I do not know, but we got a trade-off. As long as the minister is in that portfolio, he will learn.

With regard to the syncro-lift facility, one of the most dastardly deeds ever done by the Government of Canada was to stop construction of the synchrolift for the CN dockyard in St. John's West, in my district, last fall. At page 2340 of the estimates of the Department of Public Works for 1981-82 we find: "St. John's syncro-lift dry-docking facility, $11,500,000". All that work has been stopped. The Minister of National Revenue was asked why, and I am told that on the air the other day he said: "We could not go ahead in our first year in office and spend money in a district that was held by the opposition". Imagine, Mr. Speaker, he candidly admitted that this was the basis on which the decision was made!

Economic development and the creation of 200 jobs in Newfoundland at the dockyard—one of the most sensible propositions that was ever made—does not matter to this government. All that matters to this government is the most odious kind of patronage. It reeks of it. The government is up to its knees in it; it is up to its nose in patronage practice; it is over its nose in it so it cannot even smell it.

What has happened to syncro-lift now, Mr. Speaker? The Newfoundland government, the second poorest government in Canada at this time, is providing the money to Canadian National so that they will go ahead with syncro-lift. The province is putting up $10 million for the project; $6.5 million alone to be repaid from hoped for profits, and the rest from subsidy and interest costs. The province is forced to do that because the Government of Canada, which owns that dockyard and which has CN operate it for them, through political spite, through political meanness, through political chicanery, through political treachery and trickery of the worst type, cancelled a project which they had promised before the election of 1979 and again promised through their candidate in 1980 because it was in a district held by a Conservative. Well, that will be a district held by a Conservative for 100 years to come at the minimum, or even for 114 years, longer than the Constitution we have today, because the people down there will never forget the odious betrayal of that project.

The minister has not disclosed the spending envelope for Newfoundland; that is to be a secret. He does not want to tell us this when he is discussing his multimodal, his envelopes and his trade-offs. He does not even want to tell us what is in the envelope. Come on, Mr. Minister, tell us what is in it. Is it $100 million, $200 million, $500 million or $50 million? Does he include the channel or ferry subsidy and the coastal Newfoundland and Labrador shipping service? Let us know what is in that envelope, what are the trade-offs that had to be made, and what are the multimodals that had to be modulated, or whatever the right word is—these multimodal-nadals or multinadal-modals, whatever the new buzz word is. Otto Lang used to talk about user-pay; we know where Otto Lang is now. The minister is now talking about multimodals, and we know where you are going to be, Mr. Minister, after the next election. You had better hold tight in Ottawa. There is not another part of the country in which you are safe. Do not move out of your seat. Once my French is improved, I am going to run against you in Quebec. I will challenge you to run down there.

Some hon. Members: Oh, oh!

Mr. Crosbie: However, I want my French to be considerably improved before that time comes!

Now, Mr. Speaker, there is the matter of the St. John's harbour, which is right off these two huge oil fields, the Hibernia, and the Hebron which has just been discovered. We are into big time down there, whether it is federally or provincially owned, and we have a port which does not even have a tug that can be used outside the narrows. There is no fire tug, no fire protection.

What can the government do about these problems? I know the minister is not made of money, but some initiative must be taken. Today, this port is not self-sustaining. What will happen to the facilities there? The longshoremen in the port are exercising their right to go to the Liberal members of the House of Assembly. They went to the federal Minister of National Revenue about the problem there with containerization, the fact that shed No. 1 might be removed, and there is a hope that it could be used for the reefer freezing proposal.

I wrote the minister on February 18. I would hate to have the minister's portfolio. I like the minister, although I have to criticize him. I know he has tremendous problems. You need six ministers there. The longshoremen wrote him on February 18 and contacted the Liberal members in the House of Assembly in Newfoundland, among them one Stephen Neary, or "Foghorn Neary" because you can hear him from St. John's to Vancouver when he is speaking in the House of Assembly. They contacted also the federal Minister of National Revenue. What will happen as a result of that? That was almost a month ago. My constituents are used to hearing from me promptly. They are not used to the fact that I have to deal with dilatory ministers from whom I cannot get answers.

I think my time is running out, Mr. Speaker. We have multidimensional, multimodal, multitudinous problems. In our region, the Atlantic region, economic development still has to be the main purpose of transportation activity. The hard-hearted minister here, who already has a deficit of $13.7 billion, should be encouraged to stop putting $3.8 million into a subsidy on incoming oil, and so on. He should have a sensible policy on that and devote half of that $3.8 million to the Atlantic provinces and their transportation needs. He should forget the envelope, forget multimodal, and forget the trade-offs; there are none, and we cannot afford them.

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Mr. Speaker—

An hon. Member: Here comes the killer!

Mr. Simmons: —they are all in a very lively mood this afternoon after that brilliant speech from my good friend the hon. member for St. John's West (Mr. Crosbie). It was short on facts and long on brilliance.

An hon. Member: That is true.

Mr. Simmons: I say to him: welcome back to the House. We missed him during the last month or two. It is nice to have him back in the chamber. We might not agree with all he says, but it is always good to sit back and listen to him. He is always entertaining, although not terribly factual. Welcome back to the House, John.

Mr. Crosbie: It is very multimodal of you.

Mr. Simmons: The hon. member spoke about his party having priorities other than the Constitution. Well, I am glad he told us because, judging by his party's performance in the House during the past few months, one has to wonder if they have any priority except holding us down forever on the Constitution. I hope that with the new insight he shared with the House today, he will talk to his caucus tomorrow morning and persuade his members of the value of getting off this constitutional filibuster, this foolish kick they are on these days, and get on with the business of the House so we can bring in some other subjects for debate, such as transportation, a priority with this government.

An hon. Member: Talk to your own House leader.

Mr. Simmons: It is very much up to the Tories at this point whether we debate the constitutional issue for the next month, two months or three months. The hon. member for Portage-Marquette (Mr. Mayer) knows that I have spoken to my House leader and we are heart to heart on this one. We know exactly where we are going. We know how we are going to vote. We know we are going to vote that way on the Constitution because it is going to be a wise decision, a decision for which this country, and even the member for St. John's West, will thank us in years to come. As soon as they allow us to do it, we will get on with it. So I ask him to persuade his colleagues to get off that filibuster as soon as they can.

Now, Mr. Speaker, before I get to the substance of what I want to say this afternoon, there is another item which really needs a response, an item which the hon. member for St. John's West raised. He spoke about my hon. friend the Minister of Transport (Mr. Pepin) having been in his portfolio for 13 months, and he asked what he had done in that time. I believe the Minister of Transport gave a very good account of himself in the limited time he had this afternoon in terms of what he had done in that 13 months. It is a pretty fair record.

• (1650)

I will tell the House and the hon. member for St. John's West that one thing the minister has not done in the last 13 months is that he has not participated in a cabinet decision to freeze all fisheries projects in Atlantic Canada. I say that because it is one of the things the hon. member for St. John's West did in his nine months in cabinet. He participated in a cabinet decision to freeze every wharf and small craft harbours project in Atlantic Canada.

Mr. Crosbie: Mr. Speaker, I rise on a point of order and also on a question of privilege. The parliamentary secretary is saying an untruth. If he continues to say it, he will be saying an untruth knowingly, which would be a lie. There was no such decision made by our cabinet. If there had been such a decision, I would not have remained in the cabinet. It would have been the most stupid decision I had ever heard of. So he is incorrect.

The Acting Speaker (Mr. Corbin): Order, please. That sounds very much like debate. I think the hon. member for Burin-St. George's (Mr. Simmons) should continue his remarks.

Mr. Simmons: Mr. Speaker, I know the hon. member for St. John's West cannot help but be tender on this particular issue. I can document it for him, if he wants it documented. He does not want it documented, of course; it is the last thing he wants. I can get all kinds of documentation on this particular point. I can go to almost every community in my riding of Burin-St. George's for starters. I can go to places where projects were already approved, ready to go, the funding had been set aside, and then the Tories came along and every project, without exception—

Mr. Crosbie: Mr. Speaker, I rise on a question of privilege. The parliamentary secretary made the statement, first, that when I was in cabinet a decision was made by cabinet to stop every fishery project in eastern Canada or in Newfoundland; that was the statement. It was not that there were some projects in Burin-St. George's that were stopped or not stopped. There was a statement made that our cabinet, our government, made a decision to stop spending on all fishery projects. I say that is not correct; there is not a word of truth in it. I deny it absolutely. Therefore, the member either has to

withdraw that statement or back it up; he must do one or the other.

That is my question of privilege. If he does not do that, then I will be calling him other names which will bring this to an issue.

The Acting Speaker (Mr. Corbin): Order, please. It is my understanding of privilege that the hon. member's rights are being affected; but my appreciation of the hon. member's remarks is that this is response to debate and I must treat it as such. I appreciate the fact that the hon. member for St. John's West (Mr. Crosbie) may not accept what the hon. member for Burin-St. George's is saying, but this is the cut and thrust of debate, and I must see it as such.

Mr. Crosbie: Mr. Speaker, this is not a question of the cut and thrust of debate. This is a statement made by one member, the truth of which is categorically denied by another member. If this question of privilege is not dealt with now, I will give notice that it will be brought up tomorrow when we have today's record.

The parliamentary secretary made a statement which I say is false; it is not true. This is not a matter of the cut and thrust of debate. I am not allowed to lie about something in this House or tell an untruth, and the other hon. member is not allowed to do it either. I am categorically denying the statement that the Conservative government, under the Hon. Leader of the Opposition (Mr. Clark), froze all fishery projects in eastern Canada. This is just not true. The hon. member should either withdraw that statement or back it up.

The Acting Speaker (Mr. Corbin): Order, please. The hon. member for St. John's West keeps debating the point.

Mr. Crosbie: I am not debating.

The Acting Speaker (Mr. Corbin): I am afraid that it will continue and continue. The Chair has made a ruling. Of course, the hon. member cannot appeal that ruling. The debate must continue, and I recognize the hon. member for Burin-St. George's.

Mr. Crosbie: I will bring it up tomorrow.

Mr. Taylor: Mr. Speaker, I rise on a point of order. I would like to point out that when a member makes a statement in the House, another member must accept that statement and not continue saying something that is wrong. That is an ordinary, every day parliamentary rule.

I think Your Honour should order the member on the Liberal side who is speaking to stop making a statement the truth of which has already been denied by another member. That is just ordinary parliamentary courtesy.

The Acting Speaker (Mr. Corbin): That may be legitimately raised as a point of order, but I must insist on recognizing the hon. member for Burin-St. George's.

Mr. Crosbie: He should back up his statement.

Mr. Simmons: Thank you, Mr. Speaker. I also thank the hon. member for Bow River (Mr. Taylor) for his "Taylor" rules of procedure. I am sure we would not find anything in Bourinot, Beauchesne or Erskine May to back up what he said, but that is another issue.

Mr. Taylor: It is ordinary common sense and good manners.

Mr. Simmons: Part of the ordinary common sense and good manners about which the hon. member for Bow River is concerned, although he keeps interrupting me—

Mr. Taylor: It is ordinary common sense.

Mr. Simmons: Perhaps what is sauce for the goose is sauce for the gander.

Mr. Taylor: Tell the truth.

Mr. Simmons: First, I say that I intend to tell the truth. I have already told the truth on the issue and I shall continue to do so, if the hon. member for Bow River will give me the opportunity. I listened to him courteously and in silence. I did not agree with what he was saying. I did not think, under the circumstances, that it made a terrible amount of sense, but I listened to him.

To respond to the hon. member for Bow River first of all, it seems to me, if we accept his newly-devised rule that one member has always to accept the word of another, that we will be in one awful hassle in this House. As soon as someone stands up and says, "This is not true for these reasons", then someone else has to bow to him and say, "I bow to your good judgment." On this one, it is not a question of bowing to the good judgment of the hon. member for St. John's West; it is a case of being able to say, with truth and with complete conviction, that the Tories froze the fisheries projects. That is what I said and that is what I stand by. It is his privilege to raise the issue at the appropriate time.

Mr. Crosbie: Mr. Speaker, I rise on a question of privilege. The hon. member for Burin-St. George's said that I personally participated in a cabinet decision by the Tory government to freeze all fishing projects. He has changed his wording now; he is saying that it was to freeze fishing projects—

Mr. Simmons: I am elaborating.

Mr. Crosbie: He alleged that there was a cabinet decision by the Tory government to freeze all fishing projects in eastern Canada or in Newfoundland. We will have the exact words in *Hansard*.

Now, I say that is wrong; it is not true; it is untrue. If the hon. member continues to make that statement, I further say that he is deliberately making an untrue statement and he is an unmitigated liar.

Some hon. Members: Oh, oh!

The Acting Speaker (Mr. Corbin): I am afraid the hon. member for St. John's West is using unparliamentary language. It is incumbent upon the Chair to draw that to his attention at this time.

Mr. Simmons: Withdraw!

Mr. Crosbie: Draw it to the attention of the hon. member for Burin-St. George's.

The Acting Speaker (Mr. Corbin): I invite the hon. member for St. John's West to withdraw the unparliamentary language he just used.

Mr. Crosbie: Mr. Speaker, not to put you in an embarrassing position, I will withdraw the statement, but this matter will be carried further tomorrow. I am giving notice now of a definite question of privilege; written notice will be given tomorrow. I am not going to countenance this kind of chicanery and fabrication in the chamber. Since I cannot call the member that, I will withdraw it; but as soon as I get outside the House I will tell the world what I think he is.

Mr. Simmons: Mr. Speaker, perhaps when the hon. member for St. John's West does what he has undertaken to do, he might also do the House the honour of telling it about any fisheries project his administration allowed to go ahead. There was not one; they froze every last project during their entire nine months in office. Let him contradict the truth of that statement, Mr. Speaker. They froze every last project.

● (1700)

I do not know where he was when the decision was made. Perhaps he was in South Africa somewhere. I do not know where he was. All I know is that the decision was taken and acted upon. The result was that every small craft harbour project in my riding, and many other ridings I could name if I had the time, was frozen during the period of that administration. If that irks him, Mr. Speaker, I am glad it does. Perhaps he has learned his lesson. Perhaps he has realized that they did the wrong thing by socking it to the fishermen on the south coast of Newfoundland. Perhaps they got that message at long last.

Mr. Crosbie: I rise on a point of order, Mr. Speaker. I said that the Conservative government did not freeze all those projects. I have to say, Mr. Speaker, that prevarication of this type is not often heard in this chamber. It is pure fabrication. It is multimodal in its dimensions. It is Manchausen. The gentleman's nose will reach across the chamber soon, if he continues these whoppers.

The Acting Speaker (Mr. Corbin): Again I must rule that it is not a point of order. I once more recognize the hon. member for Burin-St. George's (Mr. Simmons).

Mr. Simmons: Mr. Speaker, let there be no misunderstanding. What the argument here is about, and what the hon. member for St. John's West and I disagree on, is that I say he, his administration and his colleague for St. John's East (Mr. McGrath), persuaded the administration not to go ahead with one of the fisheries projects, even those which had been put in place and for which funding had been made available. They arranged to have a complete freeze on them.

I am not surprised that the hon. member leaves the chamber at this particular time. It must be absolute shame which motivates him, now that he is reminded about this dastardly thing which he perpetrated on the fishermen of Atlantic Canada a year or so ago when he briefly sat in office.

He has decided to return, Mr. Speaker. While he is here let me turn to another issue which he raised. He talked about this administration doing some things for Liberals. I want him to know that it is difficult not to do things for Liberals, since there are so many of them in this country. It would be difficult to avoid doing things for them.

Mr. Mayer: Tell us how many there are in western Canada.

Mr. Simmons: The larger question is: What has he got against Liberals? He was one for years. He even wanted to be the leader of all the Liberals in Newfoundland and Labrador at one point, until they rejected him. He even participated in the choice of my present leader. He was there, as I was. I was there at that 1968 convention when he proudly waved the banner for the present leader of the Liberal Party in Canada.

Mr. Crosbie: I have repented since.

Mr. Simmons: What has he suddenly got against Liberals, Mr. Speaker? Is his memory on this subject as short as it was on the small craft harbour projects a few moments ago?

Mr. Mazankowski: I rise on a point of order, Mr. Speaker. I respect the hon. member who is speaking, but I wonder if you would remind him, Mr. Speaker, of the content of the motion before the House for debate.

The Acting Speaker (Mr. Corbin): I thank the hon. member for Vegreville (Mr. Mazankowski) for his observations. The Chair was, in fact, about to ask the hon. member for Burin-St. George's to stick to the subject matter at hand.

Mr. Simmons: Thank you, Mr. Speaker. I had strayed in the sense that I had assumed that in responding to the irrelevancies of the hon. member for St. John's West I was thereby being no more irrelevant. But I take direction from the Chair.

I was wanting to make in passing a quick plea to the hon. member, since during the course of his speech he did attack rather viciously an individual who is not a member of this chamber and one who cannot protect himself. He cannot come here and defend himself against the allegations and innuendoes that the gentleman from St. John's West raised against him. I think that is very unfortunate and very unbecoming of any member of this chamber. I hoped that he would have avoided doing that, but instead he went on and attacked rather viciously a gentleman who happens to live in Labrador, in the province of Newfoundland. He attacked him by name again and again with the most vicious and low innuendo. It is unfortunate, Mr. Speaker, and it should not have happened.

The hon. member also talks about the Trans-Canada highway agreement which has not been signed. He is right on that particular point. But, as usual, as often is the case, he is right for the wrong reasons. Had he listened to the Minister of

Transport, he would have heard, as the rest of us did, just a few minutes before he made the charge about the TCH agreement, exactly why the agreement has not been signed. He would also have heard him say, as I and others in this chamber did, that he is going next week to meet, in what has become a continuing series of meetings, with the Premier of Newfoundland and the minister of transport, Mr. Brett, on this very subject and other subjects as well. This federal administration has made proposals to the government of Newfoundland on this and other subjects. We have been waiting for a response from them. It does take two to make an agreement. Hopefully in the next week or so, when the Minister of Transport of Canada meets with his counterpart at the provincial level in Newfoundland, we will see this matter, among others, ironed out.

The member for St. John's West also rails on about what this government is not doing for airports. Again, why does he not just listen a little? Only in the last few days there has been an announcement, and my good friend from Humber-Port au Port-St. Barbe (Mr. Tobin) has a particular interest in this one. Indeed, he participated in the announcement that this administration is spending $1.7 million in Stephenville and $1.2 million in Deer Lake this year. The member for St. John's West implies that we have not made up our mind with respect to those airports. We have done so and we are very much in favour of keeping both airports open. That announcement was made publicly. We are committed to keeping both airports open. The hon. member for Humber-Port au Port-St. Barbe is to be particularly congratulated for his efforts in this respect. He has delivered.

Indeed, he has delivered to a larger degree, I must say, than the provincial minister of transport has delivered on this issue. Only this week he literally gave up the ghost, threw up his hands and said that if that is what Mr. Steele wants to do, then we will have to go along with it. We do not have to go along with it. I appeal to the minister of transport in Newfoundland to get some fight in him and to put the case for the two airports at Stephenville and Deer Lake. If we had the minister of transport for Newfoundland on our side on this one, perhaps, at least, we would have an extra ally; and perhaps we would have more of a chance to save Mr. Steele and others who are involved in the decision from reneging on this issue and to keep the two services operating.

I realize my time is nearing an end. There was one other issue, which is the issue of the St. John's syncro-lift, about which I would like to speak. I find it regrettable that I have had to use most of my time to respond to inaccuracies put before the House by the hon. member for St. John's West. He rails on about our role with respect to the syncro-lift. He was the minister in the federal cabinet representing Newfoundland for nine months. During those nine months he did not lift one single finger to move the St. John's syncro-lift proposal forward. He never lifted a single finger. It is all very nice to get out and make pompous statements in the press about what the government should be doing, but when he was part of the government, Mr. Speaker, the question is: What did he do? He never lifted one single finger to advance the cause of the St. John's syncro-lift. For the entire nine months that gentleman, whose riding is close to where this facility is, failed to lift one finger. Let him call that an untruth.

Mr. Crosbie: Yes, it is a complete untruth.

Mr. Simmons: He knows the difference, Mr. Speaker. He knows very well that if his record with respect to this synchrolift is scrutinized carefully, he will not come out very much on top of this one. The people of his riding will realize what we in this chamber already realize, and that is that he has been big on talk when it comes to the synchrolift but very short on delivery.

I see my time has expired, Mr. Speaker. I hope my few comments will have contributed to the debate.

Some hon. Members: Hear, hear!

Mr. Mel Gass (Malpeque): Mr. Speaker, I welcome the opportunity to participate in this debate condemning the failure of the government to deal adequately with national transportation matters, and specifically condemning the Minister of Transport (Mr. Pepin).

Transportation issues are a matter of vital importance to the whole of this vast country. I would like to spend the next few minutes emphasizing the importance of a strong, functional and efficient transportation system to my province of Prince Edward Island, a province which, like many others, has been sorely neglected by the federal Department of Transport.

Over 100 years ago, in 1873, Prince Edward Island entered confederation. One of the conditions upon which it joined this country was that the federal government should establish and maintain transportation links between Prince Edward Island and the mainland of Canada. I quote:

● (1710)

> Federal authorities agreed to take over the railway guarantee and establish and maintain efficient steam service for the conveyance of mails and passengers . . . between the Island and the mainland of the dominion, winter and summer—

In 1873, as today, it is vital that Prince Edward Island have an efficient, functional transportation system. It is unfortunate that the federal government has seen fit to renege on its transportation commitments to Prince Edward Island. In all facets of Island transportation—rail service, shipping by water, air transportation, highway development and car ferry services—the federal government has failed to live up to its promises to provide and maintain efficient service for Islanders.

In order for our agricultural and fisheries industries to remain viable, an upgrading of the systems that transport their products to market must take place. The tourism industry also depends heavily on how efficiently the transportation service to and on Prince Edward Island is operating. We need better roads, better port facilities, an improved ferry and rail service and an overhaul of air service. We need the assistance of the federal Department of Transport, assistance which has been sadly lacking.

Transportation

One of the Island's main transportation worries is the need for rail improvements. There is a definite need to upgrade and maintain rail lines, and a need for research and development on improving rail service. In recent years there has been a trend toward shipping by road rather than by rail. Islanders feel strongly that rail service will always be needed, and therefore it should be properly maintained and its efficiency increased.

In the present situation where eastern Canada is completely dependent upon its offshore petroleum supplies, it is only prudent to achieve fuel conservation by carrying more of our goods by rail and less by truck. Truck freighting also places a heavy burden on the provincial department of highways, because due to our soil conditions and unavailability of suitable road-building materials, coupled with our climate, it is almost impossible, without prohibitive expense, to try to maintain roads to carry a large volume of heavy trucks. Owing to the increased tractor-trailer truck traffic over Prince Edward Island highways, the roads are deteriorating rapidly, and this is in part due to the reduction in proper rail service.

The way Canadian National has neglected the rail system on Prince Edward Island is deplorable. Canadian National is even considering abandoning 80 miles of Prince Edward Island's total of 275 miles of rail line. Prince Edward Island needs its rail system and everything possible should be done to retain it. The federal government must consider, as a high priority, action to have Canadian National rebuild its railway lines in Prince Edward Island, and otherwise increase its efficiency to reverse the present trend toward road freighting.

The present condition of the Prince Edward Island railbed and level of service has made it difficult for Island shippers to meet their objectives. Prince Edward Island potato growers have to use obsolete rail cars and face inadequate or wrongly placed storage capacity, and misunderstandings over costs, which have produced an unsatisfactory transportation system. Given the nature of the highly competitive potato industry, which I am sure hon. members are aware is a major contributor to the Prince Edward Island economy, it is essential that Island shippers are able to meet stringent market demands in terms of quality of product and delivery time. Island shippers have been experiencing difficulty in obtaining sufficient equipment, both insulated boxcars and piggyback units. The potato industry is most optimistic this year, after three disastrous years, and early movements, particularly by rail, attest to this fact.

It is essential that Canadian National provide the Island, this year and in the future, with sufficient equipment to move the potato crop. The federal government cannot afford to neglect this important aspect of Prince Edward Island's transportation and economy.

I want to touch briefly on a matter which I have already mentioned in reference to rail service, and it is with regard to the highways on Prince Edward Island and in the other two maritime provinces. As a means of achieving greater uniformity in trucking regulations, Transport Canada and the Atlantic provinces undertook a cost-shared, primary highway upgrading in 1977. The first phase of this program was completed over a period of three years, and the maritime provinces—Newfoundland is negotiating separately—are seeking federal funding to proceed on the same cost-sharing basis with phase 2 of the program.

To further the federal objective of achieving greater uniformity of trucking regulations, it is necessary that the federal government and the Department of Transport continue cost-sharing the highway strengthening program begun in 1977 with the maritime provinces. The minister should take immediate steps to provide funding for the second phase of this vitally important program so that the maritime provinces can resume construction.

The quality of transportation within Prince Edward Island is an important factor in determining whether Islanders are willing and able to live in the rural areas of the province. The importance of the paving and maintenance of Island roads cannot be too strongly emphasized. Prince Edward Island depends on the cost-sharing arrangement with the federal government so that its roads can continue to be reconstructed and upgraded. I hope the federal government will choose not to disappoint us in this respect, as it has on other transportation issues.

I would like to dwell on an aspect of the marine transport system which affects Prince Edward Island greatly, and that is the ferry service linking the Island to the mainland of Canada. The ferry system provides a vital link to Prince Edward Island. Ferry travel should cost no more than travel over a similar distance on the Trans-Canada highway. The cost of travelling on the ferries should be the same as it would cost an ordinary person to travel nine miles by car on a section of the Trans-Canada highway. Therefore, it appalls me to think that right now Treasury Board is considering a Transport Canada recommendation to increase most maritime ferry fares by an average of 12.5 per cent. I am even more appalled by the fact that neither the provincial government of Prince Edward Island nor any interested Island organizations were given the opportunity to review the Canadian Transport Commission recommendations and decision concerning ferry rate increases.

Many Island industries and Islanders depend entirely for their livelihood on the marine transportation links to Prince Edward Island. Prince Edward Island's tourism industry, in particular, is directly affected by ferry rate increases; in excess of 50 per cent of the visitors to Prince Edward Island come from the Atlantic region. Any additional ferry rate increase at this time would make travel to Prince Edward Island an additional hardship within a region of Canada that now has more than its share of regional economic disparities.

The tourism industry is a major one in Prince Edward Island, and about half of the traffic that comes to the Island comes by ferry. Tourism has received inequitable treatment over the past years relative to ferry rates when compared with other segments of Prince Edward Island's economy, and any unilateral rate increases at this time would further compound the inequities. Tourism is a major industry on Prince Edward Island and is labour-intensive, which is the type of industry the

Island and Canada need because of the major unemployment problem throughout the country today. Increasing ferry rates would do a great injustice to the economy of Prince Edward Island as it would have an inflationary effect which would hurt all sectors of the Island economy.

I have in my hand a telex, dated today, which was sent to the Minister of Transport. It is from Don Reid, the president of the Tourism Industry Association of P.E.I. He starts out by saying:

Dear Mr. Minister:

Your telex of March 13, 1981, leaves little doubt that it is the intention of Transport Canada to proceed with ferry rate increases not having truly taken into consideration the strong objections of the members of this major industry in Prince Edward Island.

He goes on:

To say it is regrettable that rate changes could not be dealt with earlier is somewhat absurd, considering the fact that CN Marine had submitted rate proposals as early as July 1980, and no consultative action was taken with this major industry and, to the best of our knowledge little if any consultation was conducted with the provincial government or CN Marine—

To say that bus tours or the distribution of schedules would not be unduly affected is as good as calling the major bus carriers and CN Marine fly-by-nite operators who do not have to budget for their operations.

The telex is rather long. I will dispense with reading all of it, and go to the last paragraph:

We again urge you and your colleagues to forgo the application of any changes in ferry rates to P.E.I. and immediately commence serious discussions with the appropriate government departments, carriers and industries for the 1982 season and beyond.

Some hon. Members: Hear, hear!

Mr. Gass: If the federal government insists on going ahead with ferry rate increases, it could at least afford affected parties an opportunity to discuss, negotiate and present objective concerns. There must be consultation between the federal government, tourist operators and others affected by an increase in ferry rates. But then again, this government does not place a very high priority on consultation, does it? I hope the Minister of Transport will ensure that ferry rates do not increase until such time as a complete review has taken place, and all sectors of the Island economy are afforded ample opportunity to present their views on the matter.

● (1720)

Before I leave the question of ferries, I would like to comment on another aspect of the Prince Edward Island ferry system where the federal government is again dragging its heels. The report of Transport Canada's Prince Edward Island-mainland transportation study, released in 1976, recommended that a new 150-car vessel be placed in service between Wood Island, Prince Edward Island, and Caribou, Nova Scotia, by 1979. The proposed vessel would greatly reduce the intolerable congestion at the ferry terminals and thus would help eliminate one of the worst barriers to the continued development of the Island's basic industries. It would also substantially increase the efficiency of the Wood Island-Caribou ferry operation as the ratio of vehicle capacity to crew members would more than double. It is now 1981 and there is no new ferry. When will the minister heed the recommendation of his department and proceed with the construction of the required new ferry?

Prince Edward Island's other link to the mainland is through its air service. At this time we who live on the Island are waiting for the start of construction of a new terminal building for the Charlottetown airport, and we have been waiting for a very long time. The Charlottetown airport redevelopment has become a matter of considerable concern to Prince Edward Island. There have been conflicting reports and controversy regarding this project, as well as a lack of good communications.

Three years ago, the federal and provincial governments reached an agreement on the building of a new airport for Prince Edward Island. Construction of a new terminal and related projects was to begin in September, 1978, at a cost of $21.5 million. Shortly after this agreement was reached, Treasury Board ordered that the size of the proposed airport terminal be reduced, to save $1.5 million. The federal government then proceeded with plans to design a scaled-down airport terminal building, with a second and separate control tower. The airport was to be expandable as the need might arise.

The people of Prince Edward Island have waited long enough for their badly-needed new airport terminal building. The prolonged delay in the construction of the new terminal building since the federal-provincial agreement was reached, not to mention the additional cost of the redesign ordered by the Treasury Board, has actually increased the cost of the project rather than reduced it. In the past, the Liberal government wasted hundreds of thousands of dollars on a constant patching up and extension of the present terminal facilities. This is another indication of the inefficiency of the Department of Transport. In the meantime, the deplorable congestion at the old terminal has worsened to the point that the airport can no longer meet current needs, much less keep up with the increase in passenger usage and cargo handling which is projected for the future.

As the gateway to Prince Edward Island for many visitors, the existing wartime-vintage airport is nothing less than a disgrace to our province. I sincerely mean that. Municipal airports in many small communities across Canada provide better facilities than our own on Prince Edward Island. Yet our airport is required to serve an entire province, not just one municipality. The continued postponement and delay in proceeding with the terminal building component of the Charlottetown airport redevelopment project has inconvenienced the travelling public; it has prolonged the uncertainty with respect to transportation planning in Prince Edward Island; it has added greatly to the frustration of Islanders with respect to federal projects; and it has increased the cost to the taxpayer beyond what would have been the original cost had the project been pursued with dispatch.

There is also concern about the fact that Charlottetown is the only provincial capital that does not have provision for customs clearance at its airport, and there are no plans for

such provision in the proposed new airport terminal building. This means that flights from outside the country, including charters from the United States, cannot land at Charlottetown. Prince Edward Island is losing potential tourists and tourist dollars because of this fact. Because there is no customs clearance in Charlottetown airport, Islanders who want to go out of the country cannot go directly from Charlottetown but have to go to Halifax, Montreal or Toronto for customs clearance.

We in Prince Edward Island should not have to settle for such second-class treatment at the hands of the federal government. Transport Canada should proceed without further delay with the construction of a new air terminal building. The Department of Transport should proceed in accordance with the design that was completed and agreed to in 1977. We on the Island need a well-equipped air terminal which will meet our needs for the foreseeable future and which will be a credit to our province, not a disgrace.

At noon today we met with Mr. Bill Rowe of Air Canada. He advised us that Air Canada will spend $68,000 on the terminal at Charlottetown as it is in such deplorable condition.

There is another issue with which I should like to deal briefly in the time remaining to me, Mr. Speaker. It concerns the reduction in the number of CN Express offices in Charlottetown. On January 30 I put a question to the Minister of Transport which is reported at page 6735 of *Hansard* as follows:

> My question to the minister is: will he now tell this House if the Express offices in Charlottetown and some other maritime centres will remain open and what level of service can be expected?

My supplementary question was as follows:

> —I would like to ask the minister how many of the 41 employees in Charlottetown will be allowed to retain their jobs.

The minister responded by saying that the figures would be repeated on Monday. On Monday nothing happened. Five days later, on February 4, my colleague the hon. member for Hillsborough (Mr. McMillan) asked the following question of the same minister:

> Will the minister tell the House how many CN Express employees will be kept in the two centres? Could he also tell the House what level of service will be maintained in those two Express terminals—

The minister's answer, in part, was as follows:

> The employment level will be at about half what it is now, that is 19 people in Charlottetown—

I have before me, Mr. Speaker, the contents of a letter which were related to me by telephone. On March 16, Mr. R. O. Waterton, the regional manager of CN Express in Moncton, sent a letter to Mr. MacPherson, the manager of CN Express in Charlottetown. A copy of the letter was sent to Mr. J. L. Diorio, general manager of operations for CN Express in Montreal. Mr. Waterton's interpretation of the agreement at CN Express Charlottetown is that it provides for about 19 jobs, consisting of the 14 established positions, including the manager, with five spare and relief. The five spare and relief are to cover all operations under the union agreement, including the Servo-Centre, the Enter-Model, which is piggyback, and the maintenance shop. It would therefore appear that there are not 19 positions, since 14 is not 19. The minister has not fulfilled his commitment made in this House on February 4, 1981, as recorded at page 6874 of *Hansard*, when he said that there would be 19 positions in Charlottetown.

I conclude by saying that the people in P.E.I. and the people at CN Express are terribly disappointed that the minister has not fulfilled his promise.

Some hon. Members: Hear, hear!

• (1730)

Mr. Maurice Harquail (Restigouche): Mr. Speaker, I want to express my congratulations to you on being elevated to the Chair. By way of explanation, this is my first opportunity to do so. As a colleague from the province of New Brunswick, I am delighted in the choice and I wish you well.

[*Translation*]

I want to extend my congratulations to you and to wish you well in the discharge of your duties.

[*English*]

I wish to express my appreciation to the hon. member for Dartmouth-Halifax East (Mr. Forrestall) who I am sure laboured long hours to prepare this list of nine detailed and complex items relating to transportation, specifically in Atlantic Canada. It affords me an opportunity to speak at length with regard to all aspects of transportation, not only in the Atlantic region, and to refer specifically to problems in the northern part of New Brunswick.

Before dealing with some of those problems, I want to respond to some of the remarks by the hon. member for Malpeque (Mr. Gass). While we have only had the opportunity of observing that member in recent times, I found it strange that he was not thankful for the funds directed to his province by the federal government which, on close examination, are substantial. That province with a population of 120,000 enjoys approximately 80 cents on the dollar of federal money transferred to it for all its operations, not to mention the dollars spent by Transport Canada and CN Marine which provide first class ferry service, comparable to that anywhere in Canada and in many other countries.

On many occasions I have used that service to take my family for our annual vacation to beautiful Prince Edward Island. I have personally utilized the ferry service from Tormentine to Borden. The equipment and the service provided cannot be criticized. I realize the hon. member for Malpeque is from that province and was expressing his concerns, but I should point out the seriousness on the part of this administration in putting a substantial number of federal dollars into the CN ferry service between New Brunswick and Prince Edward Island.

Another point that could be flagged is the fact that the hon. member for Malpeque did not enlighten us as to why all these things were not done when his party was in government. There was equal opportunity at that time for the then minister of transport and his cabinet colleagues to do what he complained

of this afternoon. I did not think it wise to allow those comments to go by without referring to the fact that the present administration has consistently placed high priority on the matter of transportation.

Where would Atlantic Canada be without Transport Canada? I am sure the hon. member who introduced this motion on behalf of the official opposition has thought over this question for many years. He is one of the benefactors of the many millions of dollars transferred to the Atlantic region in one form or another, whether in the general transfer payments, contained in the main estimates in transport or in some other way.

I agree we cannot expect to have progress without a positive policy to develop all aspects of transportation in Atlantic Canada. We certainly have not reached the time when we can move away from that position and turn our backs on transportation. The Atlantic region is still in the very important developing stage.

In relation to the first item in the motion regarding regional development, I wholeheartedly endorse the need to continuously allocate funds within the budget to developing transportation, surface, water and air. We are no different from any other part of Canada; we are no different than any other region when it comes to those needs.

In the province of New Brunswick we have had a sad experience with the present provincial administration regarding the fairness of planning, the strategy of developing priorities and allocating funds to this very important matter. That administration cannot expect the handout of federal funds forever. If they have not already received the message, let me make it clear this afternoon. If they do not mature in their thinking and realize that this cannot be permitted to continue in the fashion it has over the years, they might well find themselves in the position of having to find other ways and means to prop up and finance some of their pet projects in that province.

If the Premier of New Brunswick and the transportation minister there do not soon get their act together, they will not only be behind the eight ball, but they will be so far out of touch with reality in this country in terms of transportation it will not be funny. I know of what I speak. We have been dillied and dallied and nickeled and dimed to death by the premier and his advisers and those responsible for transportation with regard to building the important section of Route 11, not to mention highway No. 17.

Mr. Forrestall: On a point of order, Mr. Speaker. As has been necessary once before today, I might remind the Chair that there is such a thing as relevancy. We are not debating the merits or otherwise of the government of Richard Hatfield. We are dealing with federal policies and actions respecting transportation in Atlantic Canada.

The Acting Speaker (Mr. Corbin): The hon. member for Dartmouth-Halifax East (Mr. Forrestall) has made his point. The Chair was listening attentively to the remarks of the hon. member for Restigouche (Mr. Harquail). Although he may have been stretching the rule of relevancy to its greatest extent, it is the Chair's opinion it was done within the wide confines of this subject matter. Having heard the hon. member for Dartmouth-Halifax East, the hon. member for Restigouche should attempt to return to the central subject being discussed today.

• (1740)

Mr. Harquail: Of course, Mr. Speaker, you have just justified my congratulations to you in demonstrating your ability in the chair, but let me remind the hon. member through you that he placed it as item number one in his preamble leading into the motion we are considering today. What could be more pertinent to the subject we are debating.

Item one talked about regional economic development and that is what I am speaking about, at this particular moment, in relation to the dastardly attitude of the present administration of that province who, on the one hand, are very happy to come, on some occasions hat in hand, asking for these millions of dollars through DREE, through transportation policies, for the strengthening of highways, yet the minute they get the money in their grubby little hands you cannot find them or see what they are doing. They are so far away from the agreements, I can only re-emphasize the seriousness of it, that I wonder just exactly what decisions would flow from a serious investigation into where these funds have gone over the last ten or 15 years.

When I talk about funds, I am talking about over $100 million of taxpayers' money which has gone into that particular province, yet the job is far from finished. I am sure you will understand and appreciate why I take a moment to touch on this question. I am also taking advantage of this opportunity, as it is my responsibility representing as I do the constituency of Restigouche in this House, to say something regarding my dissatisfaction with the way those funds have been handled in the past and about my concern as to the way they will be handled in the future.

I do not know about others, but I am personally convinced by what I have said this afternoon that I have made the point quite clear so I will not spend too much more time on that. While I could probably speak for an hour to an hour and a half on the sad tales of woe regarding the negligent administration, as I call it, of those funds we have been so generous in transferring to that particular province, all I am going to say now is that I want to see that section of Route 11 between Belledune and Charlo complete without any more hanky-panky. I want to see the completion of that important sector of route 17 from St. Léonard down through Campbellton which has also been fiddled and nickeled and dimed and played with for the last ten to 15 years. The people are just simply fed up with it and through you, Mr. Speaker, I am going to invite and enjoin the Minister of Transport (Mr. Pepin) to personally look into this and apprise himself and his officials of what has happened in the past with the hope that when we negotiate strengthening of highways and the matter of new construction and consideration of the general development agreement and any other subagreement relating to highways, or any other

development money from the national government to that province, he will watch that development with a very close eye. I would like to seek his assurance that he will personally take a hand in making sure that these funds will be spent where they are specifically allocated.

Having remarked on the question of highways, I want to now turn to the question of ports. As I mentioned earlier, I do not know what we would do in Atlantic Canada without Transport Canada and I like to say thank you when it is due. I want to express words of appreciation to the minister for all that has been done for us in recent years, specifically since he has become the minister, in terms of his personal concern. This is not only a verbal concern, for I know the work he is putting into this problem, on all aspects of transportation in that region; but I am also convinced it is almost a monumental task for one man to try and find the answers to all of these questions. To be able to negotiate the funds from the treasury benches and his colleagues in cabinet is no small task and I want to publicly assure the minister of my support for the negotiations that will have to go on until we find all those dollars so vitally necessary for us to even say we have arrived at a point where we can come to a fair comparison of what is going on in central Canada and, indeed, in western Canada.

Just to comment, Mr. Speaker, when you hear what I would call in some cases foolish talk about the attitude in western Canada, we know it is a very small percentage of people who are playing the Lougheed game of more gain for that particular province. When you look at the budget and see the commitment of this government, the billions of dollars that are going to be spent out there, a large part of it with respect to transportation, I do not think they have anything to cry about at all, especially when you consider some of the problems we have in the Atlantic area. If we could just get a balance in the money spent in the west with that spent in the Atlantic provinces, I would say we would be a pretty fair distance down the road of not only addressing our problems but, indeed, of solving some of them.

When I look at the figure of $2,252,000 in National Harbours Board for the very important port of Belledune in my constituency, and I look at the $231 million being spent in Montreal, and there are others such as Vancouver and Churchill, I think that very rapidly makes my point about equality and balancing in the budget, and about finding the necessary dollars to put into facilities and equipment in order to keep up with the modern demands on a port such as Belledune.

Now, these things do not happen by themselves. Not too long ago I had a meeting with the president of that "C" class corporation, Pierre Franche, and others, who have given me a breath of hope. We are talking about the whole question of ports policy raised by the hon. member in this motion today, the need to get on with the ports policy and all the rest of it. There is no question about that, and we know some of the positive effects that will come from the opportunity to debate this in the House, because the fragmented legislation and inconsistent administration in each of the existing situations inhibits the development of a national and regional ports policy and planning, and prevents local participation in the operation and management of national harbours boards. Certainly we want to clear that up as quickly as possible, get the input of local people, address the problems and get on with solving them.

There is no question in my mind that we must have co-operation in this House in order that we can bring forward appropriate legislation, when the minister has the opportunity, to put in place a modern approach to finding solutions to these problems. However I want to make it clear about the facilities at Belledune which has sometimes been referred to as a port that has ice problems; certainly in the last five to eight years that has not been so. I would term it as an ice-free port and it needs, and I underline "needs", more funds if it is to be utilized to its maximum. Of course, we all await the study that is coming out on the ports of Dalhousie and Belledune, which we hope will bring forward the appropriate recommendations to substantiate our case regarding the funds needed to develop both those important deep water ports; in the case of Dalhousie, some 36-foot draft, in Belledune's case some 30-foot draft, and in recent times being used more and more each year. But that is not enough. We must be aware of the increasing demands which are being made on those ports. We must make our case well if we are to get funds.

● (1750)

In the short time available today I hope there will be an opportunity to discuss questions respecting CN and the whole matter of CN Express, about which Your Honour and the minister will know I am not happy. I am not happy about lay-offs and the cutting back of that service in my constituency. I hope subsequent reports brought forward by the Standing Committee on Transport will be concurred in so that we might debate the global, comprehensive and complex question of the present situation regarding CN and where CN will be going over the next five or ten years.

Mr. Fred McCain (Carleton-Charlotte): Mr. Speaker, when I came to this House initially at the pleasure of my constituency, I had hoped it would be my pleasure to find that Atlantic provinces members, and particularly New Brunswick members, would serve their province and their region in a fashion comparable to the way in which the west has been accustomed to being served by its members. With a degree of unanimity there has been a common presentation of western requirements by all parties in that region of Canada. I find it most disappointing to have listened to my colleague from New Brunswick saying little, if anything, for Atlantic Canada and virtually nothing for New Brunswick. As he arrived at the close of his remarks he did become somewhat sympathetic to Belledune, and he mentioned a very pertinent figure, namely, that $200 million were to be spent at the port of Montreal. I think the hon. member himself has put the emphasis on the problem which Atlantic transportation has experienced, and for that I thank him.

Mr. Harquail: Mr. Speaker, I rise on a point of order. I did not quote a figure of $200 million to be spent. To clarify for the hon. member and for the record, I was referring to financial operations as per Treasury Board expenditures at various ports, and I did mention that the total figure was $231,157,000 relating to the operations over a period of time at the Montreal airport, but I certainly was not, as the hon. member suggested, announcing—

The Acting Speaker (Mr. Corbin): Order, please. I should remind the hon. member for Restigouche (Mr. Harquail) that that, of course, is debate.

Mr. McCain: I am sorry, Mr. Speaker. I thought I was listening quite attentively, and if I misheard the hon. member, I apologize. However, he was talking in terms of hundreds of millions of dollars which are to be spent.

Now we come down to the situation in Atlantic Canada where we find that the port of Saint John is being advised that it must operate on a user-pay basis. We are also advised that the port of Montreal can never exist on a user-pay basis and that with the present amount of expenditure at that port they cannot see the day when user-pay can ever be applied in Montreal.

I appeal to members from New Brunswick to say to this government that it is this government's responsibility not to put user-pay in the port of Saint John, the port of Halifax or any other port until all ports in Canada are capable of operating under that principle.

The Minister of Transport (Mr. Pepin) has not said the port of Montreal will not be on a user-pay basis, but I think he will agree with me that he has been advised by the officials of that port that there is no foreseeable date upon which the facilities at the port of Montreal can operate on a user-pay basis without serious detriment to the trade which would accrue to that port.

Mr. Pepin: It already does.

Mr. McCain: Under circumstances which apply to no other port in Canada it appears to do so. It appears to do so. By virtue of sale of lands and accumulation of other assets, that no other port in the history of Canada has experienced, it has a cash backlog from which it can draw, and on that basis it appears to be operating on a user-pay basis, but on the actual cost of the facilities at the port of Montreal it is not. Each and every report of the Harbours Board of Canada illustrates that in the actual tonnage handled, if charged to the capital cost of the port of Montreal, it is not operating on a break-even or anything like a break-even basis. The port of Saint John, the port of Halifax and the port of Belledune have no other structure under which to operate and, therefore, when we compare the port of Montreal with these ports we are not comparing equivalents.

However, there was one single item in the news not too long ago illustrating that a $30 million federal expenditure was to be undertaken at the port of Montreal. I appeal to the hon. member for Restigouche (Mr. Harquail) and the hon. member for Northumberland-Miramichi (Mr. Dionne). This is in sharp contrast with the operational situation with respect to other ports in Atlantic Canada today. Provincial moneys are poured in to do this development; they are not poured in in the province of Quebec, and I ask for the support of hon. members. This should be turned around, and the facilities that are required should be supplied by the National Harbours Board through the Government of Canada.

Let me give one example of what has happened. The facilities at the port of Saint John were so overloaded that the Trucking Association of Atlantic Canada imposed a double charge because of delay in unloading caused by the facilities there not being able to handle the traffic Saint John can get. More facilities are needed for our trucking industry, for our lumber industry, for our agricultural industry, for our mining industry and across the board. We in Atlantic Canada want the same terms today that are being followed up the St. Lawrence River. We do not need any icebreakers. Give us the cost of icebreaking in Atlantic Canada on an annual basis and put some of it in Belledune. Put some of it in Dalhousie, some in Saint John and Halifax or wherever you like. If the Atlantic ports, including Belledune, had that money alone, they would be more than competitive with any structure which can be built in the St. Lawrence River fully at government expense. That is what I want by way of support from Atlantic members. You are complaining about spending $4 billion in the west for a multitude of purposes, including transportation. Why did you not as New Brunswick members extract—

The Acting Speaker (Mr. Corbin): Order, please. I must remind the hon. member for Carleton-Charlotte (Mr. McCain) that as an experienced parliamentarian he should address his remarks to the Chair.

Mr. McCain: Through the Chair, why did these members from the province of New Brunswick not object to those expenditures then and extract something for New Brunswick?

Mr. Harquail: Mr. Speaker, on a point of order—

Mr. McCain: Mr. Speaker, I did not interrupt the hon. member. If he has points of order or questions to ask in my limited time, why does he not be patient?

Mr. Harquail: Mr. Speaker, I certainly defer to the hon. member's years of experience in the House, but he knows full well that during a debate if a comment is made to which an hon. member takes exception, that hon. member raises a point of order, and I want to correct what he said. I did not say I was complaining about the money being spent. I said that if we could just get a fair share of those dollars, we would appreciate it.

While I am on my feet, I want to thank the hon. member for his support of Belledune and Dalhousie.

The Acting Speaker (Mr. Corbin): That again is debate, and I should remind hon. members not to unduly interrupt hon. members who have the floor.

Mr. McCain: Mr. Speaker, my statement stands. If the hon. member did not complain, why did he not get something? Why did members from Atlantic Canada not look after Atlantic Canada? Instead of referring to what is being done elsewhere, if hon. members opposite could not complain, could they not at least have put in a word?

I plead with all hon. members of this House to take cognizance of what the situation is in Atlantic Canada. Like many other commitments, one of the commitments prior to confederation was that the markets of Canada would be available to Atlantic Canada under competitive circumstances. That was part of the terms of confederation. That, of course, included transportation. Again I say that Atlantic Canada members should put their pressure together and exert it as a political force on this or any other government. There would be much more productivity in the field of transportation if the problem were recognized and addressed by all of us.

May I call six o'clock, Mr. Speaker?

The Acting Speaker (Mr. Corbin): It being six o'clock, I do now leave the chair until 8 p.m.

At 6 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

The Acting Speaker (Mr. Corbin): Order, please. When the House rose at 6 p.m., the hon. member for Carleton-Charlotte (Mr. McCain) had the floor.

Mr. McCain: Mr. Speaker, in closing I should like to say the following respecting ports in eastern Canada. There has very obviously been an element of lack of consideration of the well-being of these ports. For instance, there has recently been a suggestion that an additional $1.66 should be charged as a new through-put charge in the port of Saint John, that it will apply at a latter date in the port of Halifax, and there is no indication as to whether or not it will ever apply in the port of Montreal. The policy does not reveal that this is discrimination.

I speak, Mr. Speaker, in a parochial sense, and I have to agree to that, but the year round ports of Canada should be considered to be the gateways of Canada to the world and planned for accordingly. They are gateways which Canada needs, and they must receive proper attention, whether they be in the north or the south of New Brunswick, whether they be in Nova Scotia or in Newfoundland.

Some hon. Members: Hear, hear!

Mr. McCain: They are our gateways and they need the concern of the Minister of Transport. They should be given an equal break.

One other item to which I should like to refer is that mentioned by the hon. member for Restigouche when he referred to the slow progress in the construction of route No. 11. I ask him to make another speech at a later date, after he has read the initial agreement for the construction of route No. 11 undertaken jointly by the Government of Canada and the government of New Brunswick, and after he has read the revised agreement and the reduction in the cost shared by the federal government, so that he will understand, in part at least, why that road has not progressed at the speed he would desire. The reason is the sharp reduction in the cost-sharing responsibility of the Government of Canada.

The number of ways in which transportation serves Atlantic Canada is so great it is impossible to mention them all. I want to mention the town of McAdam. The town of McAdam had a veneer mill established with DREE money. That mill found it could not ship its product by rail to destinations in Canada for two reasons: uncertainty of delivery—and I would like the minister to hear this—and the excessive damage caused in transit. Neither the manufacturer nor the receiver could accept the damage. Why was that damage occurring? It was occurring because regulations have been ignored by the Department of Transport, shunting practices have changed on the railroad at the various new humpyards which are there, and the speed with which cars connect is excessive; so damage occurs. Therefore they were forced, whether they wished or not, to go to the road for transportation. This is rather ridiculous, especially when one is sitting in a railroad centre. It increased the cost of transportation, and it is one of the reasons the veneer mill, which was built at considerable expense to the Department of Regional Economic Expansion, is very apt to close its doors on a permanent basis. That is how important transportation can be. What factor does it play? Are we in fact given the access to Canadian markets which confederation promised in 1867? The answer is: no, we are not.

• (2010)

Let me take a look at the potato industry. Some hon. members of the House are extremely familiar with the impact of transportation costs on that industry. It hits them in two ways. It hits them on the incoming costs of the requirements of the industry, whether it be fertilizer, machinery or repairs, and the service from that transportation industry is downgraded from what it was 40 years ago. The cost of the production of potatoes has very seriously increased. For instance, the massive increase in fertilizer freight rates had a major impact upon the cost of production.

Historically the soil of New Brunswick and Prince Edward Island produced potatoes at a cost which made them competitive even in distant markets. They were competitive with the production of potatoes in central Canada. They were no more than competitive, but they were in the business. The increment in freight costs have been such that they have been removed, to an important degree, from being in a competitive position, in spite of land costs, skills, etc. This is not in conformity with the intention of confederation. Why can we not take a look at that?

I submit that the lumber, fishing and agricultural industries have been hurt seriously. If one picks up the paper, one sees where fresh fish marketing is impaired, where CN and CP Express are withdrawing and people are now removed 30, 40 or 50 miles from initial points of delivery of express and LCL freight terminals. This is an inconvenience; this is not the intention of the rail system. If one happens to have drag with a trucking company, one might get a package delivered quickly. But if one does not, and if one required a part in order to repair a piece of machinery in the county of Charlotte or the county of Carleton today, one would get into one's car or half-ton truck and go to Montreal to get it. One does not wait for today's transportation system to make the delivery. This is inconvenience which is certainly not in the best interests of Atlantic Canada or Canada as a whole.

I should like to turn to another item respecting ports. This affects the minister and his bailiwick of Quebec. Today the Government of Canada is dealing with a trade pact in the Pacific rim. It is negotiating a certain agreement that if a ship arrives at a Canadian port as the first port of call, then there will be a certain duty applied to the product being imported into Canada. But, if that ship makes a foreign port of call prior to its port of call in Canada, a higher rate of duty will apply. The Government of Canada is now negotiating to give away the first port of call priority. If this happens, the imports from Australia and New Zealand will probably take place on the Pacific coast or the Atlantic coast of the United States. Those imports will not be handled by our port crews on the east and west coasts of Canada, and, in turn, the exports will probably come down to that ship on one truck with the imports going back on the same truck to their destination in Canada. This represents an intrusion into the market opportunities of Canadian agriculturalists. We are talking of letting food in to take automobile parts out. I am told that is what the deal is all about. Not only will the farmer be hit with lower cost imports, they will be brought in through an American port, rather than Montreal, Saint John, Halifax or Vancouver. This is a very serious threat, not only to the farmer because of the threatened reduction in tariff on imported food, but to the port worker and people all over the country.

It is thoroughly and completely impossible to discuss all the items which need to be discussed with respect to this subject matter as far as Atlantic Canada is concerned. I suggest to the minister we should have a House committee which would have an opportunity to give some serious consideration to the representations of Atlantic Canadian people on behalf of the best interests of Atlantic Canada, its region and the nation of which it is proud. It cannot be done in any other way. How can any group of people properly discuss lumber, potatoes, fish, express, highway, trucking, sea and ports transportation in one day in the House of Commons?

There are people who are studying the problem at the moment. They are prepared to make presentations to the minister. In fact, they are coming to see the minister responsible for DREE, because there are threats to federal investment and to jobs in Atlantic Canada. There is a waste of federal money because of transportation policies which do not add to the developmental opportunities and leadership the government could offer to Atlantic Canada. We need that study in the worst way. I do not know for how long the committee could sit, but it should have the element of time and breadth of interest which would allow it to see what can be done. Can we develop the port, the drydocks, the harbour and shipping in Saint John? What about Halifax harbour, Belledune and Chatham? All these items are of major significance to eastern Canada. They cannot be discussed here, nor can the proper input be made.

I should like to refer to one personal example. Shortly after World War II, I built a little plant. I could not get the necessary machinery in New Brunswick, so I was advised to get it in Montreal or in the west. The reason was that there would be no parts for my machines in New Brunswick; they would have to come from Montreal or perhaps from the west. Up until 1960 to 1965, if a breakdown in the plant occurred, I could phone the supplier of that machinery in order to have that part delivered by rail. If I called as late as five o'clock in the afternoon it would be in my office at one o'clock the next afternoon. But if I owned that plant today and if a machinery breakdown occurred, my only hope of receiving the part in those hours would be to send my own vehicle or a specially-hired vehicle to St. Hyacinthe, Montreal or wherever the point may be, in order to get my plant back into business. I cannot, nor can anyone in New Brunswick, depend upon CP, CN, highway or any other transportation system to deliver as they used to deliver 20, 30 or 40 years ago.

This is what the debate is all about—excessive rates, discrimination against our ports, and failure to keep the agreement of confederation that the markets of Canada should be available at competitive prices to the products of Atlantic Canada. This is what the debate is all about. This is where the government has failed, and it is where maritime members have failed their regions. They will not support Atlantic Canada in an attack on the government to get the things they proclaim they want. We will help them.

Some hon. Members: Hear, hear!

• (2020)

Mr. Maurice A. Dionne (Northumberland-Miramichi): Mr. Speaker, it is an honour, of course, at any time to participate in a debate in this House. I do so with a bit of sadness, particularly in view of the closing remarks of the hon. member for Carleton-Charlotte (Mr. McCain), wherein he suggested a committee be set up to study certain aspects of transportation in Atlantic Canada.

Mr. Forrestall: Use the Standing Committee on Transport!

Mr. Dionne (Northumberland-Miramichi): I was just about to say that we have a standing committee of this House which, in my view, is ideally suited to study just that sort of matter. I submit to you, Mr. Speaker, that is probably what we should have been doing today instead of being involved in this debate, since we had a full day of meetings scheduled when suddenly

there was to be a debate on transportation in the House. Thus, we are not in committee doing a detailed study of transportation.

Mr. McCain: Mr. Speaker, I rise on a point of order. The committee system of the House of Commons in its present session on estimates does not fit. I plead with the hon. member to let us have a session of the committee with time, not five minute sessions which will not do.

The Acting Speaker (Mr. Corbin): That, of course, is not a point of order, but a point of debate.

Mr. McCain: I agree.

Mr. Dionne (Northumberland-Miramichi): Mr. Speaker, I am glad the hon. member for Carleton-Charlotte is anxious to continue this debate. I am also glad he is making a suggestion to make the committees of this House more effective. I am all for that. I think the committee is probably capable of accomplishing more, in terms of detailed work and detailed studies on transportation, fisheries, justice and whatever department you wish to take, than we are capable of doing as a whole House. We just do not have the time in the House to go into detail, nor can we call witnesses before the House as we can before the committee. I am all for making the committees effective. I hope we will see the hon. member for Carleton-Charlotte from time to time in the transport committee to give us the benefit of his experience there.

I also want to comment on a couple of other points suggested by the hon. member for Carleton-Charlotte. I like his remark that we should all work together to develop certain items in Atlantic Canada. At first I thought he was serious but then he went on and I realized again it was political. He talked about the port of Saint John and the port of Halifax and how they are being discriminated against by the department and the government in relation to the port of Montreal. I think it is important to set the record straight. I think that what he was talking about, although I am not sure, was the announcement by the minister not too long ago that the federal government has taken a major step toward ensuring the growth of the port of Montreal by approving, in principle, the forgiveness of $133 million in principal and $98 million in interest arrears, being a total of $231 million.

What he failed to tell the House was that this was only part of a $475 million Canada-wide forgiveness of repayment of loans and interest in arrears for the National Harbours Board. At the time of his announcement the minister added that a consultant was being selected to prepare a master plan study for the port of Montreal to be decided upon soon by Treasury Board.

The hon. member also failed to mention that in that same announcement there was announced the forgiveness of $65 million for the port of Halifax, $45 million for the port of Saint John and $2.5 million for the port of Belledune. The ports of Vancouver and Montreal are capable of financing new capital projects from their own returned earnings, which makes them quite different from the remaining ports in the National Harbours Board system, for instance, Prince Rupert, Churchill, Quebec, Trois Rivières, Port Colborne and especially the port of St. John's. Halifax, Saint John and Belledune are able to go to the federal government for financing of special projects. In very recent times, for instance, the port of Halifax received about $29 million for the new Fairview Cove terminal. The port of Saint John will receive about $23 million in federal financing for the new potash terminal. One can see that it makes a difference when you present all the facts and not just selective ones.

I would also tell the hon. member for Carleton-Charlotte that I am prepared to work with him toward the development of ports in New Brunswick, or for any project in New Brunswick, whenever I hear that he is willing to work with us on this side of the House for the development of the other half of New Brunswick, that half of New Brunswick to which the government of New Brunswick does not attach much priority. For instance, will the hon. member support us in persuading the government of New Brunswick to spend the provincial budget fairly? I am surprised he had the nerve to comment on route 11 and to ask my colleague, the hon. member for Restigouche (Mr. Harquail), to look at the original agreement for the construction of Route 11. That is the federal-provincial agreement and the present day agreement where he said we would find the cost shared by the federal goverment much less than that in the original agreement.

Let me tell you a little bit about that original agreement, Mr. Speaker. It was a very generous one, indeed, since the federal government was paying 100 per cent of the construction cost of Route 11 in the original statements. That was not the only matter, it was paying an additional 10 per cent of construction costs for engineering and the right-of-way purchase.

Mr. Forrestall: Do not tell me nonsense.

Mr. Dionne (Northumberland-Miramichi): Mr. Speaker, I do not know if Nova Scotia ever received a deal like that one, but New Brunswick did.

Mr. Forrestall: No, we did not.

Mr. Dionne (Northumberland-Miramichi): In fact, the government of New Brunswick was so little interested in getting that highway constructed it could not even do the engineering and design work fast enough to spend the money the federal government had designated. The federal government in the subsequent agreement, naturally, cut the cost-sharing because there was not any sharing before. It was just a give-away to the province. I did not object to that until the province started to play pretty blatant patronage with federal funds. Even defeated provincial Tory candidates could decide who was to do the work on those stretches of highway which were being built, despite the fact that the agreement stated hiring had to be done through manpower centres. The manpower centres were being ignored totally. In fact, in at least one case I know the manager of a manpower centre was threatened if he dared to interfere. The subsequent agreement called for an 80-20

split in the financing with the federal government still providing 80 per cent of the costs. I thought this was still a pretty generous gift from the Government of Canada to the government of New Brunswick. Of course this was done by the federal government since it recognized that transportation is a tool of economic development, despite what the motion before us today says. That was the only reason the federal government became involved with that highway. The latter agreements were reduced to a 75-25 split. The lion's share again coming from the federal government. I repeat, this was for a totally provincial responsibility.

How did the province of New Brunswick show its gratitude for receiving these funds? It diverted almost all provincial transportation funds away from that part of New Brunswick into other parts of the province. The minister of transportation for New Brunswick had the unmitigated nerve to tell a delegation from my riding—in fact he has told several delegations but I will only speak of one since I was a member of it—that if we wanted roads in our part of New Brunswick we had better get federal funding for it. He said he had no funds to make available.

Mr. Baker (Nepean-Carleton): Who said that?

Mr. Dionne (Northumberland-Miramichi): Mr. Bishop said that, in my presence. That is the way the federal government was repaid for its efforts to construct reasonable highways which it saw as a tool of economic development for the northeast region of New Brunswick.

• (2030)

I am prepared to work with the hon. member for Carleton-Charlotte for the development of New Brunswick when I see that he is committed to urge the Government, of which he was once a supporter, to treat all parts of the province fairly with provincial funds.

Surely if there is any validity to equalization in this country, if we are committed to that goal, and if the Government of Canada will give the government of New Brunswick large sums of money every year to equalize services and rates of taxation to a reasonable level in this country, then the wealthier parts of New Brunswick have some obligation to the poorer parts just as surely as the government of New Brunswick has an obligation to every part of that province, not only to those parts of the province from which it has elected members. I will fight for federal funds for any project in New Brunswick when I am convinced that the government of New Brunswick will apply those funds fairly.

Indeed, just last Friday morning I participated in the signing of an agreement for $37.5 million, which was a joint federal-provincial agreement for forestry development in New Brunswick.

Mr. Baker (Nepean-Carleton): What did you do at the ceremony?

Mr. Dionne (Northumberland-Miramichi): I did enough. Thirty million dollars of that $37 million came from the federal government. That was a fairly generous agreement, but it does not come under the topic of transport, so I will not dwell on it.

There are a couple of other points in this motion I want to deal with, but I want to say that the first part which condemns the government and the Minister of Transport (Mr. Pepin) for abandoning the use of transportation as the tool of national and regional economic development is patently not correct.

The Department of Transport is a big department and a rather cumbersome monster, as I am sure the hon. member for Vegreville (Mr. Mazankowski) would admit. However, I am aware of various instances when the Department of Transport did respond with some alacrity and sympathy in situations that were critical. I have seen it happen under this minister and under the hon. member for Vegreville. In one case in my riding which dealt with the wharf at Chatham, the minister did act very quickly and I now thank him for this publicly. I do not believe the Department of Transport or the Minister of Transport (Mr. Pepin) always deserve all of the criticism they receive.

Mr. Baker (Nepean-Carleton): MacEachen should get a bit, too!

Mr. Dionne (Northumberland-Miramichi): They seem to be everyone's whipping boy.

Let me move on to some of the other areas I want to touch on today. We have been asked to bring in additional legislation in this motion. I am very much in favour of that, particularly as it would relate to a maritime code, the new ports policy, and other aspects of marine transport such as coastal shipping. I would like to see that legislation before the House. I know some of it is ready and that other parts are in the preparation stage. But as long as we have a filibuster in this House on the resolution which is now before it, we will not be able to deal with those other pieces of legislation. Therefore I would urge my colleagues, particularly the official opposition, to abandon its filibuster in the House, to abandon this delay of legislation. Let us get on with the job of dealing with the necessary pieces of legislation from Transport, from Justice, from Finance, from Health and Welfare, from Energy, Mines and Resources, from most other departments, as well as from Environment, which is another very important department. We have a very drastic need, in this country, for some of those pieces of legislation, but they are all being delayed because of a filibuster.

We heard from the hon. member for Malpeque (Mr. Gass) a little earlier who described the awful situation in P.E.I regarding ferry service and transportation in that province. I was glad my colleague, the hon. member for Restigouche pointed out that the ferry service to P.E.I is actually very good, having improved very markedly in the last few years. My good friend, the hon. member for Dartmouth-Halifax East (Mr. Forrestall) spoke of the profit CN Marine trade is making. Last year it had a book profit of some $8 million. However, that profit was as a result of revenue amounting to $25,137,000 in subsidy alone granted to the ferry service to Prince Edward Island. Altogether, in 1980, ferry services received

$136,431,000 from the federal treasury. Without that, there would have been a rather huge deficit. With all of the doom and gloom we have heard here today, the federal government is doing quite a lot for the united provinces.

From time to time I complain to the department and to the minister, but sometimes when a government or a minister is doing something good we should say so. If we are always going to cry "wolf", we may turn into wolves.

As I said, the ferry service alone received over $12 million in federal subsidy in 1980. That is about $235 for every man, woman and child on Prince Edward Island. I am not suggesting it is only the residents of Prince Edward Island who use that ferry service; it is not. There are other residents of Canada and other countries who use it. It is certainly the road link to the nation and plays a very important part. It must be maintained and improved whenever there are opportunities to improve it. It is a good service and we should continue to improve it, not just knock it.

I would now like to discuss regional air carrier services. There is a bit of fetish in this country which leads one to believe that unless one is flying by jet, one really is not flying. As I know the minister is interested in regional air carrier service, I would urge him to seek a rationalization of the regional air carrier policy in this country, particularly as it applies to Atlantic Canada.

Mr. Baker (Nepean-Carleton): You can't fly on one wing.

Mr. Dionne (Northumberland-Miramichi): We have a good carrier in Atlantic Canada, Eastern Provincial Airways. Of course it has a problem with cash flow, and of not having sufficient equipment. The difficulty is we do not have good rationalization of routes. We have routes such as the one to northeastern New Brunswick, which might be termed a dead end route, as it flies Montreal-Charlo-Chatham-Montreal; and if you want to fly to Halifax from Charlo or Chatham you must first fly to Montreal. That is not very satisfactory service. I would urge upon the government and the minister to get after the Canadian Transport Commission to come up with a rational plan for regional air carrier service.

We need intercity service, but we do not need 737s or DC-9s flying from Moncton to Halifax, from Halifax to Charlottetown, or from Charlo to Fredericton or to Saint John. We need smaller aircraft with more frequent flights so that the air service will, in fact, be a service to the people of the Atlantic provinces making interprovincial communication by air possible and readily available to the people of Atlantic Canada.

● (2040)

Mr. Pat Nowlan (Annapolis Valley-Hants): Mr. Speaker, I am honoured to speak tonight of all nights. I do not want to trespass too far on the patron saint whose name I bear—

Mr. Knowles: I thought you were St. Patrick himself!

Mr. Nowlan: I am very saintly anyway, as the hon. member for Winnipeg North Centre (Mr. Knowles) reminds me. I do not want to get into the total philosophy of the saint from the emerald isle tonight, however.

I listened with interest to the Minister of Transport (Mr. Pepin) this afternoon, Mr. Speaker. I believe he is a very humble man, and certainly in terms of transportation policy he has much to be humble about. He is also a decent, philosophical person.

I had intended to speak later tonight, Mr. Speaker; I thought I might be the garbageman who would clean up, if I were called upon. What disturbed me most about the summary the Minister of Transport gave of the motion presented by the hon. member for Dartmouth-Halifax East (Mr. Forrestall), was the lack of any zest, energy, enthusiasm, or challenge about something that is of fundamental importance to those of us who are on the periphery, especially those of us from the Atlantic region, from the northern part of the country or from the west.

The motion quite property zeroed in on the problems of Atlantic Canada. I give some credit to the minister and the government, because, after all, no one government has all the answers. As one federal minister of transport said not too long ago, transportation is in a mess. The very structure of our country has been based on transportation. As the hon. member for St. John's West (Mr. Crosbie) said, perhaps we are overdealing with constitutionalitis to the point that in many areas of endeavour there is a form of governmental constipation because of that constitutionalitis and we are not directing our attention to the many factors and areas in this country which need attention. The government is aware of that; it sets the agenda. The Deputy Prime Minister (Mr. MacEachen) was government House leader not too long ago and he knows from his experience that the government lays its agenda on the table of this House and the opposition responds to it. If there is a constitutional resolution before the House and the government insists that debate carry on day after day, then naturally it will.

There are other items of importance in the country, however. That is why we in the opposition have taken the opportunity today in this limited type of debate, which fortunately ends in a vote tonight, to focus attention on something that is of fundamental importance. Without getting into the Latin, the reason this is a country from sea to sea is that the CPR formed the western link that made us an entity from sea to sea.

If this matter were not so serious I might use a stronger word than ironic, and say it is rather paradoxical that as we contemplate our navels to determine what we are and where we are going as a nation in terms of the Constitution, the factors that helped make this country great, such as transportation, go for naught. They get shifted aside.

That is what disappointed me when I listened as objectively as I could to the Minister of Transport this afternoon. Point by point he answered the matters raised in the resolution presented by the hon. member for Dartmouth-Halifax East. I will not make a rebuttal to his reply because that is not my point at the moment. My point is that I cannot think of any more exhilarating challenge in government than to be minister of

transport in the country at this time. Instead of using statistics to show that so many dollars were spent here and some work was done on a seaport there, I had expected something more like a vision. I know the Deputy Prime Minister has heard about visions before, from the late right hon. member for Prince Albert so he may be a little gun-shy of visions. But perhaps we do not talk enough about visions in this House and maybe the night of St. Patrick is not a bad time to talk about them. I do not mean the visions that cause all the problems in Ireland, but rather, visions for this country.

We need a larger vision than was evident in the minister's remarks today. His recital was pedantic, mechanical and, for him, unemotional. Any minister worth his salt, and this minister used to have salt, would get very emotional about this subject.

The minister was right in some of the things he said about Air Canada. We do have different planes now. I can remember, as I am sure the Deputy Prime Minister can, when we used to take the Viscount from the maritimes to Ottawa. The Deputy Prime Minister will remember that to get off the island of Cape Breton, before the causeway was built it was almost necessary to row a boat across the strait to the mainland. Then it took eight or ten hours to fly from Halifax to Ottawa. Now we have the benefits of modern technology and jet planes. Of course, the Minister of Transport does not take credit for all of this. We still cannot fly to New York direct from Ottawa. I am really speaking now about Atlantic area transportation and certainly we can fly much more easily today from Ottawa to Halifax than in the old days. That is to the credit of everyone concerned. But all the problems of this new advancing age have not been solved. The government does not like to admit that there is something called oil and gas. That is dirty stuff developed by these penurious selfish companies which are bleeding Canadian taxpayers to death.

I was very interested this afternoon when the minister rationalized about the icebreaking service and told us to worry about icebreaking on the St. Lawrence and the Gulf because all his experts say the cost of $17 million breaks down to $1.60 per ton and, really, that is not so much. I think the minister should ask his colleagues in cabinet, especially the Minister of Consumer and Corporate Affairs (Mr. Ouellet), to look into this matter a little further. In that most slanted seven-volume report, published after an eight or ten-year study of the oil and gas industry, there is mention of extra charges over a period of ten-years amounting to $12 billion. Yet apparently the government cannot lay charges against the industry. I am informed by people who know the industry better than I that on the basis of the 35 gallon barrel, taking a ten-year period, the overcharging could be broken down to something like one-third of a cent per gallon.

When the minister tries to rationalize the cost of icebreaking services in the Gulf, I should like him to remember what the Minister of Consumer and Corporate Affairs said about the oil companies.

In his own inimitable way the hon. member for Northumberland-Miramichi (Mr. Dionne) justified what the hon. member for Carleton-Charlotte (Mr. McCain) said, that in terms of Atlantic Canada—and hon. members from Atlantic Canada including yourself Mr. Speaker, will appreciate this—unless we become more strongly Atlantic Canadians rather than partisan politicians, some of the basic problems which have existed almost since confederation will not be resolved. The Minister of Transport gave us a recital of statistics this afternoon. To give him his due, certain things have improved but I think he must accept the challenges that lie on the threshold and he must talk about them.

• (2050)

I am not happy to listen to the statistics of the past when I know that in the future Dome Petroleum will go offshore to buy the new icebreaking barges to go into the north, and those jobs and that industry will go to Korea or Japan. As an Atlantic Canadian, regardless of how you rationalize it, we thought part of our future was container ports. Almost overnight it is unilaterally being shifted in large measure from Halifax to Montreal. I do not have anything against Montreal, but when the history of this time is written, and this comes very close to the background and heritage of the Deputy Prime Minister, it will be said that Atlantic Canadians were not small Canadians when the seaway was to be built. We knew it was in the best interests of the country even though there would be some problems.

Once the decision was made by the government, and it happened to have the same label of government that is now in power, problems started with Sydney Steel. The iron ore came from Sept Îles, Ungava and the heartland, and there was not a refitting of the steel mill in Sydney. Some of my predecessors on this side said that was the demarcation of the decline of Sydney Steel. In like fashion we on this side are concerned when we see the Dart Containerline traffic that was supposed to be the base of the new Halifax port activity, unilaterally shifted to Montreal with a tangled corporate web involving Crown corporations and/or federal help in order to keep the St. Lawrence seaway open. That does not make us happy.

When we look to the future there is something else we talk about in this House. The Deputy Prime Minister and Minister of Finance was supposed to help with the financing, but so far there has been no commitment whatsoever in terms of the future of Atlantic Canada. I refer to the pipeline extension east of Quebec City. This will come back to haunt the Minister of Finance. It will come back to haunt the Minister of Finance that Atlantic Canadians did not have the opportunity to make a bid on the LNG project between Gros Cacouna and the Strait of Canso, in the backyard of the Minister of Finance. It does not give us much hope for the future when the Minister of Finance is not prepared to exercise the weight of his office to get the National Energy Board to move on the whole operation. The Minister of Finance can smile, but I suggest it will be the smile of the proverbial cat that gave you parliamentary indigestion.

Mr. MacEachen: The minister is smiling because you are attacking him rather than the Minister of Transport.

Mr. Nowlan: I find it much easier to attack the Minister of Finance. Perhaps it is because we are compatriots from the old sod. Why I bring my colleague in indirectly, a man I get along with very well outside the House—obviously we have to object in the House from time to time—is because we are talking about Atlantic area problems.

We are not talking about transportation of the old days, the horse and buggy, the steam engine and the days of sail. Those days have gone out the window. We are talking about the new world and the new challenges which should excite the Minister of Transport, coming back to him; the new challenges that should give us real hope in Atlantic Canada. Quite frankly, we in that "have not" area are on the threshold of a real "have" situation if governments of all political labels, federal and provincial, will move in the right direction.

I repeat, the Dart situation came about overnight. We did not have a decision on the pipeline extension other than what was in the budget. It is supposed to be a committee of government. The government is not ensuring that the National Energy Board move on the whole hearing. To be fair, the federal government is not the only one at fault on the pipeline extension. I do not mind saying in this House I am not happy with the Premier of New Brunswick and the caveats he files on the extension of the pipeline. Let us not worry about the problems of nuclear energy.

Some hon. Members: Oh, oh!

Mr. Nowlan: My friend from Northumberland-Miramichi has croaked. I will be candid and admit that all the blame is not in one corner. If we in Atlantic Canada do not speak with a common voice about our common problems, we will be doing a disservice to those we represent, those who sent us here to represent them, regardless of party affiliation.

In the years I have been in this House it has bothered me that we do not have an all-party Atlantic caucus to deal with common problems. We cannot always agree. I realize the problems of government. In the brief time we were in government I did not agree with everything that was done. However, I think it is political negligence that we from Atlantic Canada do not meet once a year to discuss our common problems.

As a result of the fine work of the hon. member for Dartmouth-Halifax East we on this side have an Atlantic caucus which meets once a week. I do not know whether the same is true on the government side. We know they travelled around Atlantic Canada once about five years ago. As far as I am aware, that is the only time the government Atlantic caucus has ever met in Atlantic Canada to talk about the problems there.

An hon. Member: How about the west?

Mr. Nowlan: Well, they are twinning the west. Regardless of whether I sit on this side or the side of the hon. member for Northumberland-Miramichi, I am deeply concerned, when gas is in surplus and offshore oil is costing more every day, that we are not moving as a geographic entity, regardless of political stripe, to make sure the pipeline is extended. The Prime Minister (Mr. Trudeau) promised that in the 1979 campaign, although he did not say much about it in 1980, the pipeline should extend from coast to coast the same as the great transportation link which joined us together after 1867. That is what we are talking about.

Every member from Atlantic Canada should be disturbed about the bureaucratic mishmash and innate foot dragging there is in government, and I say "government" in the apolitical sense. Members are elected to stick pins in the backsides of bureaucrats, to get them off dead centre, off their seats. We try to get them to hold hearings, and not just in Ottawa. The National Energy Board now travels.

I do not accept the report of the National Energy Board. Members of Atlantic Canada should not accept the NEB report which tries to justify why it did not approve the extension of the pipeline. They said it was because of environmental studies and the fact that we might find gas off the Atlantic shore. Should those two reasons justify not going ahead with a link from coast to coast? If we do discover oil offshore, it will help central Canada. Some people might say I am attacking the National Energy Board. I will attack it when its report is before the proper committee. How can it say environmental studies are necessary in the area from Quebec to Halifax when there were no studies between Montreal and Quebec, yet it approved that extension? And I do not accept that double dealing and I must say that I did not appreciate—

• (2100)

The Acting Speaker (Mr. Corbin): Order.

Mr. Nowlan: In conclusion I am glad to have had the few moments, too few, to bring some of these problems forward. I hope Atlantic Canadians will talk with one voice on common problems.

Some hon. Members: Hear, hear!

Mr. Ray Skelly (Comox-Powell River): Mr. Speaker, I certainly felt there could have been a few more minutes to wrap it all up, but it has been a very interesting evening so far, and I guess some of the very interesting comments were made by the hon. member for Northumberland-Miramichi (Mr. Dionne). I particularly noted his comment on patronage, and from his remarks tonight I was very optimistic that recognition might be the first step to a cure.

There were comments tonight on the committee system as an appropriate method of dealing with transportation issues. I think a great many people in this House are finding that the committee system is not an effective way to deal with some of the problems that face this nation, particularly with the spending of billions of dollars in departmental estimates, or even in dealing with programs—some certainly have more success than others. I think by and large, however, with some of the reforms of the committee system suggested we may see a better transportation system in the country. I think there is an even greater potential for reform. In watching passage of this

particular motion through the House tonight, I think the whole question of how we approach opposition days may be worth looking at.

The motion before us starts out by condemning the government and the Minister of Transport (Mr. Pepin), and then itemizes some very serious concerns affecting everyone in this House. I have spoken to government members, members of the official opposition and our own party who are concerned about many of the items. Unfortunately these motions are always condemned to defeat in advance. There are positive statements in this motion, but they are couched in such a way it can never succeed. That is unfortunate because I think some of the government members recognize many of the problems, and support some of the suggested solutions.

Although I suppose we are going to support this motion, I am reluctant to join in condemning the Minister of Transport. I may have felt a little differently early in my term, but I have found he is a person who is at least open and willing to discuss problems, in some cases more so than other members of the government. I certainly appreciate some of the things he has done there.

The point I am making is we had a very interesting debate on El Salvador and Central America Monday last, and I think many members of the official opposition, although they had difficulty supporting the motion the way it was drafted, supported the concept. I guess I am saying the same thing tonight. I wish the motion was couched in such a way that a positive outcome was possible with regard to the common problems we recognize.

With those comments I should like to move on to one aspect of transportation that concerns me, an aspect I think it is of vital concern to all Canadians.

I have spoken on this many times in the House and I know many others are vitally concerned with it. I refer to the whole area of marine transportation. Many people in this House recognize that the Department of Transport is a monster, containing as it does the air, marine and surface administrations. Basically it is so vital and so large there is a feeling that the department should be divided. On a number of occasions I have placed a number of questions and suggestions on the order paper that we appoint a minister of marine transportation. The other day in response to a question the Prime Minister (Mr. Trudeau) said he would give that concept consideration. I would like to make some arguments this evening as to why that should be done and done very quickly.

The issue of a Canadian merchant fleet has been debated many times in this House. Many members of the government, the loyal opposition, and the New Democratic Party, have on many occasions indicated support for this. If we look back we will see that Canada is about the tenth largest trading nation in the world. The goods we exported and imported in 1979 amounted to about $38 billion, of which 10 per cent, roughly $4 billion, can be related to the freight bill. In coming years we will be looking at increasing wheat shipments, but as the world converts from more expensive petroleum fuels to coal, we are going to see a massive development of marine transportation to haul that coal to those nations short of it from those that have it in abundance. Ports will have to be developed and, in short, billions and billions of dollars will have to be spent on marine transportation development.

After the world coal report was produced someone made the statement that there were not enough shipyards in the world to build quickly enough the vessels required to carry the volume of coal when we really begin to make that conversion by the end of the century. A Canadian merchant fleet is going to be a very important aspect of our marine transportation system. It is going to provide jobs for Canadians through crewing these vessels, jobs in building them and in allied industries, and it is going to place in Canada a technology that will, if we take the opportunity, make us world traders in ships and marine facilities. Basically what we have to do is look seriously at bringing a Canadian merchant fleet onstream very soon.

It is interesting to note the arguments, and there have been ten to 20 years of studies, as to why we do not have a merchant fleet. The government's policy for years has been that there is a large pool of surplus shipping in the world; it provides a cheap source of transport for Canadian goods on these flags of convenience ships using cheap labour, with very low safety standards and a variety of other cost-cutting methods, and that it has been a boon to Canada in supplying cheap transportation. However, I would submit to you, Mr. Speaker, that there is a hook in that and a very dangerous one. Shipyards in Canada are no longer capable, I would suggest, of building the kinds of vessels that would put Canada out front in carrying her own resources around the world, or at least a share of those resources. The capability is not there and what we have done by this very pennywise and pound foolish policy is place ourselves in very great jeopardy for the next few decades; maybe forever. I suggest, therefore, it is unfortunate that the resolution tonight was not couched in such a way as to make a positive statement about the development of a Canadian merchant fleet.

Another aspect of this suggestion about the appointment of a minister for marine transportation, given the task of developing a marine force for Canada and co-ordinating the efforts of government and industry to bring about this marine strategy in a way that would provide maximum benefits for Canada, is the business of offshore and Arctic development. The oil companies are now coming before the national resources and public works committee talking about their plans in the Canada lands area of Hibernia, off Sable Island, the Labrador shelf, the Beaufort Sea and the Arctic islands, and they are using some interesting figures. Dome talks about spending $40 billion on platforms for exploration, production and transportation of supplies in and the resource out. Mobil Oil was talking the other day about their activities off the east coast and it presented some rough and dirty figures. It was talking about $5 billion for marine platforms. Mobil is working with semi-submersible rigs and developing platforms to work on the sea bottom. When Mobil get into production they plan to spend roughly $5 billion over the next decade.

• (2110)

With respect to the offshore role of Gulf Resources of Canada, Gulf officials spoke the other day about approximately $5 billion for marine platforms. Gulf had not yet decided on technology; whether it would dredge up islands and plant their production facilities on those islands or go with more conventional marine platforms. However, they spoke about a quick $5 billion figure.

Officials of PanArctic Resources were here today. They are working in a number of areas, some of them on land. They are beginning to work offshore in very deep waters. One particular oil strike was at 1,100 feet. With respect to the projects in which PanArctic is involved with other companies, they are talking about $40 billion to $50 billion. This is projected between now and the 1990s. Some things are on the drawing board; some things are a reality. Dome Petroleum is considering delivering gas to Japan by 1986. It is considering delivering gas out of the Arctic pilot project by 1985. That is just a very short few years away.

The oil companies to which I have referred were asked what impediments they see to Canadians participating in building platforms for exploration, for production and for transportation. Every one of them indicated that there is a serious problem. First, the resource industry, government and the manufacturing industry which will be involved in providing maximization of benefits for Canadians, are not talking on a formal, regular basis to see that those works come to Canadian shipyards and allied industries. That is the first problem.

There seems to be a problem within the government itself. Various government departments seem to be developing a fragmented approach or are actually working at times at cross purposes. When there is an order of roughly $60 billion to $100 billion, we as Canadians cannot afford that kind of impediment.

The other impediment is that Canadian shipyards are not in a position to deliver. Let us go back for a moment to the case of Mobil Oil. Mobil went offshore for a drilling rig. It went to Canadian shipyards and said, "Can you build it?" Those shipyards said, "Sorry, we cannot; we are not set up to do it". A specific delivery date was specified, and Canadian shipyards could not do it. Work valued at $300 million went offshore.

Dome Petroleum entered into an agreement just a week and a half or two weeks ago. Dome Petroleum wants to spend $200 million on a barge. The barge is to be a floating drydock to work in the Arctic. Dome went to every Canadian shipyard and asked if this barge it wanted, made from 7,500 tons of steel, could be built in Canada. That would have been a very large project. Roughly 150 to 200 jobs would have been involved. Every Canadian shipyard was asked if there could be a delivery by June 1 because the Arctic window opens for only a short period of time. It is only open from roughly July 15 to September 15. If the barge does not go in then, it must wait a year. Some projects tie up $1 million a day for a year, and that money cannot be wasted. The Canadian shipyards invited to participate were asked for a June 1 delivery date. None of them could meet that date. Dome went offshore and found that no foreign supplier could do it, so the date was moved to September 1. Canadian shipbuilders still could not meet the date, but one offshore shipyard could. That barge is now being built in Japan.

Dome had the same problem with supply vessels for the Beaufort Sea. They are built in Louisiana. Apparently they have a very special design. There now is a need to acquire an icebreaking tug; a very large and powerful machine. This is on the drawing board. Strengthened hulls and huge motors are required, but delivering the motors at the time the hulls are built will require a two-year delay. This equipment is needed in the Arctic when the window is open. If Canadians cannot build it, that tug will be built offshore.

The moral of the story is that resource companies are not talking seriously enough with the shipbuilding companies. Government is not giving adequate or co-ordinated attention to the development of Canadian shipyards. Government is not facilitating developments in the Arctic.

Perhaps a way out of this particular dilemma would be to appoint a minister of marine transportation and to give such minister the task of developing a marine industrial strategy which would have the resources to co-ordinate and make sure that Canadians cash in as much as possible on that $60 billion to $100 billion Arctic development.

Who knows what merchant fleet development there might be when we start moving large quantities of coal out of this country? But without the necessary co-ordination many of these developments will go offshore. We will be supplying only the nuts and bolts for these massive platforms being built offshore.

There are other aspects of this which seem somewhat strange to someone standing outside and watching. It must certainly seem strange to some government members that the government uses a large number of marine platforms. The government spends a tremendous amount of money. The Department of Fisheries and Oceans is spending roughly $90 million on a new fishing vessel acquisition program. The RCMP has a fleet of vessels it uses in the delivery of law enforcement services at sea. The Department of Transport provides search and rescue services through the coastguard as well as icebreaking services and a host of other things. That department has a very large fleet. The Department of National Defence is developing a new frigate program as well as a destroyer life extension program.

From the information we have it appears to someone from the outside that there is a great deal of fragmentation in the way we are obtaining marine platforms. Each department has its own vessels. Each is building its own empire. This has created a great deal of fragmentation.

It strikes me that if the government is building all those vessels, whether they be new frigates for the armed forces, whether they be under a destroyer life extension program, whether they be fisheries vessels or RCMP vessels or whether money is spent on coastguard repair work or new construction, it should all be co-ordinated, not by way of awarding contracts

to the lowest bidders, but through the development and enhancement of a Canadian marine industrial strategy.

Bill C-48 really is not strong enough to demand Canadian content, but subsidization and tax programs should all be brought together under a minister of marine transportation in order to create a marine industrial strategy for Canadians. This would be a tremendous project, and there is tremendous potential. That makes a great deal of sense to me and to many with whom I have spoken. We should not fail to do this. Mobil has already done it, Dome has already done it and every shipping company listed here and every carrier has done it.

I would like to run through some figures. They are not particularly important, but in 1976 roughly 100,000 tonnes of Canadian shipping were built offshore. In 1977, 164,000 tonnes were built offshore. In 1978, 67,000 tonnes were built offshore. In short, a tremendous amount of our shipping capability is being lost to other countries. Many of these ships are registered in other countries, and repaired in other countries.

I have dealt with our opportunities in the Arctic. I have dealt with the problems faced by companies which want to build their vessels in Canada. They cannot get Canadian shipyards to handle the work, so other countries are providing their ships. In the Arctic the Offshore Supply Association—which is a wholly-owned subsidiary of a German company, Preussag of Bremen—intends to register six of its 92 vessels in Canada so that they can work in the Arctic. I submit that those should not be supplied from West Germany, with returns going back to West Germany. Those vessels should be produced by Canadians in Canadian shipyards supplied by many other Canadian allied industries. This would provide an additional benefit.

I would like to complete my contribution to this debate tonight. I strongly suggest to the Minister of Transport and members of the government who are vitally concerned about this, whether they be from Atlantic Canada, from Quebec, from Sorel, from Lévis or from Montreal, that we need a minister of marine transportation. We need a marine industrial strategy.

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member, but the time allotted to him has expired.

● (2120)

Mr. Tom McMillan (Hillsborough): Mr. Speaker, I should like to begin by saying how delighted I am to participate in this debate on a motion moved by the Progressive Conservative Party which calls on this House to condemn the failure of the government to deal adequately with national transportation problems. In our motion, we condemn my good friend, the Minister of Transport (Mr. Pepin), in particular, for:

1. abandoning the use of transportation as a tool of national and regional economic development;

2. allowing Canadian National Railways to totally disregard legitimate maritime business needs and close CN Express offices without adequate financial justification—

7. failing to bring before the House acceptable legislation dealing with a new national transportation act, ports policy, the maritime code, or coastal shipping;

There are other grievances.

My colleagues have contributed usefully to this debate on a variety of subjects. I am particularly glad my colleague from Prince Edward Island, the hon. member for Malpeque (Mr. Gass), has been able to participate and to deal with a number of issues of special import to my province and to the region in general.

For my part, Mr. Speaker, I intend to focus almost exclusively on rail transportation, including all the various operations of Canadian National. I do so, not because I think air transport, shipping or highways are not important—in fact they are—but I think by concentrating on rail transportation I will be able to illustrate more clearly than in any other fashion two broad points. The first is that the government is almost totally insensitive to the problems and concerns of the Atlantic provinces, and the second is that the government is especially unaware of the importance of transportation to the economy of the region and to the quality of life there.

It must be remembered that the Atlantic provinces were not always poor, disadvantaged and destitute. At the time of confederation we were a fairly prosperous region. We were approaching a degree of self-sufficiency with strong trade ties, for example, with the northeastern tier states of our southern neighbours. In the 1860s, our region had a well-developed maritime shipping industry. Ours ranked fourth among the great merchant marines of the world, and this sort of enterprise spawned all kinds of industries beyond those particular ones, including a significant financial system which included about a dozen banks, two of which were the most substantial and stable in all of North America, not to mention insurance and marine companies.

Soon after confederation the situation turned dramatically for the worse. I would be the last member of the House to argue that confederation has not been good for the Atlantic provinces or for my province in particular. That is not the point of my message. I am saying, however, that despite many social and economic benefits from confederation, the policies of successive federal governments, particularly Liberal governments, consciously or subconsciously have favoured other regions of Canada at the expense of our own, especially central Canada. I might mention, for instance, the fact that high tariffs have consistently favoured the industrial heartland of the country, southern Quebec and Ontario, a policy which, whatever its merits in terms of developing the national economy as an independent force, involved the Atlantic region paying a very high price indeed. The national policy, as it was called, was begun in the early part of our history and was followed to the present. It is not an isolated example.

Nowhere is such a bias in favour of the central part of the country more true than in transportation. I think in that regard a historical perspective is vital to an understanding of the importance of transportation to the region and of the failure of national transportation policies to serve the region.

I want to skim over the history very briefly. But in doing so I stress, in particular, that Prince Edward Island entered confederation because of the firm commitment made by Canada—as it then was—to complete the P.E.I. railroad and to maintain it forever and a day. I have in front of me the Terms of Union between Prince Edward Island and the rest of Canada. They stress:

Efficient steam service for the conveyance of mails and passengers to be established and maintained between the Island and the mainland of the Dominion, winter and summer, thus placing the Island in continuous communication with the Intercolonial Railway and the railway system of the Dominion.

That was a firm commitment by Canada to provide P.E.I. with continuous rail service—not only to complete the P.E.I. railway but to maintain it. It was an article of faith as far as Islanders were concerned. The continued existence of the railway was something akin to an inalienable right.

After the P.E.I. railway was completed and, eventually, after the Intercolonial Railway in the Atlantic region was completed in the 1870s, the two railways were meshed and incorporated into the Canadian National Railways system around 1919. But, even though changes were made to the specifics of the arrangements so far as the railways were concerned, the fact remains that the commitment continues to this very day.

It is interesting to note that in August, 1973, there was a strike on Prince Edward Island in CN marine service, which effectively cut P.E.I. off from the rest of Canada for a period of time, to the great detriment of the local economy. P.E.I. then took the federal government to court, even as far as the Supreme Court of Canada, because it considered that strike to be a breach of the Terms of Union of Prince Edward Island in confederation. I remind you, Mr. Speaker, that P.E.I. won its case, which further confirms the very strong commitment the federal government has to our island province to maintain the railway connection. That commitment extends to the region as a whole, because the Intercolonial Railway was completed as a term of entry for the other maritime provinces into confederation. It was part of their confederation bargain. The Intercolonial was not set up as a profit-making enterprise; it was set up for the better interests of the region as a whole, even though that particular facility might incur a loss.

When the Canadian National Railways took over the Intercolonial Railway, as it did other parts of the railway system in Canada, to provide a country-wide system, such a commitment to continue railway service—and a minimal service at that, below which the region would not be allowed to fall—has never, so far as the courts have been concerned, been removed. The commitment continues to the present.

I want to bring to your attention, Mr. Speaker, the fact that while this commitment stands, the federal government, almost since the time of the collapse of the Intercolonial Railway—or since its absorbtion by CN—has pursued a steady, programmed effort to downgrade the railway throughout the Atlantic region. The most recent example, of course, is Canadian National Express. I want to dwell on it for a couple of minutes, by way of illustration only.

My colleagues have demonstrated very adequately this afternoon and evening the importance of that vital service. It is important to business people, to farmers, to fishermen and, indeed, to the general public. It is an essential tool of commerce for the whole area. I am talking about the general field of small parcel delivery and service.

● (2130)

In 1976 there were 19 CN Express terminals in the maritimes. That figure was later reduced to 15. In 1981 there was a plan to slash the number to five, a reduction of something like 76 per cent. At one point Prince Edward Island was to be denied locally-supplied CN service; to the extent it would be allowed to continue, the whole shebang was to be turned over to profit-oriented trucking companies. I cannot stress strongly enough the inadequacy of such an arrangement.

I have nothing against trucking companies, but I regret very much that the trucking companies which would have taken over this service on P.E.I. were off-island. Trucking companies, just as with any other profit-oriented enterprise, are not designed essentially to provide a public service in the way CN was set up to do. If the express service were turned over to trucking companies it would be reduced and provided on the terms of the trucking companies which are not always in the public interest. Trucking companies do not have a national network such as CN's. They are profit-oriented and do not have a public mandate as CN does. Nor do they have the expertise to assist their patrons, the people who use express service, with packaging, advice on the proper mode of transport, or the identification of individual parcels which are lost. Trucking companies do not have that expertise, and they have no particular interest in developing it. Moreover, when two or three carriers get into the act, add-on charges are involved. So, the eventual cost to consumers would be very much higher than if the existing CN service were continued.

Largely because of pressure from myself, the government of Prince Edward Island, the CN employees involved and the public at large, the minister undertook to be in touch with Dr. Bandeen, the president of Canadian National, to have Prince Edward Island exempted from the scheduled ten CN Express office closures. I welcome that and congratulate the minister for taking the initiative. But the fact remains that the number of employees has been reduced from 41 to 19, and the service has been substantially truncated. It will be basically restricted to within Charlottetown, and between Charlottetown and other off-island centres. Most of the connections between Charlottetown and other communities within the island will be severed. Apparently the figure of 19 employees includes one manager, but that was not my understanding of the commitment that CN Express would maintain 19 full-time employees on P.E.I. In addition, CN officials, perhaps unbeknownst to the minister, have been fiddling with the numbers to the extent of threatening to keep only 11, 12 or 13 full-time employees, with the others only on a part-time or relief basis, to be called into service at the discretion of CN.

I know the minister would not breach the commitment he gave in the House on February 4 and February 24 to maintain CN Express services on the island at 19 full-time employees, or in that vicinity. I will hold him to his commitment. I am sure, because he is an honourable man, that he will live up to it. Also, I congratulate him for keeping the Sydney office open on the grounds that that particular community is in a low employment area and thus needs special consideration.

In my remaining minutes, I want to stress that the CN Express situation is only an illustration. I appreciate the argument made sometimes by CN that it was losing money with the service, something like $50 million in 1979. But one wonders how hard CN tried to turn a profit. I suspect it did the same thing with CN Express as it did with CN passenger service. The company created a situation which caused people not to use the service, so that it could use the non-use of the service as a rationale for abolishing it, when the real reason had nothing to do with whether or not the service was being used by the public. I find it hard to believe that CN cannot compete with private couriers and similar specialized operators who are often proceeding on a shoestring. In any event, the CN Express on P.E.I. was operating at near-peak capacity. I am told by people who have looked very closely at the figures that over a period of time the CN Express terminal on Prince Edward Island consistently operated at 95 per cent capacity, by CN's own standards. It is, therefore, beyond my understanding how CN could threaten to abolish that service on the grounds that it was being underused.

The profit of Canadian National Railways in 1979 was $208 million, up $72.1 million from 1978. It is clear that CN is hell-bent on making a profit at the expense of providing services, at the expense of its public mandate, and at the expense of the terms of entry into confederation by Prince Edward Island and the other Atlantic provinces. It is operating like a private corporation. It is no different from Canadan Pacific or, for that matter, Eastern Provincial Airways. It has set upon a course which emphasizes consolidation, bigness and concentrating on key market centres, major metropolitan market centres such as Montreal and Toronto. By definition that almost excludes the Atlantic provinces. This emphasis will have various consequences in terms of our prospects for regional development and alleviating the economic disparities we suffer.

Other examples could be cited of the steady withdrawal of Canadian National from the Atlantic region. In Prince Edward Island there was the removal of passenger service; the efforts of CN, some of them successful, to abandon important rail lines; and the threat to the carload centre, the major office for the movement of heavy freight to and from the province and within it. Most recently there was the threat to the rail car service centre which provides emergency and routine services to the cars; it has been moved practically holus-bolus to another, off-island centre. Finally there is the example of CN Express cited earlier. They are all part of a pattern of programmed erosion of the operations of Canadian National on Prince Edward Island.

This is most regrettable. The P.E.I, case parallels other horror stories to which some of my colleagues have addressed themselves; including the downplaying of the Halifax harbour and in particular the Dart Containerline crisis in Halifax. It is a truly tragic situation to which Canadian National is a party.

We must appreciate that transportation is not a luxury. It is not only important; it is essential to the region. It is a vital tool for economic development. We in the Atlantic region have particular requirements by virtue of the fact that we are far from our markets and are also often far from our sources of supply. We need in Canada a total look at the federal government's plans for transportation in the region over the next five years. In particular we must look at the special role of Canadian National in those plans. We must look at the role of air and other modes of transportation in that over-all scheme. It is because the federal government has failed miserably to sustain a regionally-sensitive transportation policy that I call upon all members of the House to condemn the government and the record of the Minister of Transport. The government does not appreciate the objectives of a regionally-sensitive transportation policy, the realization of which was one of the terms of entry into confederation by the maritime provinces.

• (2140)

Mr. Deputy Speaker: I regret to interrupt the hon. member but his allotted time has expired.

If the Parliamentary Secretary to the Minister of Transport wishes to be recognized he must be in his place.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the minister and the members on this side of the House have shown that the government is not neglecting the Atlantic provinces.

Some hon. Members: Oh, oh!

Mr. Bockstael: In fact, the opposite is true. This government is committed to, and deeply involved in, every mode of transport. It is promoting regional development in the Atlantic provinces, and on a per capita basis the Atlantic provinces are in the enviable position of receiving twice the national average—

An hon. Member: How come things are in such a mess?

Mr. Bockstael: The member for St. John's West (Mr. Crosbie) brought up the matter of the Newfoundland railways. A labour agreement was reached between this government and the union in February. The entire program is being accepted, since it is being made possible through federal assistance. The syncro-lift in St. John's has been approved by the minister. He agreed to the joint venture between the CNR and the province. He assured the exchange of land. Now that the design is completed, tenders will be called in the very near future on a $21.5 million syncro-lift. The St. John's airport already has ILS service and there is an additional ILS runway being installed which will be completed this year. St. John's airport will receive $4.3 million in capital improvements in 1981-82.

The hon. member for Malpeque (Mr. Gass) says there is no consultation with the provinces. In August and September, 1980, the provincial government, the tourist industry, the trucking industry and the Atlantic provinces transportation committee were consulted on ferries. The previous Tory government approved a 10 per cent increase in ferry rates. We are doing the same thing to meet inflation. We should note that through our constitutional link with the Atlantic provinces this government is providing $4.6 million to the Northumberland ferries and $9 million to Borden-Tormentine ferries, which represents 80 per cent of their budget and costs.

This government is supporting the Saint John potash terminal with $23 million and the Halifax-Fairview terminal with $29 million. There really is no discrimination against the Atlantic provinces. We have presented facts which show that the Atlantic provinces are the beneficiary of extensive federal assistance. The minister has described how, through consultation and with the support of the provinces, ever more effective programs are now under way.

This motion presented by the opposition should be voted down, along with the amendment thereto by the New Democratic Party.

Some hon. Members: Hear, hear!

Mr. Bockstael: It is time the opposition focused its attention on something new and quit resuscitating and dredging up old and untrue myths.

Mr. Baker (Nepean-Carleton): Do not use the word "dredging"!

Mr. Hnatyshyn: The word "dredging" is a no-no, it is unparliamentary!

Mr. Bockstael: The hon. member for Dartmouth-Halifax East (Mr. Forrestall) says in his motion that transportation is still a major problem. Unfortunately, he does not seem to be aware of his own provincial government's green paper issued by the department of development entitled "Toward an Economic Development Strategy for Nova Scotia". This paper states, in part:

> Transportation costs, as a proportion of the final costs of manufactured goods sold, have decreased—and now account for 2 to 3 per cent of the cost of goods sold by Nova Scotia firms. Compared to labour, raw materials and financial expenditures, transportation is of a second order of significance—important, but certainly not large enough to be an overriding factor in the development of the region.

This government is committed to look after the transportation of the entire nation and the region, and it will continue to do so efficiently and effectively.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Deputy Speaker: Order, please. It being 9.45 p.m., it is my duty to interrupt the proceedings and to put forthwith every question necessary to dispose of the supply proceedings now before the House under the provisions of Standing Order 58(9).

The question is on the amendment of the hon. member for Regina West (Mr. Benjamin).

All those in favour of the amendment will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

And more than 5 members having risen:

Mr. Deputy Speaker: Call in the members.

[*English*]

The House divided on the amendment (Mr. Benjamin) which was negatived on the following division:

● (2150)

(*Division No. 47*)

YEAS

Messrs.

Althouse	Hamilton (Swift Current-Maple Creek)	Murphy
Andre	Hargrave	Murta
Anguish	Hawkes	Neil
Baker (Nepean-Carleton)	Hnatyshyn	Nowlan
Beatty	Hovdebo	Nystrom
Benjamin	Howie	Oberle
Blackburn	Jarvis	Ogle
Blaikie	Jewett (Miss)	Orlikow
Blenkarn	Keeper	Paproski
Cardiff	Kempling	Patterson
Clark (Yellowhead)	Kilgour	Reid (St. Catharines)
Clarke (Vancouver Quadra)	King	Riis
Cook	Knowles	Robinson (Burnaby)
Cooper	Kristiansen	Roche
Corbett	Kushner	Rose
Crouse	Lambert	Sargeant
Dantzer	Lawrence	Schellenberger
Darling	Lewis	Scott (Hamilton-Wentworth)
de Jong	MacDonald (Miss)	Scott (Victoria-Haliburton)
Dinsdale	Malone	Siddon
Ellis	Manly	Skelly
Elzinga	Mayer	Stewart
Fennell	Mazankowski	Taylor
Forrestall	McCain	Thacker
Fretz	McCuish	Thomson
Friesen	McKinnon	Towers
Fulton	McLean	Vankoughnet
Gass	McMillan	Wilson
Greenaway	Miller	Wright
Gurbin	Mitchell (Mrs.)	Yurko—93.
Gustafson	Mitges	
Hamilton (Qu'Appelle-Moose Mountain)		

NAYS

Messrs.

Appolloni (Mrs.)	Beauchamp-Niquet (Mrs.)	Bockstael
Axworthy	Bégin (Miss)	Bossy
Bachand	Berger	Breau
Baker (Gander-Twillingate)	Blaker	Bujold
	Bloomfield	Bussières
		Caccia

Messrs.

Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Chénier
Chrétien
Collenette
Comtois
Corbin
Corriveau
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
De Bané
de Corneille
Demers
Deniger
Desmarais
Dingwall
Dion
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Duclos
Dupont
Dupras
Erola (Mrs.)
Evans
Ferguson
Fisher
Flis
Foster
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Harquail
Henderson
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hudecki
Irwin
Isabelle
Joyal
Kelly
Killens (Mrs.)
Lachance
Lalonde
Lamontagne
Lang
Laniel
Lapierre
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Leduc
Lonsdale
MacBain
MacEachen
Mackasey
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McCauley
McRae
Nicholson (Miss)
Olivier
Ostiguy
Ouellet
Parent
Pelletier
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Robinson (Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Savard
Simmons
Stollery
Tardif
Tessier
Tobin
Tousignant
Turner
Watson
Weatherhead
Yanakis—119.

● (2215)

Madam Speaker: I declare the amendment lost. The question is therefore on the motion of the hon. member for Dartmouth-Halifax East (Mr. Forrestall). Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Madam Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Madam Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Madam Speaker: In my opinion the nays have it.

And more than five members having risen:

Madam Speaker: Shall we dispense with the ringing of the bells?

Some hon. Members: Agreed.

The House divided on the motion (Mr. Forrestall) which was negatived on the following division:

● (2220)

(*Division No. 48*)

YEAS

Messrs.

Althouse
Andre
Anguish
Baker (Nepean-Carleton)
Beatty
Benjamin
Blackburn
Blaikie
Blenkarn
Cardiff
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cook
Cooper
Corbett
Crouse
Dantzer
Darling
de Jong
Dinsdale
Ellis
Elzinga
Fennell
Forrestall
Fretz
Friesen
Fulton
Gass
Greenaway
Gurbin
Gustafson
Hamilton (Qu'Appelle-Moose Mountain)
Hamilton (Swift Current-Maple Creek)
Hargrave
Hawkes
Hnatyshyn
Hovdebo
Howie
Jarvis
Jewett (Miss)
Keeper
Kempling
Kilgour
King
Knowles
Kristiansen
Kushner
Lambert
Lawrence
Lewis
MacDonald (Miss)
Malone
Manly
Mayer
Mazankowski
McCain
McCuish
McKinnon
McKnight
McLean
McMillan
Miller
Mitchell (Mrs.)
Mitges
Murphy
Murta
Neil
Nowlan
Nystrom
Oberle
Ogle
Orlikow
Paproski
Patterson
Reid (St. Catharines)
Riis
Robinson (Burnaby)
Roche
Rose
Sargeant
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Siddon
Skelly
Stewart
Taylor
Thacker
Thomson
Towers
Vankoughnet
Wilson
Wright
Yurko—94.

NAYS

Messrs.

Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Berger
Blaker
Bloomfield
Bockstael
Bossy
Breau
Bujold
Bussières
Caccia
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Chénier
Chrétien
Collenette
Comtois
Corbin
Corriveau
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
De Bané
de Corneille
Demers
Deniger
Desmarais
Dingwall
Dion
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Duclos
Dupont
Dupras
Erola (Mrs.)
Evans
Ferguson
Fisher
Flis
Foster
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Harquail
Henderson
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hudecki
Irwin
Isabelle
Joyal
Kelly
Killens (Mrs.)
Lachance
Lalonde
Lamontagne
Lang
Laniel
Lapierre
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Leduc
Lonsdale
MacBain
MacEachen
Mackasey
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McCauley

Messrs.

McRae	Peterson	Savard
Nicholson (Miss)	Pinard	Simmons
Olivier	Portelance	Stollery
Ostiguy	Prud'homme	Tardif
Ouellet	Robinson (Etobicoke-Lakeshore)	Tessier
Parent	Rompkey	Tobin
Pelletier	Rooney	Tousignant
Penner	Rossi	Turner
Pepin	Roy	Watson
		Weatherhead
		Yanakis—119.

[*Translation*]

Madam Speaker: I declare the motion lost.

It being after ten o'clock, this House stands adjourned until 2 p.m. tomorrow, pursuant to Standing Order 2(1).

At 10.23 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, March 18, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

ENERGY

SUGGESTED NEW PRICING REGIME—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise pursuant to Standing Order 43. The resumption of energy pricing meetings with the producing provinces is welcome. In support of the success of such meetings I move, seconded by the hon. member for Etobicoke Centre (Mr. Wilson):

That the Minister of Energy, Mines and Resources announce prior to the meetings a revised comprehensive pricing regime for conventional oil production, oil sands production, heavy oil production, tertiary oil production and offshore and frontier oil production as the basis for successful negotiations with the producing provinces, thereby providing for Canadian oil self-sufficiency during this decade.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ECONOMY

CALL FOR INTRODUCTION OF BUDGET—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, the base rate of inflation excluding food and fuel is at a new high of 10.2 per cent over a year ago. The increase in the price of food and fuel is not the prime cause of inflation. I therefore move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That in view of the fact that the government's fiscal stance, criticized by the Bank of Canada and castigated by almost every economic group in Canada, is clearly wrong and proven to be inept, the Minister of Finance forthwith introduce a new budget and new estimates to be presented to this House changing the direction of government policy, to come to grips with inflation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

HEALTH CARE

EXTRA BILLING BY DOCTORS—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise pursuant to Standing Order 43. In view of the fact that in the view of the Minister of National Health and Welfare (Miss Bégin) there is an emerging consensus across Canada that no extra billing will be acceptable in this country and that such a consensus should be reflected in the upcoming renegotiation of EPF and in view of the fact that in the meantime Canadians continue to be unfairly burdened by extra billing, I move, seconded by the hon. member for Saskatoon East (Mr. Ogle):

That the Minister of National Health and Welfare be instructed by this House that leadership be shown on this issue through the implementation of Mr. Justice Hall's recommendation that the federal Medical Care Act "be revised" by the federal government, as only it can, "to provide that extra billing by physicians inhibits reasonable access to services and is contrary to the intent and purpose of the act" in the hope that this will put moral pressure on the provinces to act now in the interests of Canadians and not wait for renegotiation of EPF, as extra billing should not be a negotiable item in the first place.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BUSINESS OF THE HOUSE

PASSAGE OF CONSTITUTIONAL RESOLUTION—EXTENSION OF SITTING HOURS—MOTION UNDER S.O. 43

Mr. Peter Lang (Kitchener): Madam Speaker, I rise on a matter of urgent and pressing necessity. In view of the obvious filibuster now being conducted by the Conservative opposition on the Constitution, and in view of the fact that this is preventing the government from dealing with important economic issues and important energy issues, I move, seconded by the hon. member for Kent (Mr. Bossy):

That this House extend its sitting hours until all questions can be put on the constitutional resolution.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

S.O. 43

ENERGY

SUGGESTED MEETING BETWEEN PRIME MINISTER AND PREMIER OF SASKATCHEWAN—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, the 8 per cent tax levy of the federal government has had a very serious effect on oil production in Saskatchewan. It is more serious there than in any place in Canada. Oil production was shut down earlier this year in southwestern Saskatchewan. As of March 1, 50 per cent of light crude production has been shut in, in southeastern Saskatchewan, affecting over 900 oil wells. I move, seconded by the hon. member for Saskatoon West (Mr. Hnatyshyn):

That the Right Hon. Prime Minister meet immediately with Premier Blakeney of Saskatchewan to deal with and resolve the very serious situation which exists with regard to oil production in Saskatchewan.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

NATIONAL DEFENCE

F-18 FIGHTER AIRCRAFT—REVIEW OF PRODUCTION CONTRACT—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise on a matter of some urgency, under the provisions of Standing Order 43. An F-18 fighter aircraft was badly damaged Monday when the main landing gear collapsed during test procedures held in the United States. One of the reasons the government selected this plane is that it is supposedly capable of hard landings on aircraft carriers—even though Canada has none—on the basis that most Canadian military pilots were bounce-landers, a strengthened undercarriage would last longer, and the replacement savings would more than compensate for additional weight and fuel penalties. I therefore move, seconded by the hon. member for Victoria (Mr. McKinnon):

That the Minister of National Defence abandon his obviously misguided optimism regarding the contract for the entire F-18 program and reveal to this House the details of the serious design and performance deficiencies of the plane, and what measures his department plans to take to ensure the aircraft delivered to Canada will be capable of operating within specified and desired requirements, and how much in the way of industrial benefits we will lose because of the cutbacks in orders by the U.S. navy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

BROADCASTING

COMMUNITY OWNED STATION IN TUKTOYAKTUK—FUNDS FOR OPERATION—MOTION UNDER S.O. 43

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I rise under the provisions of Standing Order 43. According to recent reports, a CBC radio affiliate in Tuktoyaktuk in the Northwest Territories is so financially strapped for funds that the community-owned station has been depending on bingo profits to keep it on the air.

Recently this station, and at least one other in northern Canada, received, from Radio-Moscow, an unsolicited offer to provide five hours per month in English of such program delights as "Moscow Mailbag", "Life in the Soviet Union", and "Soviet-American Relations". Apparently there is no Canadian law to stop these broadcasts if CFCT, the station in Tuktoyaktuk, accepts the Soviet offer. I move, seconded by the hon. member for Skeena (Mr. Fulton):

That since the station in Tuktoyaktuk is the only source of CBC broadcasting for 5,000 people in the area, this House urge CBC to grant the station enough funds to continue its community based operation, while retaining local control, so that this and other northern stations will not be tempted to accept free Soviet program packages.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA PENSION PLAN

PROCESSING OF DISABILITY PENSIONS—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise under the provisions of Standing Order 43. Canadians suffering from a terminal illness such as cancer are naturally very concerned about the financial well-being of their families. The greatest enemy of these people is time. Canada Pension Plan disability procedures are not set up to give any consideration to the severe problems these people face. I therefore move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

That this House instruct the Minister of National Health and Welfare to study the possibility of setting up priority processing of disability pensions for Canadians suffering from a terminal illness.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

NATIONAL PENSIONS CONFERENCE

PARTICIPATION OF CANADIAN LONG SERVICE MILITARY ANNUITANTS—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in view of the fact that Mr. Guy Fortier, conference co-ordinator for the National Pensions Conference, has refused to allow delegate participation by the Canadian Long Service Military Annuitants at the pensions conference to be held in Ottawa two weeks from now, and whereas CLSMA represents some 12,000 Armed Forces veterans and pensioners who have served their country well, I therefore move, under the provisions of Standing Order 43, seconded by the hon. member for Malpeque (Mr. Gass):

That the Minister of National Health and Welfare be directed to recognize the very valuable work of the CLSMA in regard to the pension needs of Canadian veterans and their widows, by granting that organization full delegate status at the National Pensions Conference.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

SOCIAL SECURITY

CANADA-UNITED STATES RECIPROCAL AGREEMENT—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Nanaimo-Alberni (Mr. Miller), I move:

That this House welcomes last week's signing of a reciprocal agreement on social security between Canada and the United States, under which there will be improvements for pensioners who have lived their working lives partly in one country and partly in the other, and urges that every effort be made to bring this agreement into effect with the least possible delay; and that this House urges also that renewed efforts be made to achieve reciprocal agreements on social security with other countries, particularly the United Kingdom, for the sake of the many United Kingdom pensioners now living in Canada who are in serious need of increases in their pensions.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

GOVERNMENT MEASURES TO DEAL WITH INFLATION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, perhaps I can be forgiven for noting that when the House leader of the New Democratic Party rose to talk about President Reagan's visit, he was not wearing a black arm band on this occasion.

My question is directed to the Deputy Prime Minister and Minister of Finance. Everyday he is seeing, as is the country, new evidence of the failure of the government's policy to deal with inflation. Yesterday the annual report of the Bank of Canada indicated that very little progress had been made by the policy the government seems intent on following. Today the consumer price index indicates that inflation has now reached a 12.2 per cent rate this year, which is the highest annual rate of inflation since December of 1974, and the second highest this country has faced since the Korean war. In light of this evidence of failure to deal with inflation, will the Minister of Finance tell the House of Commons whether he intends any changes in the economic stance and policy of his government to deal more effectively with inflation in Canada?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member referred to the annual report of the Governor of the Bank of Canada in which the Governor described the performance of the monetary policy he administered. He said that it had not accomplished as much as he expected, but that he was intending to continue and persevere, and that he had established new monetary targets. It seems to me that what the Governor of the bank is recommending in the field of monetary policy is appropriate at the present time and is fully supported by the government.

I wonder whether the Leader of the Opposition is recommending that the Governor of the bank apply an even stricter monetary policy which would involve higher interest rates and further decreases in the money supply. That is not my view at the present time.

Mr. Crosbie: That was not the question. Answer the question.

Mr. MacEachen: I believe the monetary policy of the Governor is appropriate.

Mr. Crosbie: It is your policy.

Mr. Andre: Answer the question.

Mr. MacEachen: Hon. members have said that I am not answering the question. The Right Hon. Leader of the Opposition asked whether I was contemplating or recommending any changes in current policy. He began his questioning by referring to the report of the Bank of Canada released earlier this

week. So, I am attempting to reply directly to that aspect of the question.

QUERY RESPECTING INTENTIONS OF GOVERNMENT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the minister referred very selectively to the report of the Bank of Canada. He made no reference at all to its recommendations regarding fiscal policy, and he made no reference at all to the question which indicated that day after day—yesterday from the Bank of Canada; today from the CPI—there is new evidence that the government's policy, if it has one, to fight inflation, simply is not working.

Yesterday the minister admitted that his own inflation forecasts of less than half a year ago were wrong, perhaps even significantly wrong. He cannot give us a new inflation forecast. Presumably the policy in that so-called budget brought in five months ago was based upon forecasts. The forecasts are wrong. Does the government intend to change the policy to take into account the fact that his forecasts were wrong?

● (1420)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, it would probably be a good idea at some point in our discussion on the orders of the day to recognize that forecasts are exactly that. They are based on assumptions and information available at the time of the projection, and oftentimes they are wrong. I am the first to admit that some of the projections included in the October budget were, with the passage of time, proven to be incorrect.

I must say, Madam Speaker, I do not intend to go around striking my breast about that, unless the hon. member for St. John's West is ready to join me and we both strike our breasts, since in his budget of December, 1979, in his projections for inflation, he overestimated the projected inflation for 1980 and he underestimated the likely inflation for 1981. That is the nature of projections. Let us not make too much fuss about them; they do not solve very many problems.

Some hon. Members: Hear, hear!

ASSISTANCE FOR LOW-INCOME GROUPS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the minister celebrates how frequently he is wrong. That could be a constant celebration in this House. But it is not a celebration in which the people of Canada join with much gratitude or with much heart, since they are suffering and paying the price for the failure of the economic policy of this government.

The government indicates that even though the basis on which it decides policy is wrong, in the minister's own words, it does not intend to change that policy. Will the minister then consider bringing some comfort to the victims of his policy, to the victims of inflation? Will he tell the House whether he intends to take any measures to help low-income Canadians, particularly, who are faced most seriously with dealing with the problem of inflation? What measures does he intend to take? Does he simply intend to say to the people of Canada, "Sit back and suffer. I am wrong, but I intend to do nothing about it"? What does the minister intend to do to help low-income Canadians?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I wonder if the Leader of the Opposition believes that the way to fight inflation is to protect every sector in the economy against inflation. If the right hon. gentleman read the report of the Governor of the bank, he would have noticed that the Governor found that a very bad policy for the country and that all it led to was additional inflation, further inflationary expectations, and continuous price instability.

In order to protect the neediest segments of the population, what we decided to do was to increase the guaranteed income supplement at a very early date in our mandate.

Some hon. Members: Oh, oh!

Mr. MacEachen: The guaranteed income supplement is fully indexed and it, along with the old age security and war veterans allowance, provides full protection against inflation for the neediest people in the community. In view of our budgetary situation it is not possible to provide an over-all protection against inflation for every group in the economy, even if it were desirable economically, which it is not.

REQUEST FOR WITHDRAWAL OF CONSTITUTIONAL RESOLUTION

Hon. John C. Crosbie (St. John's West): Madam Speaker, not everyone in Canada who needs assistance is over 60, what with real wages going down for the fourth year in a row. What Governor Bouey has said is that he is getting no assistance from the Minister of Finance in his fight against inflation.

My suggestion to the Prime Minister is that if Canada had a new and perfect constitution it would not do a thing to affect the 12.2 per cent inflation rate; it would not do anything to help the Canadian dollar; it would not do anything to bring down interest rates; it would not put any one of the 928,000 unemployed back to work, or any one of the 348,000 hidden unemployed back to work. Will the Prime Minister now put aside this fetish of his about the Constitution and bring in new economic policies to this Parliament, dealing with anti-inflation moves, unemployment, inflation, and the weak Canadian dollar? Will he direct his minister to do that, or ask him to clear out of the way and let someone else do it?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I completely agree with the hon. member. I remind him of the position of his own party, as stated by the hon. member for Provencher to the effect—

● (1425)

Mr. Lalonde: When he was here.

Mr. Trudeau: —when he was here, that the people of—

Mr. Clark: You should talk!

An hon. Member: That's why you'll never make a deal with Alberta, Lalonde.

Madam Speaker: Order, please.

Mr. Clark: I guess his illness has gone to his head.

Mr. Trudeau: Madam Speaker, the position, as stated by the hon. member for Provencher, is to the effect that it is the popular will of Canadians that we have a Constitution, that it have an amending formula, and that we have a bill of rights. This being the case, and it being agreed that we should be getting on to dealing with economic subjects, I just put a question to the hon. member. Why does he not influence his leader in his caucus to have a vote? We have heard 140 speakers in this House—

Mr. Clark: Where are your economic measures?

An hon. Member: You don't look like an Arab.

Mr. Trudeau: —and many others in the Senate. We have heard all of these speakers; some for and some against. It seems that the democratic process itself—

An hon. Member: No, you haven't.

Mr. Trudeau: Then I appeal to the member for St. John's. The hon. members behind him are saying that they have not had time to speak yet. Do they want to speak? Do they think it is an important subject, or not? If they think it is an important subject, then the hon. member should not argue that we get on to other things. If it is not an important subject, why must we have more than 140 speakers on the same topic?

Some hon. Members: Hear, hear!

Mr. Crosbie: Madam Speaker, the hon. member for Provencher is not in Lech, Austria, when he should be travelling to Algeria. He is having a well-deserved rest. He is not flying at the expense of the Government of Canada, either, on his holiday.

Canada already has a Constitution. It has had it for 114 years. We are not going to agree in a wrong process, no matter what you do. You decide the timetable of this House, and the decision is up to you.

Having dealt with your silly reply, can I ask you a supplementary question?

Some hon. Members: Hear, hear!

Mr. Crosbie: While the Canadian people suffer the factuous asses here—

Madam Speaker: Order. The hon. member need not deal with the replies. His role is to ask questions, and he should be asking questions.

Some hon. Members: Hear, hear!

Mr. Crosbie: My supplementary question is this—and the Prime Minister is not prepared to set aside the constitutional proposals for a month or two. We had three years of wage and price controls imposed in 1975 when the inflation rate had gone to 10.8 per cent, the CPI. Nothing was done to solve the fundamental problems of inflation of the Canadian economy during those three years.

Will the Prime Minister give the House his assurance that he will not resort to that expedient again when the Canadian people go berserk over his lack of action in dealing with the economy, that he will not reimpose wage and price controls which proved ineffective before? Will he assure us that he will direct the Minister of Finance to take some other action to avoid those controls which did not do us any good in the three years we had them? Would he at least do that, if he will not set aside the constitutional proposals now for a month or two?

Mr. Trudeau: Madam Speaker, the hon. member for St. John's, presumably while addressing the Chair, though he should know the rules, talked about "your silly replies". Madam Speaker, I do not think this is the proper way of addressing the Chair.

Madam Speaker: The hon. member for Kamloops-Shuswap.

An hon. Member: Don't be testy.

Mr. Crosbie: Stand up like a man. Don't hide behind the Speaker's skirt.

REQUEST FOR ADVICE FROM PRIME MINISTER

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I have a very serious question which I would like to place before the Prime Minister.

An hon. Member: Good luck!

Mr. Riis: I think we all recognize that we have a cost of living crisis in Canada. I suspect that this is just the beginning, with the price of petroleum to impact on Canadians starting March 1. Literally, Canadian families and Canadian businessmen have their backs to the wall. Some time ago the Prime Minister suggested that people must adjust to these high inflationary rates by changing their priorities. What advice would he have for Canadians who are today caught in what is perhaps the most crucial inflation squeeze in recent times?

• (1430)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, my advice would be to have Canadians urge their members to permit the measures before the House to come to a vote—

Mr. Clark: What economic measures? You have no economic plan.

Mr. Trudeau: —so that we could deal urgently with other economic matters such as the energy policy and other economic policies.

Mr. Malone: Table your economic program.

Mr. Riis: Previously the Prime Minister was more interested in having Canadians rearrange their priorities.

* * *

BANK OF CANADA

REQUEST FOR RESIGNATION OF GOVERNOR BOUEY AND ROLL BACK OF INTEREST RATES

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, my next question is directed to the Minister of Finance. In recognition of the fact that Governor Bouey has failed the government and failed Canadians in not coming to grips with inflation, I should like to ask the minister if he would consider asking for Governor Bouey's resignation, and also if he would consider bringing in a budget that would deal effectively with the concerns that face consumers across this country. Will the minister explain why he is prepared to accept the high interest rates we have today? Why is he not prepared to roll those interest rates back when they are the second highest of all industrialized nations, with one exception?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member asks why we will not roll back interest rates. That sounds like a wonderful solution, but it is a dangerous one because the only way, to my knowledge or my understanding, that the Governor of the Bank of Canada could reduce interest rates would be to increase the money supply. We must ask what that would do to inflationary expectations. We might have a short-term breathing space with a very long-term increased inflation pressure. That is the answer to that question.

* * *

SOCIAL SECURITY

REQUEST FOR SUBSTANTIAL INCREASE IN OLD AGE PENSIONS

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, may I address a supplementary question to the Minister of National Health and Welfare? In view of the fact that today's terribly high cost of living hits particularly hard at senior citizens; in view of the fact that the $35 increase of a few months ago, even when indexed, still leaves most senior citizens living below the poverty line; and in view of the fact that as cautious a firm as William M. Mercer Ltd. has recommended that there be an immediate increase of $100 per month in the basic old age security pension, will the minister do her best, in this period when we are going to get at important issues, to bring a measure before the House to provide for a substantial increase in old age pensions across the board, to help those who are hit so hard by today's high cost of living?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I reject completely the William M. Mercer proposal to increase the OAS by $100, as was suggested about a week ago. It would, of course, cost the country billions of dollars, because this is a universal program. Even with the maximum tax paid on that by rich seniors, it would still leave them with pretty good additional money that I just do not see that they need.

Our objective is to take the seniors in need, and in particular those who are single, unattached persons, separated, divorced, etc.—and the fact is they are slightly more numerous than couples—over the poverty line. For that we still need money. That is the first priority of my department and of the government, as soon as the economy permits it. The individuals who receive the supplement will be taken over the proverty line. I have often repeated, to make sure that all of us remember our commitment, that we will need money as soon as the economy permits, for the seniors who are alone and need the GIS, to take them above the proverty line. Right now the indexation every three months helps tremendously to catch up with the difficult time of inflation.

* * *

THE ECONOMY

JUSTIFICATION FOR RATE OF INFLATION

Miss Pat Carney (Vancouver Centre): Madam Speaker, my question is addressed to the Minister of Finance and it also deals with the runaway inflation rate which is causing so many Canadians such despair. Since the Conference Board of Canada is forecasting average weekly wage increases of only 10.5 per cent for 1981, how can the minister justify a 12.2 per cent inflation rate? This will outstrip average wage increases for the fourth consecutive year, as was pointed out by my colleague, the hon. member for St. John's West, and is the worst track record since the government started keeping wage statistics 42 years ago. Since we started collecting statistics, there has never been a four-year period where workers' wages were being stripped of purchasing power by inflation.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member asks me to justify the rate of inflation. No one finds the rate of inflation more disturbing than I, and no one in the country ought to be satisfied with the current rate of inflation. No one in the country ought to believe for a moment that the actions of the government alone will reduce inflationary expectations and pressures in the country.

Inasmuch as hon. members opposite have quoted so extensively from the annual report of the Governor of the Bank of Canada, they should look at the paragraph where the governor suggested that all groups, organized labour, organized business and individuals, take into account the effect of their behaviour

on total inflation in the country. Let me tell you, Madam Speaker, that this is the number one question which is facing the country and it has to be solved by the government—

Mr. Clark: The do-nothing minister.

Mr. MacEachen: —which is following its policy, and by all other groups in the community as well.

PENSION INDEX FOR SENIOR CITIZENS

Miss Pat Carney (Vancouver Centre): Madam Speaker, my supplementary question is also addressed to the Minister of Finance. I should like to point out to him that there have only been two other years when the rate of inflation outstripped wage increases, and those were the post-war years of 1946 and 1948. This proves that the present administration is the most incompetent in the last 33 years.

The Minister of Finance has repeatedly claimed, as he did again today, that senior citizens who receive old age pensions are protected from inflation because their pensions are fully indexed. Since seniors spend most of their pensions on the necessities of life, food, shelter, transportation, and since the price of food for home consumption is up 15.5 per cent over a year ago, the price of utilities is up 21 per cent, and transportation is up 16.6 per cent, how can the minister justify limiting old age pension increases to the over-all cost of living index which is much less than the price increases they are facing? Why does the minister not develop a senior citizens' pension index which would give seniors real protection from the ravages of his economic policies?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, perhaps the question ought to be more properly addressed to the Minister of National Health and Welfare. I would remind the hon. member that the cost of living index includes all the elements that go into a basket that provides for the daily necessities of individuals in this country. That is fully indexed on a quarterly basis. In fact recipients of old age pensions in this country are protected against the impact of inflation. The only study that I know of which was produced by the Economic Council of Canada shows quite conclusively that the indexing provisions, not only of the social security programs but also of the income tax system, do an effective job of protecting, in particular, the low-income groups.

I mentioned earlier, and it is important to repeat it, that for 1980 alone, through these systems of indexation that are found in the tax system and the social security system, a total amount of $3 billion in protection is offered to the low-income groups of this country. I doubt if any country in the world does as good a job as Canada in that respect.

Oral Questions

HOUSING

EFFECT OF INTEREST RATES ON HOME OWNERS

Mr. Doug Lewis (Simcoe North): Madam Speaker, my question is for the Minister of Public Works who is responsible for housing. Inflation is running at 12.2 per cent, the highest level since December, 1974. Specifically, the cost of home heating oil has gone up 36.7 per cent since your government took office. All of this is aggravated by the sustained high interest rates which every Canadian faces. The Minister of Finance has indicated that he does not make much fuss about this kind of thing. I ask the minister responsible for housing what plans do you have—what plans does the minister have, Madam Speaker—

● (1440)

Madam Speaker: I know that it is difficult to speak in the third person and it is rather unnatural, but the rule is there for some purpose, probably to temper the enthusiasm in the House. I would ask the hon. member to try to remember that.

Mr. Clark: He corrected himself.

Mr. Lewis: Madam Speaker, what plans does the government have to address this problem on behalf of Canadian home owners?

Hon. Paul J. Cosgrove (Minister of Public Works): Through you, Madam Speaker, to the hon. gentleman opposite, I thank him for his question.

Some hon. Members: Oh, oh!

An hon. Member: Watch how it is done.

Mr. Cosgrove: I would like to remind the hon. gentleman that the Minister of Finance has already addressed the question in part through the inclusion of the MURB provision in the budget of October last.

It is interesting to note that the development industry in metropolitan Toronto, calculated by the province of Ontario, shows that initiative taken in combination with the province of Ontario's follow-up initiative will result in some 10,000 additional starts directed toward low and medium-income people this year.

Mr. Lewis: Madam Speaker, I would remind the hon. minister opposite that CMHC officials have indicated that high interest rates will wipe out those 10,000 starts.

As the steady reduction in housing starts will further contract the number of houses available for Canadians and inflate the cost of housing, that is, the cost of owning a new home, what plans does the government have to assist new Canadian home owners?

Mr. Cosgrove: Madam Speaker, with respect, I cannot accept the assumption and opening remarks in prelude to the question asked by the hon. gentleman. In fact statistics show that, notwithstanding the forecasts by CMHC for this year,

starts during the month of February over the month of January increased. Although the projections were made by CMHC at the beginning of the year, the 10,000-unit projection to which I referred was made this week based on statistics of an actual record of starts which are onstream and have come onstream in metropolitan Toronto in the last few weeks.

I have indicated the steps already taken by the government in an open market in its social unit allocation last year, and with an additional 5,000 now coming onstream I think the picture has improved considerably.

* * *

COMBINES

RECOMMENDATION TO PROHIBIT OWNERSHIP OF PIPELINES BY OIL COMPANIES

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. The investigation by the Combines branch into the state of competition in the Canadian petroleum industry recommended that no major oil company be permitted to acquire a controlling interest in any pipeline that is subject to federal jurisdiction. Imperial Oil has a controlling interest in the Norman Wells pipeline presently being considered by the National Energy Board. Will the minister guarantee to the House that he will follow recommendations in the combines report and not permit Imperial Oil to proceed with the Norman Wells pipeline?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the recommendations of the combines investigation branch are the subject of examination by the Minister of Consumer and Corporate Affairs and the government. In due time recommendations will be brought before cabinet and an announcement will be made.

Mr. Manly: Madam Speaker, those recommendations were made after an exhaustive study, and I think there is a good basis for them.

I point out to the minister that any pipeline will have a very negative impact on the Dene people and on their land claims. Will the minister guarantee to the House that cabinet will make no decision on any pipeline in the Northwest Territories until there has been a full debate in the House of Commons?

Mr. Lalonde: Madam Speaker, there are numerous opposition days available to opposition parties. Subjects of concern can be brought before the House on those days.

Mr. Clark: That is great leadership.

Mr. Lalonde: If my hon. friend feels strongly about this subject, I invite him to use one of the allotted opposition days to put that subject on the agenda for debate.

[*Translation*]

INDUSTRY

REQUEST FOR DETAILS OF SPECIAL PROGRAM FOR NORTH SHORE, TRACY AND SOREL, P.Q.

Mr. André Maltais (Manicouagan): Madam Speaker, my question is directed to the Minister of Industry, Trade and Commerce of Canada. Much like the people in Sorel and Tracy, the North Shore residents, particularly in Port-Cartier and Sept-Îles, greeted with enthusiasm the $350 million special program announced last Monday. First, keeping in mind the complexity of the program, I should like to ask the Minister of Industry, Trade and Commerce what exactly are the measures which will affect the workers and those which relate to the industries in the designated areas, and second, I should like to know when the minister intends to confirm the decision concerning the special committees which will be established to carry out this special program of his department.

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, we intend to confirm the status of the community development committees as soon as our officials have completed the necessary consultations. The program we announced a few days ago has two main features. The components of the manpower restructuration program include higher incentives for individual training, transferable salary grants, a component of community job creation, the updating of mobility incentive measures, and financial benefits for early retirement. The industries in designated communities are eligible for a 5 per cent refundable subsidy for industrial capital projects. This is a very significant program for the designated communities and for our entire economy, Madam Speaker.

* * *

[*English*]

ROYAL CANADIAN MOUNTED POLICE

REMOVAL OF "E" DIVISON FROM VICTORIA TO VANCOUVER

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my question is for the Solicitor General. In announcing the decision to move "E" Division RCMP headquarters from Victoria to Vancouver, at a news conference held at the University of Victoria, the Solicitor General said:

I am confident it won't harm the local economy.

Would the Solicitor General explain the reason for his confidence when he has admitted there have been no economic and social impact studies completed on the move and when it is acknowledged that the city of Victoria will be losing a $5 million annual payroll?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, what I had in mind was that the move would be phased in over a three-year period—

Mr. Malone: So they won't notice it.

Mr. Kaplan: —that there would be normal attrition and transfers during that period, and that all of the officials working in the program who wanted to do so would have a priority for transferring to other federal jobs available in the Vancouver area.

Mr. McKinnon: Madam Speaker, the fact is when the $5 million payroll is gone, it is gone.

The Solicitor General also claims there has been full consultation with the B.C. government concerning the RCMP headquarters move. On Monday he told reporters:

They were fully consulted about it during the last two years of planning.

However, the Hon. Allan Williams, attorney general of B.C., stated today:

To suggest that we have been consulted is inaccurate and misleading. This is a callous and insensitive move and I oppose it until it is supported by an economic and social impact study.

Concerning this difference could the Solicitor General explain what transpired between himself and the government of British Columbia? Will he now guarantee there will be no move without an economic and social impact study?

Mr. Kaplan: Madam Speaker, I had a telephone call from Allan Williams just before coming into the House. I discussed with him his concerns about the move. I am aware that during the considerable length of time this move was being planned there was full consultation between senior members of the RCMP and officials in the Attorney General's office about it. From everything we knew, the British Columbia government was supportive, or at least not objecting to the move. No doubt it is a matter of the force's internal management. It is not one to be decided by a province but one which, by tradition, is the responsibility of the federal government.

* * *

FOOD AND DRUGS

IMPORTATION OF CANNED MUSHROOMS FROM CHINA

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, my question is for the Minister of Industry, Trade and Commerce. As the minister knows, last August 20,000 cases of Narcissus brand mushrooms imported from mainland China were found to be contaminated and were recalled. Similarly, about five weeks ago, there was a general recall issued for Ma Ling mushrooms, also imported from China. Fear of contamination of other canned mushrooms led to an investigation of Four Star, Success and Steakhouse brands, and resulted in a freeze on the distribution of these products to retail shelves. That freeze lasted only two weeks and now these goods are back in distribution across Canada.

● (1450)

My question to the minister is whether she will verify that officials of her department met with officials of the Chinese government trade mission on an almost daily basis for the past three weeks, that one of the officials of the Chinese delegation was the gentleman who successfully negotiated the wheat deal a few years ago, and that as a result of representations the Department of National Health and Welfare relaxed—

Madam Speaker: Order. The hon. member has been going on for quite a while and we have not seen the light of a question.

Mr. Friesen: I was in the middle of the question, Madam Speaker. As a result of pressure from ITC officials, the Department of National Health and Welfare standards were reduced from 6.5 defects per thousand to 100 per thousand. Will the minister verify the fact that these negotiations have been going on and explain why her department has been willing to jeopardize the health of Canadians in this way in order to maintain a better balance of trade with mainland China?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I would like to state quite clearly that neither myself nor my department have ever reduced our standards concerning the health of Canadians as the hon. member dares to suggest in this House. I have received a weekly, daily if necessary, report on that particular dossier in which I received the co-operation of the industry, first on a voluntary basis, and now on a common understanding, so that we will not have in Canada the problems related to poor canning techniques.

A team of experts from China came to Canada to exchange information, discuss with us and, I suppose, learn the techniques of canning according to our standards. I can assure Canadians that there is no case of poisoning caused by canned mushrooms from China in this country. If the member has particular cases he wants to bring up, it would be appropriate to supply me in writing immediately with names, addresses and other relevant data that he has of specific situations.

REQUEST FOR TABLING OF REPORTS

Mr. Benno Friesen (Surrey-White Rock-North Delta): Would the minister be kind enough to table in the House all the relevant material in the reports that I take it have been compiled on this issue, and I would ask the minister, since the information I have received indicated the standards were reduced, whether she says they were, or not? I understand that 30 per cent of the stock of those mushrooms had to be returned to China after the investigation, so will she ensure through legislation, rather than through departmental regulations, which can be changed at the whim or caprice of departmental officials, the enforcement of standards imposed on imports of that kind of product into Canada?

Hon. Monique Bégin (Minister of National Health and Welfare): To my knowledge, Madam Speaker, as the Minister of National Health and Welfare, I can assure Canadians that I have all the tools necessary to control the quality of food offered to Canadians, and in the case of these canned mushrooms I do not know of any difficulties created by the regula-

tions, nor do I know of the supposed discretionary power that officials have according to the hon. member. This is not the situation, and decisions on that matter are made directly by me after listening to all the representations of the experts.

* * *

NUCLEAR ENERGY

SAFEGUARDS RESPECTING SALES OF NUCLEAR REACTORS

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, in the absence of the Secretary of State for External Affairs I will direct this question to the parliamentary secretary. Sales of Candu reactors have been reduced drastically by Canada's strict adherence to the nuclear safeguard code without similar commitments by other nuclear exporting countries. What steps is Canada taking through the International Atomic Energy Agency in Vienna to upgrade international standards to those of Canada in ensuring that sales be used for peaceful purposes only, thereby giving Canada a more competitive position of Candu sales?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, since the early seventies Canada has tried to convince all nuclear technology supplier countries to set identical requirements for nuclear technology importing countries. Indeed our efforts proved successful in January, 1978, when the 15 leading countries agreed on a safeguard code to be enforced when that technology is exported to non-nuclear nations. It must be admitted, however, that those standards are not quite as stringent as those required by countries such as Canada, Sweden, Australia, the United States and the Netherlands, so there are differences from one supplier country to another.

* * *

[*English*]

ATOMIC ENERGY OF CANADA LIMITED

FORGIVENESS OF DEBT—GOVERNMENT PLANS FOR HEAVY WATER PLANTS

Mr. Doug Anguish (The Battlefords-Meadow Lake): Madam Speaker, my question is for the Minister of Energy, Mines and Resources, concerning Atomic Energy of Canada Limited and the fact they are indebted to the tune of $1.2 billion and they currently appear before the public accounts committee to ask for forgiveness of some $893 million. These figures differ from newspaper reports in the amount that actually was forgiven.

In light of the fact that the minister is increasing their capital budget for 1981-82 by about 93 per cent and there are no safeguards in place to prevent them from getting into that position of indebtedness again, I would like to ask the minister what safeguards have been imposed to assure the Canadian public that AECL will not get into this same position again, and further to that, what warrants such a huge increase in their 1981-82 budget?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I will be appearing tomorrow before the Committee on National Resources and Public Works. Representatives of AECL will also be present and we will be very happy to provide the hon. member and Parliament with all the information in answer to the various points raised by him, which I am afraid I could not cover in the time allocated in question period.

Mr. Anguish: Madam Speaker, I prefer to have the minister answer those questions today in the House where the press have a much better opportunity of covering a scandalous situation that exists within AECL right now. And I would like to have him comment on the question just asked, and further to that, I would like to ask what plans you have in light of the fact there are no foreseeable markets for heavy water?

Some hon. Members: Order, order.

Mr. Anguish: I would like to know what your plans as a government are for the heavy water plant mothballed at La Prade which is partially completed and never to be utilized, and also the utilization of the Port Hawkesbury plant at Glace Bay where they have no markets but are still in production?

Mr. Lalonde: I do not think anyone else in this House could have made the point better than the hon. member to the effect this is not the type of question I can answer within the confines of question period. I am appearing for three hours tomorrow before the committee with officials of AECL and they will be very happy to provide the hon. member with very elaborate and extensive answers to the questions he raised today and any others he may have in mind, but surely this is not the type of question to which I can give an answer in 30 seconds, or even one minute.

* * *

NATIONAL DEFENCE

F-18 FIGHTER AIRCRAFT—REVIEW OF PROGRAM CONTRACT

Mr. Stan Darling (Parry Sound-Muskoka): My question is to the Minister of National Defence. He is no doubt aware of the incident in the United States on Monday when an F-18 fighter aircraft was damaged as a result of failure of the main landing gear during flight test procedures.

Given the fact this government chose a plane with a carrier-strengthened undercarriage, disregarding extra weight and resultant fuel penalties, and given the continual performance problems with the plane and the recent news that the only two other customers for the place, the United States navy and marine corps, are reducing the numbers each will purchase, will the minister explain to the members of this House and to the Canadian taxpayers, who are footing the $4-billion cost of the Canadian purchase, why he and his government have

remained the only steadfast, loyal and uncritical supporters of the plane? And will he take immediate steps to halt this purchase until the performance and contract problems have been resolved, and will he set in motion plans for alternative options?

● (1500)

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, that is quite a question. I remind the hon. member for Parry Sound-Muskoka that the F-18 is exactly the same plane his government was about to choose when it was defeated.

I am well aware of the collapse of the landing gear of the F-18 on one of the test planes when the landing gear itself was being tested. The exact purpose of the 11 F-18 planes is to test whatever weaknesses there might be before normal flights start. When rate of climb, speed and landing gear are being tested, it is no surprise when there are failures. I repeat that that is the purpose of testing. An accident like that does not mean that this is not a good plane.

I am not aware that the United States navy will reduce the number of planes it has ordered. If I read the same article the hon. member read in one of the newspapers, the words used were "may reduce". No decision has been taken and, according to the latest information I have from the United States, no change in this program is in view.

CANADIAN SPIN-OFF BENEFITS

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, my supplementary question is directed to the Minister of Industry, Trade and Commerce. McDonnell Douglas, the prime contractor for the CF-18, recently released a report stating that the firm had placed $470 million worth of business in Canada from March of 1977 through December, 1980, reputedly doubling its industrial offset goal for that period. The report was apparently released prior to official approval and confirmation by the department, a fact which apparently angered certain individuals.

Would the minister tell the House just how many of the McDonnell Douglas offset claims will be evaluated for veracity and accuracy, how long such an evaluation will take and whether the department has sufficient staff to ensure a complete evaluation of all claims, and not just those selected on a random basis?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, it is my understanding that all claims will be checked for veracity, although I will certainly look into that further.

As far as I am concerned, we must have procedures in place, including necessary staff, to make sure that we can confirm to the Canadian public that McDonnell Douglas is living up to its responsibilities and commitments under the contract to the fullest degree.

PORTS

APPOINTMENT OF SAFETY OFFICER FOR SAINT JOHN, N.B.

Mr. Mike Landers (Saint John): Madam Speaker, my question is for the Minister of Labour. In view of the fact that the Department of Labour commenced an in-depth study into the possibility of appointing a full-time safety officer for the port of Saint John, when the Hon. Martin O'Connell was the minister of labour, is the present minister in a position to make a progress report?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I thank the hon. member for bringing to the attention of the House a matter of some local concern. Unfortunately, the amount of resources available would not make it possible to establish a full-time safety officer at each port. That perhaps is the essence of the concern of the hon. member, but the regional director has now been asked to get together with the union, to look into the matter and to try to find a solution which will be satisfactory and which will reassure members of the union that sufficient safety inspections are taking place.

* * *

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Pinard: Madam Speaker, I wish to advise you of an agreement reached by party representatives. It deals with motions Nos. 38 and 39 on the order paper for the setting up of a sub-committee to the Standing Committee on External Affairs and National Defence. It is agreed that both those motions be passed without debate. May I add, however, that motion No. 39 should be completed by the addition of the second paragraph of motion No. 38.

[*English*]

Mr. Hnatyshyn: Madam Speaker, our party has agreed to this proposal, with the stipulation, as pointed out by the President of the Privy Council, that the committee be empowered to retain advisers. With that addition we are quite in agreement and prepared to consent to the proposal made by the government House leader.

Mr. Knowles: Madam Speaker, yes, we agree to these two motions, with the second one having the same second paragraph as the first one. It was the hope of our members that the subcommittees might be given authority to travel if necessary, but we are prepared to let that be considered by the committees. If they wish to do so, they can request it.

[*Translation*]

Madam Speaker: Does the House agree to adopt both motions, motion No. 39 having been amended as suggested by the President of the Privy Council (Mr. Pinard), since the two other speakers seem to agree?

Some hon. Members: Agreed.

Motion agreed to.

* * *

[*English*]

PRIVILEGE

MR. BLACKBURN—GRANT OF PUBLIC FUNDS IN BRANTFORD, ONT.

Mr. Derek Blackburn (Brant): Madam Speaker, I rise on a question of privilege under Standing Order 17(2) on a matter which has just come to my attention and which I strongly feel infringes on my privileges as a member of this House and specifically as the Member of Parliament for Brant.

I have just learned that several weeks ago a person in my constituency representing a volunteer social agency received a phone call from the office of a local lawyer asking her to come to his office to pick up a cheque for the funding of a program under the auspices of the Department of the Secretary of State.

Upon further investigation I learned that the cheque in question issued by the Department of the Secretary of State was first sent to the constituency office of the Secretary of State for External Affairs (Mr. MacGuigan) in Windsor, Ontario and then forwarded to the lawyer's office in Brantford, Ontario. The lawyer was then to present the cheque to the applicant. It turned out that the lawyer in question is none other than the president of the local Liberal association.

Some hon. Members: Oh, oh!

Mr. Orlikow: Surprise, surprise!

Mr. Blackburn: It is also a known fact, thanks to the intervention of the hon. member for Broadview-Greenwood (Mr. Rae) several days ago on a related question of privilege concerning cheap, pork-barrel Liberal politics involving another minister, the Solicitor General (Mr. Kaplan), that the Secretary of State for External Affairs is none other than my "guardian financial agent" in Brant.

My question of privilege is this. In view of the fact that I am the Member of Parliament for Brant, in view of the fact that at no time was I apprised of this transaction and in view of the fact that neither I nor the applicant for this grant wished in any way to politicize this particular government funding, the Secretary of State for External Affairs has deliberately and without any political or moral judgment attempted to make the granting of this money a partisan political transaction.

This blatant disrespect of my rights as a parliamentarian by the Secretary of State for External Affairs and his patronage approach to the handing out of federal government grants to a non-political, non-partisan, volunteer social service group in Brantford have embarrassed the recipients of the grant, and, further, demoralized the civil servants at the regional office of the Department of the Secretary of State in Hamilton, who scrupulously award grants of government funds based on the merits of individual applicants without any political partisan influence or consideration.

In my opinion, my question of privilege is an even more dramatic example of this Liberal government's political partisanship in the granting of public funds than was the question of privilege raised by the hon. member for Broadview-Greenwood a couple of weeks ago. No cabinet minister has the right or privilege to provide political ammunition to local Liberal associations when government funds, financed by all the taxpayers of Canada, are being awarded to any group.

I respectfully submit, therefore, that my rights and privileges as a Member of Parliament have been infringed upon and that my position as a public servant to the people of Brant has been placed in jeopardy.

• (1510)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I submit that this is not a question of privilege, based on the fact that a similar question of privilege, alluded to by the hon. member for Brant (Mr. Blackburn) and brought forward by the hon. member for Broadview-Greenwood (Mr. Rae), was dismissed by the Chair a few weeks ago. The arguments were long and so was the discussion, and you found, Madam Speaker, that there was no question of privilege involved.

Second, in the name of courtesy the hon. member should have at least waited until the Secretary of State for External Affairs (Mr. MacGuigan) was in the House. He is away on government business.

Third, this is a matter of debate about government policy and in no way infringes upon the rights of any member of the House.

Some hon. Members: It does.

Madam Speaker: It is obvious to everyone in the House that the case which the hon. member has brought to the attention of the House is quite similar to the one which was brought forward by the hon. member for Broadview-Greenwood (Mr. Rae). I ruled on that matter on March 10 last. I said on that occasion that the matter does not really come under the purview of the rules of the House, nor is it my responsibility to rule on such matters. It is a political matter rather than a procedural one.

In the words of the hon. member, the awarding of certain grants has been politicized. This has to refer to rules and conduct matters, which are entirely in the hands of the government and for which it stands accountable. Therefore, I have to rule that the matter does not fall under the purview of what one would call privilege in this House and I do not find a prima facie case.

ROUTINE PROCEEDINGS

[*English*]

FISHERIES AND FORESTRY

PRESENTATION OF FOURTH REPORT OF STANDING COMMITTEE

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Madam Speaker, I have the honour to present the fourth report of the Standing Committee on Fisheries and Forestry. If the House gives its consent, I intend to move concurrence in this report.

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

CONCURRENCE IN FOURTH REPORT OF STANDING COMMITTEE

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development) moved that the fourth report of the Standing Committee on Fisheries and Forestry be concurred in.

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, there have been consultations between the parliamentary secretary and myself as acting House leader for our party, and I should like to indicate that we concur with this motion without further debate on it. It is the product of members from all parties during the deliberations of the committee.

Hon. Stanley Knowles (Winnipeg North Centre): We also agree, Madam Speaker.

Madam Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,948, 1,972, 1,973, 1,975, 2,027, 2,033, 2,110 and 2,150.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

[*Text*]

POSTAL DELIVERY BETWEEN OTTAWA AND BROCKVILLE

Question No. 1,948—**Mr. Cossitt:**

1. Will the Postmaster General investigate the length of time taken for mail to pass between Ottawa and Brockville, Ontario?

2. Is the minister aware of the recent case where first-class mail from the House of Commons Post Office took over five weeks to reach its Brockville destination and, if so, is the problem in the Ottawa Alta Vista main postal station or in the House of Commons Post Office?

3. Is the minister aware that all mail passing through the Brockville post office is received and dispatched rapidly?

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General: 1. Mail between Ottawa and Brockville, Ontario, usually receives next day delivery or two days at the most.

2. No, Canada Post is not aware of the case referred to and since dates of mailing on envelopes are not provided, it is difficult to determine if there was a problem and where it would be.

3. See 1 above.

PENSIONS—RETIRED PUBLIC SERVANTS

Question No. 1,972—**Mr. Knowles:**

1. How many retired public servants are receiving pensions, including their basic pensions and any supplement or supplements added thereto, of amounts within each of the following brackets (a) less than $20.00 per month (b) $20.00 to $29.99 per month (c) $30.00 to $39.99 per month (d) $40.00 to $49.99 per month (e) $50.00 to $59.99 per month (f) $60.00 to $69.99 per month (g) $70.00 to $79.99 per month (h) $80.00 to $89.99 per month (*i*) $90.00 to $99.99 per month (j) $100.00 to $149.99 per month (k) $150.00 to $199.99 per month (l) $200.00 to $249.99 per month (m) $250.00 to $299.99 per month (n) $300.00 to $399.99 per month (o) $400.00 to $499.99 per month (p) $500.00 to $599.99 per month (q) $600.00 to $699.99 per month (r) $700.00 to $799.99 per month (s) $800.00 to $899.99 per month (t) $900.00 to $999.99 per month (u) $1,000.00 to $1,499.99 per month (*v*) $1,500.00 per month and over?

2. How many widows of public servants or of retired public servants are receiving pensions, including their basic pensions and any supplement or supplements added thereto, of amounts within each of the brackets indicated in the above question?

3. What is the number of retired public servants and also the number of widows of public servants or of retired public servants presently residing in each province?

4. In respect of how many orphans of public servants are pensions being paid and what is the average amount thereof?

Hon. Donald J. Johnston (President of the Treasury Board):

Monthly Pension	1. Annuitants	2. Widows
(a) Less than—$ 20.00	111	87
(b) $ 20.00—$ 29.99	138	129
(c) $ 30.00—$ 39.99	150	477
(d) $ 40.00—$ 49.99	255	768
(e) $ 50.00—$ 59.99	443	1,055
(f) $ 60.00—$ 69.99	732	1,046
(g) $ 70.00—$ 79.99	869	1,040
(h) $ 80.00—$ 89.99	995	1,118
(i) $ 90.00—$ 99.99	1,038	1,026
(j) $ 100.00—$ 149.99	5,882	4,959
(k) $ 150.00—$ 199.99	5,829	4,148
(l) $ 200.00—$ 249.99	5,582	3,577
(m) $ 250.00—$ 299.99	5,255	2,904
(n) $ 300.00—$ 399.99	9,093	4,092
(o) $ 400.00—$ 499.99	7,716	1,874
(p) $ 500.00—$ 599.99	6,800	997
(q) $ 600.00—$ 699.99	6,168	496
(r) $ 700.00—$ 799.99	5,731	327
(s) $ 800.00—$ 899.99	4,288	192
(t) $ 900.00—$ 999.99	3,178	133
(u) $1,000.00—$1,499.99	8,376	230
(v) $1,500.00 and over	5,088	19
Total	83,717	30,694

3.

Province	Annuitants	Widows
Nfld.	1,128	462
P.E.I.	627	214
N.S.	5,456	2,027
N.B.	2,886	1,028
Que.	13,307	5,951
Ont.	35,181	12,717
Man.	3,869	1,374
Sask.	2,657	852
Alta.	5,046	1,685
B.C.	12,376	3,905
N.W.T.	124	43
Yukon	153	36
Outside Canada	907	400
Total	83,717	30,694

4. Two hundred and thirty four orphans are receiving pensions at an annual average of $563.80 or a monthly average of $46.98.

PUBLIC SERVICE SUPERANNUATION ACCOUNT

Question No. 1,973—**Mr. Knowles:**

1. What was the total amount at credit in the Public Service Superannuation Account as at March 31 (a) 1978 (b) 1979 (c) 1980?

2. What rate of interest has the government paid for the use of this money during the fiscal year ended on the dates noted above?

3. What amount of interest was credited to the Public Service Superannuation Account during the fiscal year ended March 31 (a) 1978 (b) 1979 (c) 1980?

4. What was the total amount paid out of the Public Service Superannuation Account during the fiscal year ended March 31 (a) 1978 (b) 1979 (c) 1980?

Hon. Donald J. Johnston (President of the Treasury Board): 1. The total amount at credit in the Public Service Superannuation Account as at March 31,

(a) 1978—$ 9,041,851,849

(b) 1979—$10,092,716,663

(c) 1980—$11,339,102,767

2. The following rates of interest were earned by the Public Service Superannuation Account during the quarters ending

June 30, 1977	1.8102
September 30, 1977	1.8204
December 31, 1977	1.8372
March 31, 1978	1.8508
June 30, 1978	1.8674
September 30, 1978	1.9102
December 31, 1978	1.9228
March 31, 1979	1.9304
June 30, 1979	1.9528
September 30, 1979	1.9702
December 31, 1979	1.9786
March 31, 1980	1.9998

3. The amount of interest credited to the Public Service Superannuation Account during the fiscal year ending March 31,

(a) 1978—$336,428,438

(b) 1979—$374,687,241

(c) 1980—$416,700,635

4. The total amount paid out of the Public Service Superannuation Account during the fiscal years ending March 31,

(a) 1978—$287,329,035

(b) 1979—$344,166,511

(c) 1980—$422,758,370

SUPPLEMENTARY RETIREMENT BENEFITS ACCOUNT

Question No. 1,975—**Mr. Knowles:**

1. What was the total amount contributed (a) by employees (b) by the government, to the Supplementary Retirement Benefits Account during the year from April 1, 1979, to March 31, 1980?

2. What was the total amount paid from the Supplementary Retirement Benefits Account, during the year from April 1, 1979 to March 31, 1980, in the form of pension supplements, and to how many individuals were such pension supplements paid at any time during that period?

3. What was the balance at credit in the Supplementary Retirement Benefits Account as at March 31 (a) 1979 (b) 1980?

Hon. Donald J. Johnston (President of the Treasury Board): 1. (a) $72,978,000; (b) $71,551,000.

2. Pension supplements totalling $275 million were paid to 144,605 individuals during the fiscal year 1979-80. Of this amount $11 million was charged to the Supplementary Retirement Benefits Account and $264 million was charged to the Consolidated Revenue Fund.

3. (a) $501,497,161; (b) $683,422,000.

DELAYS IN POSTAL DELIVERIES

Question No. 2,027—**Mr. Cossitt:**

Is the government aware that many Christmas cards mailed by the Premier of Ontario to recipients in the Brockville and Leeds-Grenville area and postmarked December 17, 1980, were not delivered until January 23, 1981, and will the government investigate the reasons for such a delay and (a) if not, for what reason (b) if so, will it release all the details concerning such a poor postal service?

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): No, Canada Post is not aware of any delays concerning Christmas cards mailed by the Premier of Ontario to residents in the areas mentioned. An investigation at both our Brockville and Prescott post offices, as well as in Toronto, revealed that no complaints had been received from either the sender or the recipients.

(a) It is difficult to conduct further investigations since no envelopes were supplied as evidence.

(b) Not applicable.

FOREST INDUSTRY—TAX CREDIT

Question No. 2,033—**Mr. Herbert:**

For each of the past five years, what was the estimated amount of the tax credit obtained by the forest industry for research and development and capital expenditures?

Hon. Pierre Bussières (Minister of State (Finance)):

	$ million				
	1976	1977	1978	1979	1980
Forestry	.6	2.1	3.6	5.6	7.2
m sWood Industries	2.8	7.0	13.7	17.5	18.6

1. Figures include credits in respect of capital expenditures and expenditures on scientific research.

2. Figures for 1976 to 1978 are actual data as tabulated by Statistics Canada.

3. Figures for 1979 and 1980 are based on prior year's experience and the level of investment in the relevant industries for those years.

4. Estimates include investment tax credit claimed by both individual forestry operators and corporations.

CANADIAN PENSION COMMISSION—DELAY IN CORRESPONDENCE

Question No. 2,110—**Mr. Cossitt:**

1. Did the secretary of the Canadian Pension Commission receive a letter from Mr. Alex Bell of Brockville, Ontario, dated September 1, 1980, requesting certain information and, if so, was the letter answered and, if not, for what reason?

2. Did the secretary of the commission receive a letter from the hon. member for Leeds-Grenville, dated December 23, 1980, asking why Mr. Bell's letter had not been answered and, if so, was the hon. member's letter answered and, if not, for what reason?

3. What is the usual length of time taken by the secretary of the commission to answer mail?

4. Did the chairman of the commission receive a letter from the hon. member for Leeds-Grenville, dated January 31, 1981, asking that the matter be investigated and, if so (a) did he investigate the matter (b) did he answer the member and, if not, for what reason?

5. (a) What is the average length of time it takes the Canadian Pension Commission to answer a letter requesting information of a general nature (b) is it usual that it should take five months minimum and, if so (i) for what reason (ii) will the commission take action to correct the situation and, if so, in what way?

6. (a) What is the name of the secretary of the commission (b) what are the details of his/her employment history with the public service?

7. Is the government aware as to whether or not this person is slow in answering mail?

Hon. J. Gilles Lamontagne (Minister of National Defence): 1. Yes. Mr. Bell's letter did not identify the writer in a manner which would enable the commission to readily locate his file and a delay occurred.

2. (a) Yes;

(b) Yes, however, it was not answered immediately for the reason given in the answer to question 1.

3. The length of time required to reply can vary from one week to two months, depending on the complexity of the inquiry and the availability of the appropriate files.

4. Yes. (a) Yes; (b) Yes.

5. (a) The Canadian Pension Commission gives priority to correspondence advising veterans of decisions taken by the commission regarding their pension status. Therefore, replies to correspondence of a general nature can take from one week to two months depending on the complexity of the inquiry.

(b) No. (i) N/A; (ii) The system of correspondence was examined and found adequate.

6. (a) The secretary of the Canadian Pension Commission is W. H. Eckley, C.D.

(b) He joined the public service in 1978 on retirement from the Canadian Armed Forces.

7. The volume of mail addressed to the secretary of the Canadian Pension Commission is such that it would be impossible for him to answer all of it personally. The government is aware that delays are sometimes unavoidable, as they are with most public offices receiving mail in large quantities.

CIDA—ELIGIBILITY OF CHINA

Question No. 2,150—**Mr. Herbert:**

Is China a non-eligible country for funds of the Canadian International Development Agency?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Although China has been recognized as a developing country by the major international organizations it is not now eligible for assistance from CIDA. Questions of eligibility are addressed in the context of eligibility reviews which are proposed periodically by CIDA and reviewed interdepartmentally.

[*English*]

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Shall the remaining questions stand?

Some hon. Members: Agreed.

* * *

MOTION FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, would you be so kind as to call Notice of Motion for the Production of Papers No. 31.

[*Text*]

REPORT OF FACT-FINDING TEAM SENT TO CHILE

Motion No. 31—**Mr. Orlikow:**

That an Order of the House do issue for copies of the report of the fact-finding team which was sent to Chile, at the request of the Minister of

Employment and Immigration, to investigate the need for Chile to be placed back on the list of countries which are visa exempt.

[*Translation*]

Mr. Dennis Dawson (Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, as a member of the fact-finding team sent to Chile to investigate the matter of refugees and the visas required for them, I must advise the House that, following our meeting in Santiago, with officials of the Canadian embassy and other embassies, as well as with Chilean officials and members of the opposition, we have decided to maintain the decision made by the previous government, and we do not intend to rescind the decision concerning visas for Chilean residents. I must advise the House that this report was made orally to the minister. I therefore ask the hon. member if he would withdraw his motion.

[*English*]

Mr. David Orlikow (Winnipeg North): Madam Speaker, I am not very happy with what we were told, but if it was only an oral report, obviously it cannot be tabled and I agree to withdraw the motion.

Madam Speaker: The motion is withdrawn.

Motion (Mr. Orlikow) withdrawn.

Mr. Jim Fulton (Skeena): Madam Speaker, with regard to Notice of Motion for the Production of Papers Nos. 42 and 43, I have drawn to the attention of the parliamentary secretary that they were filed two months ago. The reason I raise today the motions for documents respecting Amax, Limited at Alice Arm is that the mine will start dumping on the west coast of British Columbia on April 1. I think it is therefore important, since these requests for the production of papers have been on the Order Paper for two months, for the parliamentary secretary to give some indication to the House whether or not he is willing to have these documents presented before April 1.

Mr. Collenette: Madam Speaker, I have undertaken to have these papers produced in the House as soon as possible. I wish to note that this matter is now being debated in the House. It is certainly very topical. The Minister of Fisheries and Oceans (Mr. LeBlanc) has spoken at length on this subject, and I hope that this will in some way help answer the query of the hon. member for Skeena (Mr. Fulton); but I will do my best to obtain the papers as soon as possible.

Madam Speaker: Shall the remaining Notices of Motions for the Production of Papers be allowed to stand?

Some hon. Members: Agreed.

● (1520)

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Mr. Al MacBain (Niagara Falls): Madam Speaker, I welcome the opportunity to address this honourable House as we embark upon the long and difficult road toward a truly Canadian Constitution, a road with an absence of signposts to give us the assurance at every turn that the direction in which we are heading is the proper one.

In the past, because of this difficulty of which I speak, because of lack of direction and resolve and because of lack of unanimity among all the parties involved in the constitutional scenario, we opted to do nothing. That itself was an option, the worst option of all. The luxury of continuing that option is no longer open to us. This is the time for change, the time for renewal, the time for faith in our people and the time to lay a new foundation for this country. This is a time which may not come our way again.

We ought not to delude ourselves as to why we find ourselves here today grappling with the problem of attempting to put in place in this country a truly Canadian Constitution. It may very well be that there are some people who feel our first legislative priorities at this time should be inflation, unemployment and energy. This is understandable.

We as members of this particular Parliament of Canada do not enjoy the luxury of that option. Each and every one of us sat in this very chamber less than a year ago and said, or stood by as our colleagues, said, to the people of Quebec in their hour of decision, "Separatism is not the answer; change can come about; it will come about; we can have our own Constitution; we can make it all happen." That is what we as members of Parliament said to the people of Quebec only a few months ago. The ink on the pages of *Hansard* which record for posterity those commitments to the people in every corner of the province of Quebec is barely dry. Those are the commitments we made. That is why we are engaged in a constitutional debate here today. That is why all of us must work together until the new Constitution is a reality.

The good work of the joint committee is over. We have before us the product of their months of labour. We are all indebted to the members of the joint committee for their contribution to Canada at this difficult time in her history. The resolution of this House which was referred to the joint

committee was returned to us with due dispatch and many improvements. It remains for us now to carry on where they left off.

The committee's report to this House was another signal to the people of Quebec that our commitments to them were made in good faith and that the Parliament of Canada is fully capable of bringing those commitments to fruition. No one anywhere in this country at this time should be labouring under any delusion on this point.

The commitments of which I have spoken were the solemn commitments of this Parliament, given with the full support of the people of Canada, and they will be honoured. It must also be remembered that these commitments were not given to the government of the province of Quebec or any other province. The commitments were to the people of Quebec in particular, and to the people of Canada in general. This is a very significant point which ought not to be overlooked.

It is a fair question to ask: What was the general nature of the initial commitments made to the people of Quebec and Canada? The Speech from the Throne explained as follows:

Because my government wants to strengthen the spirit of Canadian unity and nurture the seeds of renewal, it promises to interpret a vote of "no" to sovereignty-association as a vote for the rebuilding of the Canadian federation. My government also promises to give effect to a "no" vote by mobilizing all the forces at its command in order to ensure the renewal of the federation in a spirit of respect and justice for all.

Using these words as a reminder, we must remember that all Canadians promised constitutional renewal without delay if Quebecers voted "no" in the May 20 referendum.

It is also fair to set out in general terms some of the things to which we did not commit ourselves in the spring of 1980. We did not commit ourselves to increasing the power of the provinces in the areas into which some of them would now like to venture. We did not commit ourselves to strengthening the provinces vis-à-vis the central government. We certainly did not commit ourselves to 50 more years of colonialism if some of the provincial governments, for their own reasons, attempted to block constitutional reform.

We all fully appreciate that debates pertaining to constitutions, jurisdictional powers and national symbols become very emotional, especially as between the participants. Once outside the forum for such debates, the emotion generated is usually more temperate and subdued.

I offer in support of this proposition the Canadian flag debate. Many of the present members of the House were actual participants therein. To the participants, those debates were highly emotional. To outsiders like myself at the time, they could be aptly and less emotionally described as "the pits", as our young people say. We ought not to take ourselves too seriously and attempt to generate a lot of steam when there is no turbine that requires it.

While the constitutional problems of this country have top priority because of the commitments we made, we must all co-operate to permit the essential day-to-day work of Parliament to proceed and to keep the constitutional debate in proper perspective.

While the people of my riding expect me to participate in the furtherance of the commitments of Parliament to constitutional reform, I would be misleading the House were I to leave the impression that they perceive the issue with the same emotion and importance some members may be tempted to ascribe to it in the heat of debate. Nothing could be further from the truth. They want the constitutional debate kept in its proper perspective.

As I have indicated, we must not permit the separatist Premier of Quebec, Mr. Lévesque, to lead us to a dead end. We must not permit him to lead us and the premiers who follow him blindly to default on our commitments to the people of Quebec. As I said, our commitments were not to the separatist government of Quebec but to the people of Quebec. Of course, that is a real distinction. Mr. Lévesque never had a mandate for separation from the people of Quebec. On his ego trip to become its president, he forgot that the people of Quebec, like the people of British Columbia, Alberta, Newfoundland and Nova Scotia, for example, are first and foremost Canadians. This is their country, from the Pacific to the Atlantic, regardless of the province in which they may happen to reside. We will not bargain away at any price their right to live and to work in the province or territory of their choice.

• (1530)

It has been said, with some accuracy, that politicians make strange bedfellows. Such was certainly the case during the constitutional debate. The Premiers of British Columbia, Alberta, Nova Scotia and Newfoundland, for example, were in bed with René Lévesque. He is a man whose personal ambitions prevented him from seeing the vision of a great nation from sea to sea, a vision for which the great Canadians who reside in the province of Quebec opted on May 20, 1980. In the year 2000 what will historians say about that unholy alliance? It was an alliance led by a man whose vision of Canada was confined to the boundaries of Quebec, a man hell-bent for election to destroy this country and from whom Canadian history will soon reserve only a footnote. The premiers of those provinces to which I have alluded will find out what René Lévesque did on May 20, 1980. They are leading, but no one is following.

Mr. Speaker, seldom in a federal state is the process of putting a constitution in place an easy one. For more than 50 years we in Canada have been unsuccessful in this regard. In recent years the growth in the political and economic powers of the provinces has tended to make the process even more difficult. In some provinces, principles which were universally accepted ever since confederation were suddenly put in issue. It became obvious to the federal government that the views of Canada as a nation, as expressed by certain premiers, were contrary to the views commonly held by most Canadians. There was a move on behalf of the premiers of certain provinces—not only Quebec—to delay the process of constitutional development in an effort to destroy or weaken the position of the federal government in its efforts to act aggressively in the national interest when circumstances warranted such action. Thus, it soon became obvious to those watching

the scene closely that the breakdown in the process was being caused by the different view of Canada taken by some provincial premiers.

It is perhaps understandable if provinces tend to act independently in their own self-interest. It may even be normal for provinces to pursue additional powers to protect what they perceive as their own regional interest. However, over and above the regional interest is the national interest; and where regional interest conflicts with national interest, the national interest must prevail. If that is a principle which a particular premier cannot accept, then it is obvious that the concept of a true Canadian nation will not be acceptable to him. If a nation cannot insist that the national interest must prevail in a time of regional conflict, then it will soon disappear.

The legitimate interests of all the people of Canada from sea to sea must be the concern of the federal government at all times. Some of the premiers want a loose association of provinces, free from the ties of a national economic fabric, free from a dedication to sharing, and without a strong, viable and caring national government. This they are not entitled to in constitutional law. This the people of Canada will not permit us to surrender to them. This they will never enjoy. To reach unanimity we will not barter the fundamental rights and freedoms of the people of Canada.

Our rights and freedoms are not the produce of the marketplace. Our perception of the willingness of the Canadian people to accept the practice of sharing is unbecoming the agenda of a federal-provincial conference. Our independence as a nation with our own Constitution is a commitment to Canadians which calls upon all of us to act now. The time for bargaining is long past.

It has been said, Mr. Speaker, that politics is the art of the possible. As a politician, I am prepared to accept that our legislative handiwork is subject to this limitation. With our legislative enactments, the dream becomes the reality of the times; the perfect clause become the consensus clause; and the ultimate statute is the one which survives the process.

With this particular resolution before the House one might ask the question: What is possible at this time in our development? Everyone will have his or her answer to this question. The witnesses who appeared before the joint committee tended to express the opinion that the resolution was not wide enough. As a result, certain wide-ranging amendments were made during the committee stage. It therefore appears possible at this time for Canada to have the following: patriation of her Constitution; her own made-in-Canada Constitution with a charter of rights and fundamental freedoms enshrined therein, an amending formula, language rights, women's rights, native peoples' rights, rights for the disabled, the right of residents to work in any province or territory, recognition of the multicultural heritage of Canadians, and a commitment by the federal government and the provinces to sharing among the provinces, to ensure that all provinces are able to provide their residents with essential services at a cost they can afford. In broad terms, Mr. Speaker, that is what is now possible. It is the minimum. History will judge us harshly if we deliver less. To deliver much more at this point in time may be impossible.

I want to conclude by referring to the historic proceedings of the joint committee of January 30, 1981. That is a day to remember in the history of our country. That is the day we laid the foundation for a new beginning in Canada. I appreciate that every Canadian will find a specific provision in our new Constitution which to him or her will be the cornerstone. That is understandable. For many, Part III of the Constitution pertaining to equalization and regional disparities will be the key provisions. Still others will discover their own preferences; for example, women's rights, the rights of the disabled and the like. All will understand that the new Constitution is only the foundation for the new beginning of which I have spoken. Much work remains to be done. Still, it will give us a firm foundation on which to build a better Canada.

To the nation builders of the future we will leave a strong foundation; but still the task will not be easy. There will be times in the future when some members will stand in this very House and say that the members of the Thirty-second Parliament were dreamers, that we gave them goals impossible to achieve. To those future members of this House who will be troubled because of the magnitude of what is expected of them—I would like to say, through the pages of *Hansard*, that while we gave them a foundation for a magnificent edifice, we were also careful to ensure that they had the necessary human and natural resources.

If shared, the natural resource base in this country is adequate to complete the task—and we have not really begun to use our human resources to the fullest. We ask the future nation builders to give to women full and equal opportunity in the true sense and meaning of those words. We also invite them in future to look to our native peoples and the disabled for strength, guidance and wisdom. These reservoirs of human resources have been almost totally ignored in the past. They have been ignored not only to the detriment of women, native peoples and the disabled, but to the detriment of our country in general. If this and future generations fail to make full use of the human resources to which I have just referred, then truly the goals that we in the Thirty-second Parliament set will, in fact, be impossible to achieve.

• (1540)

I am sure that on January 30, 1981, the distinguished member of the New Democratic Party for the Northwest Territories also had these untapped human resources in mind when the joint committee voted to include the rights of the aboriginal peoples in the Constitution, and when he said these historic words: "Together we will build a great nation."

Mr. Lorne McCuish (Prince George-Bulkley Valley): Mr. Speaker, it is indeed a great day in my life to have the opportunity now to speak in this House on the Constitution of Canada. The Constitution is not just a symbol of the country, it should also be the working document which would be used to define the relationship between the federal and provincial partners in confederation.

As I rise in my place, I stand to make an appeal to those Canadians who truly believe in our parliamentary system of government and the workings of our truly unique democracy. However, I feel that this democracy is in jeopardy.

Although I represent but a small part of the country, I should not be considered to be any less a Canadian than other representatives in this chamber. I have a great sadness in my heart because this resolution will ultimately cause me to be less a Canadian due to the amending formula therein. Should this resolution become law, British Columbians would become second-class citizens.

I also have a sense of sadness because some time soon, when I rise to participate in any debate in this House, I could well be representing a province which has been given a status much less meaningful than Ontario or Quebec, for example. That status would hurt me and millions of western Canadians who believe in a federal state. Tradition will be changed, convention will be changed, and these qualities will no longer be prevalent in Canada.

Putting political affiliation aside, if we are able to bring our Constitution home and make changes for the good of the people by patriating the BNA Act, there should be no change in the status of Canadians simply because they may live in a certain region. Every Canadian should feel that his or her representative in Parliament has an equal voice and an equal vote in the House of Commons. If this resolution is accepted without amendment, the equality respected by all of Canada will no longer exist because this House is being overshadowed by the singular view of a singular individual who has decided that this is the way it will be done, and he will let no one else try to influence his vision. He says, "We will play my game until I decide the game will finish." Canadians do not wish to play games with their future or their Constitution.

When one speaks of credibility, one should look at the last federal election. During the 1980 election campaign, the Prime Minister (Mr. Trudeau) made five basic commitments to the Canadian people on which he sought re-election. First, he promised better management of the finances of the nation. Second, the Prime Minister promised energy security and fair prices for oil. Third, he promised to develop an industrial strategy which would provide jobs, spur growth, and increase Canadian ownership and control. Fourth, he promised a government which would realize the aspirations of the provinces and the economic contributions and potential of each region. His fifth promise was to enhance the security of individuals by helping those who most needed assistance.

If the Liberals were returned to power, the Prime Minister promised an economic package which would bring Canada out of its present recession. There was no mention of patriating the Constitution. The Prime Minister was given no mandate from the people to proceed with unilateral action. Mr. Speaker, would you buy a used car from that man?

This status hurts me. I am glad to see that a few of the hon. members of the Liberal Party and the New Democratic Party have decided to support the official opposition in objecting to the Prime Minister's attempt to singularly seduce Canada. We witness the workings of a man who, through his manipulative manoeuvres in this Parliament, has made a mockery of this House. Respect for Parliament and its tradition has been permanently damaged and is now forever mangy. Decisions are no longer made here in Canada, and Canada has lost a place where its interests are protected.

I fear that my words and the words of my colleagues will go unnoticed by the Prime Minister. That is one of the most unfortunate realities fo this debate. This government is insensitive to the needs of Canadians. It is a government which refuses to recognize that we are headed for a destiny of complete and ultimate destruction as a nation.

The Prime Minister must dream about the Constitution when he sleeps at night. He must dream about his place in history. He must dream about Canadians flocking behind him, as he has trained his flock of sheep across the floor. However, the Prime Minister's dream will soon become a nightmare for every Canadian and for generations of future Canadians. I stand here with heavy heart to appeal to those who have unconsciously accepted the dream of the Prime Minister. Members opposite should take a sober look at what may happen to this country.

I would like to quote the point made recently by Manitoba MLA, Sydney Green. He states:

> The question now in dispute is whether we are going to continue to enjoy parliamentary democracy as we know it, which presumes that legislators do not confer rights either by stating them or declaring them. According to the common law principles under which we operate, the citizen has every right except that which has been expressly taken away by Parliament.
>
> We are being asked to change to a system whereby Parliament declares rights, and then these rights are not interpreted by Parliament, but are interpreted by an appointed judiciary, which is not responsible to the public, and which, for the future, in the absence of a constitutional amendment—and we know how difficult that is to obtain—has these matters under its jurisdiction.

On that fateful day in December, 1979, when the Conservative government was defeated in this House, hon. members of the New Democratic Party demonstrated their total lack of any semblance of intestinal fortitude. At that time they dismissed out of hand any wish or will to experience short-term pain for long-term gain. Small wonder, then, that just one year later, after a sordid display of political prostitution, they leaped on the Liberals' three-wheel bandwagon which called for short-term gain for long-term pain—short-term gain for them and long-term pain for the people of Canada. They did this solely to bask in the sordid limelight of the Prime Minister's constitutional proposals.

Before coming to this House I had a degree of respect for the New Democratic Party. While I did not agree with its socialistic philosophies, I gave it credit for being principled. How naive I was! The little red rump has displayed many traits in my presence in this House, but not one of them is based on principle. This has proven to me that its members, are nothing more than Liberals lap dogs. It is time we supplied Members of Parliament with uniforms, for how else can we distinguish the NDP from the Liberals? Time and time again we have seen the NDP barter here and bicker there, selling their principles for some paltry political gain. But they say that

that is part of the game; that that is what politics is all about. That is fine. Let them indulge in their puny political pastimes with other forms of legislation, but not with our Constitution, our rights, our freedoms or our very future.

Fortunately, there are a few hon. members to my left, and many across the floor, who recognize the fine distinction between the enshrining and entombing of our rights. Fortunately, these members have the courage and forethought to break with their leaders, recognizing that our Constitution should be the product of our people, not the passing fancies and whims of political autocrats.

● (1550)

Surely, Mr. Speaker, before this resolution comes to a vote in this House, other members opposite and to my left will regain their pride and draw courage from the stand taken by their colleagues. Surely they will realize that their constituents, not their leaders, sent them here, and sent them here to represent the electors.

Let me ask you, Mr. Speaker, will we as Canadians be proud of our new Constitution once it becomes totally Canadian? Will we be proud of the fact that there is so much opposition to this resolution? Will we feel comfortable once we see a new and patriated Constitution as law? Can every member in the House say with sincerity that this is a Constitution based on the input and co-operation of all Canadians and elected bodies?

Obviously, the answer to all those questions is an emphatic No! No, this Constitution will not be the result of consultation and co-operation. Canadians will not decide how it is to be done. Unilateralism and the guillotine style of debate has formed our Constitution. Parliament has been left out of the process. This debate is just a formality in the eyes of the Prime Minister. Once this debate comes to an end, the Prime Minister will have his way and will be happy. He will be able to walk away knowing full well that he again overstepped his boundaries, continuing his manifestation of supremacy. Is that democracy?

For a moment, Mr. Speaker, allow me to comment on three attitudes which speckle—like fly specks—this constitutional resolution. These attitudes are arrogance, duplicity and incredibility.

Arrogance is not something you are born with, it is something that grows on you, like a big, green wart! The author and mover of this constitutional nightmare has a real doozie of a dose of arrogance. The Prime Minister, determined above all else to go down in Canadian history as the midwife of patriation, will do or say anything to force his will on this wonderful country and to hit high "C" in his swan song to the Canadian political scene.

Try on some of these incredible quotes for size, Mr. Speaker. As we all know, the Prime Minister loves to create adversity. He has stated in the past: "The kind of opposition we bring against ourselves, I find invigorating." Or: "Yes, we are being divisive." Or: "I must have had a hell of a tongue in cheek." Or: "I'll put in any amendment you want, so long as you pass the package." In another quote, Mr. Speaker, listing his priorities, he said: "The Queen falls somewhere after skiing and avocados." The Prime Minister has the gall to say that "Until God comes in and does it, we have to believe in a sovereign people." The Prime Minister insults our belief in God and says he believes in the sovereignty of the people. Why, then, does he not permit the people to participate and decide how this constitutional question should be handled? The Prime Minister puts the cap on it when he insults our belief in the supremacy of God.

A constitution should be the seed of national harmony, not the funeral rites of respect and understanding. A constitution should have heritage for its father and inspiration for its mother.

Mr. Speaker, let me speak about credibility—credibility in the eyes and ears of the public. Let me just demonstrate with some crystal clear evidence that the public is not so easily duped as the Prime Minister believes.

We talk of human rights. Is the Prime Minister violating human rights by expounding this resolution to us? He choked and will continue to choke the right of representatives to contribute and involve themselves in this debate. He ignores the premiers; he moves into provincial territory and revokes their constitutional rights.

When we speak of fundamental rights and freedoms, it is important for Canadians to know how they may be affected when this resolution becomes law. I firmly believe that Canadians will lose basic rights if this charter is accepted. The first right is the individual enjoyment of property without fear of confiscation by the government. Mr. Speaker, this right is no longer protected.

If we look back in history, the right to own property has always been protected in Canada; it is a right stemming from the Magna Carta. It has been upheld in Canada's courts and statute law. It was reconfirmed in the Diefenbaker Bill of Rights and is protected internationally through the United Nations Charter of Human Rights. The Prime Minister has sold Canadians down the river for the support of the NDP. The Prime Minister has sold the property rights of the people for the sake of NDP support.

Canadians may believe that once they own property the government will never attempt to confiscate that property. That is not true. There is a provision within the proposed charter which makes all previous laws protecting property completely void. Therefore, rights given under past laws that are not included in this Constitution are overridden.

Then, Mr. Speaker, the question of equalization arises. Again, tucked away within the resolution is the provision that the central government has given itself the right to do what it pleases under the so-called equalization scheme.

Should this resolution pass into law, the Government of Canada could redistribute provincial revenue without the consent or co-operation of any province. The federal government could walk into my province of British Columbia and redirect resource revenue for the sake of central Canada. Equalization

can be beneficial only if it is carried out in a manner which benefits everyone. The present plan will give the central government the right to take without justification.

Not only property rights are omitted from the Constitution. By omission we will also lose the ancient, democratic right of trial before a court that is independent from government interference. Even the infamous War Measures Act is incorporated in the new Constitution. Under that provision, the government can send anyone to prison for mere political agitation. One need not break the law; if one even apprehends insurrection, the government can act.

Even if a person is accused of an unproven crime, the right to a quick and lawful trial is no longer guaranteed. Habeas corpus, the ancient guarantee of trial, is gone and is replaced by Section 11(b). The government may now decide what is a "reasonable" time to bring about a trial.

Nor can one count on being humanely treated in prison. The term "cruel and unusual treatment" contained in Section 12 is very ambiguous. A daily beating is not considered "cruel and unusual" in many countries.

The loss of those vitally important rights that have been enjoyed in this democracy will be disastrous for all Canadians. However, western Canadians will suffer much worse results. Western Canada will become the colony of central Canada. The amending formula gives Ontario and Quebec a permanent veto over the wishes of the rest of Canada. I suppose, Mr. Speaker, that permanent agitation between the west and the east will prove to be the most destructive element of the Prime Minister's resolution.

There is not a totalitarian country in the world which allows property rights; there is not a free country in the world which does not allow property rights.

These are but a few of my concerns, but they point to the grave dangers of entrenchment. A government which would damn the torpedoes and ram this horrendous piece of legislation down the throats of Canadians would use a Model T Ford plan for a moon shot.

Let me illustrate the fallacies contained in this constitutional package. We have witnessed a major confrontation over the control of resources which were retained by the province of British Columbia 110 years ago when it became a full partner in confederation. In 1867, the provinces retained control of their natural resources under Section 109 of the British North America Act. In addition, the Constitution further provided that those resources belonging to the provinces were not liable to taxation. Provincial control made good sense then and it makes good sense now. The federal government now appears to be saying that our resource revenues should be pre-empted in the national interest. The problem is the difficulty in understanding their definition of the national interest.

• (1600)

Canada is a diverse partnership of peoples with linguistic, cultural and regional interests. The survival of that partnership is now being subjected to considerable strain because of the absence of economic, political and legal recognition of those interests.

When we talk about introducing a charter of rights, we should remember that one of the most basic rights in a federation is for the component parts to participate in any change. The provinces are part of the Canadian democracy. To reject their views in the ultimate decision is a fundamental breach of a democratic right.

A serious problem is bound to occur where provincial legislation will be invalidated under the proposed charter of rights. If such a provision is tested, will the courts find that the federal government succeeded in unilaterally altering the basic law affecting property and civil rights, or of any rights of any province without the consent of the provincial government which is required by convention? That is unlikely. Do we accept the view of the current Minister of Justice of Canada (Mr. Chrétien), who does not wish to refer the issue to our Supreme Court "because the Supreme Court is very unreliable—?"

Being supportive of provincial rights is part of being a Canadian. Our nation is composed of both federal and provincial governments. Indeed, the provincial contributions have been an integral part of making our country what it is today. I take exception to being the target of those who wrap their policy and political acts in the flag of our country and, by implication, demean members who were elected to speak on behalf of a federal state within the confederation of Canada. My objective and duty is also to defend those rights retained by our province as a term and condition of entering confederation.

The political reality in Canada is that our federal government is elected or defeated east of the Manitoba border. The western provinces, in the national context, are in a political wilderness.

Since the Prime Minister failed to secure even a majority consensus in Canada, he now asks the British members of parliament to interfere in the internal affairs of Canada by amending our federal Constitution without agreement of the partners in our confederation.

How can one who is prepared to sacrifice provincial rights be a Canadian federalist? Where is the massive public acceptance of the Prime Minister's initiative?

We must remind ourselves that for a Constitution to endure it must be built on the broadest possible consensus. Confederation was framed accordingly. Further, it has been built on trust, equity and fairness. The Prime Minister cannot prosper in the absence of an atmosphere of strife and bickering. Does he have in mind the same polarization in the west that was authored in Quebec? The question really is: Are the western provinces to be full partners in a federal state or are they to be reduced to quasi-municipal status effectively controlled by the government in Ottawa?

The combination of no federal representation on the government side from the three most western provinces and no participation by those same provinces in formulating either a

national energy policy or constitutional changes results in these provinces effectively being left out of Canada. It seems so strange that our federal government, a regional government electorally, would precipitate such a move. In the three most western provinces there is not one member of Parliament elected on the government side. Why is that? The answer may be that the federal government espouses a centralist policy which consistently imposes tariffs to protect industry in central Canada, subsidizes production and finances exports of products manufactured in central Canada, imposes import quotas on western Canada, and continually frustrates expansion of a transportation network.

The resolution places importance on fundamental freedoms and human rights. I am the first to accept their importance but I must raise a major issue with their concept because they may well be infringing on the rights of citizens in the west by the introduction of a discriminatory tax on western resources.

I have some difficulty in drawing a distinction between natural gas and oil in British Columbia and Alberta, potash and uranium in Saskatchewan, and iron ore and nickel in central Canada. Petroleum products are not different from mineral products other than in their physical characteristics. How do you reconcile differences of such magnitude?

Through you, Mr. Speaker, I ask the Prime Minister, whether he has given sufficient consideration to what he may well precipitate? Consider the scholarly opinion that—

—it would be unwise to proceed with patriation of the Canadian Constitution in the absence of agreement on an amending procedure.

Consider the judicial opinion that the Constitution—

—embodies a compromise under which the original provinces agree to federate. As the years go on legislation and court decisions ought not to be allowed to dim or whittle down the provisions of the original contract upon which the federation was founded.

I was truly impressed with the thoughtfulness of the 1972 Special Joint Committee of the Senate and the House of Commons on the Constitution of Canada, which held the view that patriation without provincial consent would be most unwise. The authors of that report were further compelled to express—

—the fear, on the other hand, that, if it was not so grounded, there might be a legal gap which might conceivably lead to a court's invalidating the whole new Constitution.

One of the joint chairmen of this report was the Secretary of State for External Affairs (Mr. MacGuigan), a legal scholar, the man who led the Canadian delegation to London to seek unilateral patriation with a federally imposed amending formula.

The Prime Minister seeks to persuade us that the economic pie is larger and that the western provinces are greedy not to share. The fact is that the economic pie is exactly the same size, but the federal government wants a larger piece. This is a power struggle and a struggle for economic control. We are foolish if we let it appear to be an exercise in national unity with the west being fractious rebels. The west need not apologize. British Columbia and Alberta are the major contributors to equalization. We share our prosperity with our partners in confederation.

British Columbians alone now pay $1 billion annually in protective tariffs toward eastern manufactured producs, textiles and footwear, not to mention additional consumer costs attributable to import quotas. Alberta is subsidizing the industrial base of central Canada with oil at less than one half the world price.

I raise these constitutional policy concerns to emphasize the need to return to the bargaining table. It is like a work stoppage in an essential public service. The best solution to prevent public harm is an agreement between the parties who, when they come together and reason together, always find a solution. The package which the Prime Minister seeks to impose unilaterally will lock in all governments forever more. It can only be undone by his self-imposed amending formula.

It troubles me deeply to say what I have said, but then we all know how forceful are honest words. The federal policies are a bitter pill for me to swallow because I, for one, will not support any movement to divide my country.

I am no constitutional expert, I am a Canadian. I can only speak from my heart. My heart tells me that this country will not be the same as it was prior to the Prime Minister's vision. One must look to the heart for guidance. Somehow I believe the Liberals have not searched their hearts and their consciences to find the true definition of Canada.

● (1610)

The Prime Minister addressed students at Osgoode Hall in Toronto a while ago. I was shocked when he said:

If the people of Canada are not prepared to assume their burden and duty in speaking their will over the heads of their elected premiers, I say they are not a nation.

That makes my blood boil, Mr. Speaker. Is the Prime Minister suggesting by that statement that Canadians should ignore their elected public leaders and heed only his own personal view? What will happen? Will the Prime Minister abolish the municipal, regional and provincial governments? Are we really on our way to a singular form of government? It was stated in an editorial in the Edmonton *Journal* that, as he has before, the Prime Minister had admitted his willingness to barter away principles to achieve his own end. He has said, "I am a political realist, it is as simple as that." If that is political realism, the Prime Minister would sell his soul to be remembered as a great Canadian. I assure him that we will remember him but we will not forgive or forget.

The Prime Minister has launched an attack on the Prime Minister of Great Britain and suggested that the British are interfering in our affairs. Mr. Speaker, the government is asking another government to rubber stamp legislation that has no public support in Canada. If Britain passes this resolution unchallenged and forces us to accept its action in the knowledge that the majority of Canadians are not in favour of such legislation, then I would say that Britain is interfering in our affairs.

Britain will have a say in the matter whether the Prime Minister likes it or not. However, I feel it is wrong for the government to thrust a resolution on to the British parliament and ask it to rubber stamp his request simply because he has decided that he wishes it to be done that way. Britain should not decide what should happen to our Constitution. We want to patriate it, so let us do it. The only request that should be made of Britain is: Send our Constitution to Canada and let Canadians include whatever changes they want. Let Canadians decide how they will form their future. It is our Constitution and we should treat it as such.

I pray to God that this government will realize the mistake it intends to make. However, Mr. Speaker, this government will not accept God.

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Blaker): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-55, an act to amend the Canada Student Loans Act, without amendment.

* * *

[*Translation*]

THE ROYAL ASSENT

The Acting Speaker (Mr. Blaker): I have the honour to inform the House that a communication has been received as follows:

Government House
Ottawa

March 18, 1981

Madam,

I have the honour to inform you that the Right Hon. Bora Laskin, P.C., Chief Justice of Canada, in his capacity as Deputy Governor General, will proceed to the Senate chamber today, the 18th day of March, at 5.45 p.m., for the purpose of giving royal assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,
Edmond Joly de Lotbinière
Administrative Secretary
to the Governor General

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the schedule consequential thereto.

Miss Coline Campbell (South West Nova): Mr. Speaker, it is indeed an honour and privilege to rise and take part in this historic debate concerning the proposed resolution for a joint address to Her Majesty the Queen respecting the Constitution of Canada. I would like to say how much I enjoyed the experience and challenge as a member of the Special Joint Committee of the Senate and House of Commons on the Constitution of Canada and I, too, Mr. Speaker, would like to add my congratulations to the joint chairmen on a job well done.

I know all Canadians feel strongly that we must have our own Constitution here in Canada and that we must patriate the British North America Act. I also know that there has been unanimous agreement in this House on the need for patriation with an amending formula. That is why I doubt that any Canadian would say no when asked whether or not the BNA Act should be patriated. I feel equally certain that no Canadian would say we should patriate without an amending formula.

What is this proposed resolution that we have been discussing and debating in committee and in the House for the last five months? What are we asking the British parliament to do? First, we are asking them to patriate the BNA Act. Second, we have the amending formula and, third, the charter of rights and freedoms as well as equalization. We will be asking them to pass a package called the Canada Act. They do not have to discuss the substance; all we want is for them to return our Constitution with the right to amend it here.

For many years now the federal government and provinces have been studying the various amending formulae. The proposed resolution contains the government's position on the Victoria formula. Dr. La Forest, who appeared before our committee, headed a study group which, after four years of searching and studying, came up with this formula. It was accepted and agreed to by the ten provinces and the federal government at the 1971 federal-provincial conference as being the best formula. What does the Victoria formula provide? It provides, Mr. Speaker, that six provinces—two in the Atlantic region, Quebec, Ontario, and two western provinces representing 50 per cent of the population of the west—must agree in order to pass a constitutional amendment. That is the Victoria formula.

The opposition has wanted from the very beginning patriation and an amending formula. The government does not differ with them on what we want from the British parliament. However, they say we should use the Vancouver formula. Well, what is the Vancouver formula? There must be the agreement of seven provinces representing 50 per cent of the population.

The opposition is beginning to find out that this formula is not too popular. Why? Because the provinces only last summer reached consensus on further study of the Vancouver formula. Why? Because in that formula, Mr. Speaker, there is a provision that a province which does not agree with an amendment may opt out. In other words, not all provinces of Canada will be the same. What about the Supreme Court? How would they interpret the rights of one province compared to another? Where is equality of rights across Canada if the provinces can opt out?

● (1620)

Let us compare the two formulae as they relate to the Atlantic provinces. Under the Victoria formula three provinces from the Atlantic area may veto an amendment. Under the Vancouver formula four provinces, all the Atlantic provinces, would be required to agree in order to veto an amendment. I say that that is a poor position in which to put the Atlantic provinces.

I would also like to point out that under the proposed resolution of the government there is a two-year period for the provinces to come up with an alternative formula. If there is disagreement between the parties at that time, a referendum will be held to break the deadlock on an amending formula. Ultimately the people will have to decide if the provinces and the federal government cannot agree on an amending formula. There is nothing wrong in this. Why should the people not break the deadlock of their governments? In my view we must proceed with the Victoria formula.

Recently when the minority report was submitted the Leader of the Opposition (Mr. Clark) said that he would accept a one-year period to work out the difficulties in the Vancouver formula. I have already demonstrated that those difficulties exist, and I am sure there are many others of which we are not aware because of lack of study. I am sure the Leader of the Opposition now realizes that there are many unresolved problems with respect to the Vancouver formula.

But who will decide the deadlock after one year has elapsed? Under the Vancouver formula the people will not. Thus the question is whether a province can opt out of an amending formula if it does not like it.

If the Leader of the Opposition and the Conservative Party had not made this constitutional proposal into a political issue but, rather like the New Democratic Party, tried to attain the best proposed resolution, I am sure we would have seen Parliament at its best, with the true concerns of all Canadians at heart, bringing our Constitution to Canada with an amending formula and thus standing firm for a strong central government and strong provinces. This is not a matter on which there should be so much disagreement among national parties.

Let me turn now to the other area which is in this proposed resolution, the Charter of Rights and Freedoms and equalization. It was in this area that I feel the committee was most effective in its work. The committee was faced with a document which the government had prepared in an attempt to meet the concerns of the provinces. The committee listened to the many witnesses who appeared before it. Revisions were made and the document before us represents some 60 major amendments—not technical amendments, but major amendments—which the Minister of Justice (Mr. Chrétien) accepted.

The vast majority of the witnesses who came before us from all parts of Canada favoured an entrenched charter of rights and freedoms. They proposed amendments and at times asked the committee to go further than the proposed Charter of Rights and Freedoms went. They asked that it be entrenched because they felt that after patriation and an amending formula there would never be an opportunity again to put into place a charter of rights and freedoms which would express the basic rights of all Canadians.

The official opposition would now like to see a charter of rights, but only after patriation and an amending formula have been returned from the British Parliament. But how can we entrench a charter with the Vancouver formula, which allows for opting out?

The committee heard witnesses from across Canada. They were representatives of the Canadian public. They were Canadians who demonstrated their interest by coming to the committee or writing to the committee. These representations enabled the parliamentarians of Canada to respond and to improve the charter. The demand of the official opposition today is to do away with all that and to start all over again. That would be a regressive step. It would take away from the public the process which was so effective before our committee. It would leave rights and freedoms in the hands of the provinces to barter and trade them off behind closed doors.

What we have accomplished is a charter made in Canada incorporating the basic rights that belong to the people in every part of Canada. They are not to be denied by any legislature unless a court deems that such legislature has shown a justified reason promoting the greater good. In fact, one of the greatest accomplishments of the committee was the changing of clause 1, which gave power to the courts—and not to Parliament or the legislatures—to define or make rulings with respect to the rights of Canadians. I will read Clause 1 into the record again today:

> The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

I return again to the idea of this Charter of Rights and Freedoms having been made in Canada. We have the Official Languages Act now. We have equalization. We have a bill of rights. Unfortunately, the clause I have just read is not in that

bill of rights, which renders it ineffective in overcoming Parliament's intentions with respect to other acts.

We have human rights legislation. There should be mobility rights for all Canadians. Only recently have Canadians been stopped from working in a province because they did not reside in that province. Again I say that this charter has been made in Canada. All we are asking is that when an amending formula is being passed in the proposed Canada Act, we entrench these basic rights as well as the amending formula.

Let me once again review these basic rights and freedoms which the charter guarantees to all Canadians. There are the fundamental freedoms, which include freedom of conscience and religion, freedom of thought, belief, opinion and expression, freedom of the press and other media of information and freedom of peaceful assembly and association. We have democratic rights which ensure the continuation of elections and that every person has the right to vote in an election. We have mobility rights which enshrine the right of every Canadian to move freely from one province to another, to establish a residence, to seek a job anywhere in Canada as well as to enter, remain in or leave the country. We have minority language educational rights which provide that citizens of the English-speaking or French-speaking minority of a province have the right to educate their children in that minority language wherever numbers warrant.

Official language rights will be entrenched, which will provide for the right to use English or French in Parliament, in federal courts and in communications with any head or central office of the Government of Canada. We have legal rights, among them the right to life, liberty and security and the right to equality before the law. We have non-discrimination rights, Clause 15, which has been called the "equal rights" clause. It protects citizens from discrimination on the basis of race, national or ethnic origin, colour, religion, age, sex or physical or mental disability.

I would like at this time to take a few moments to talk about the question of sex and Clause 15. I think I put my views forward as many times as possible to all the groups which came before us. My preference would have been the specific recommendation put forward by the Human Rights Commission, which was to add a subclause to Clause 1 of the proposal which would have provided that this charter guarantees the equal right of men and women to enjoy the rights and freedoms set out in the charter. I felt we would have come a long way if we had accepted that type of statement without having to put it into the equal rights clause, Clause 15. I felt that would be a broader way of registering rights for all men and women. However, many of the groups which came before us—the Advisory Council on the Status of Women and some of the others—felt that Clause 15 was a more plausible approach.

I would also like to say that had that recommendation been accepted, we would not have to wait three years before stopping any infringement of the rights of women. That provision would have become effective immediately. I say that because I have an interest in that area.

● (1630)

The next area has to do with the handicapped, and again the provision dealing with the handicapped was shown to be truly effective. The groups which came before us all thought the handicapped in Canada should have their rights included in the charter of rights, and that physical and mental disabilities should be included in the provision on equality rights in Section 15.

The committee also decided to add to the charter a provision having to do with the multiculturalism heritage of Canada. The provision states that the charter shall be interpreted in such a manner as to give consideration to the preservation and enhancement of the multiculturalism of the people of Canada.

Finally, although this item is last on the list it is probably one of the most effective provisions of the committee. I wish to refer to the fine work done by the native people of Canada in their presentation to the committee and to parliamentarians who were not members of the committee. They asked that recognition of aboriginal and treaty rights of the Indian, Inuit and Metis people of Canada be included in the charter.

The next matter to which I should like to refer deals with equalization payments. It goes without saying that the Parliament and the Government of Canada are committed to the principle of making equalization payments to the poorer provinces. We call them the "have-not" provinces. I come from one of those provinces and I can say we have benefited greatly from the whole process of equalization. The provision states that both orders of government will be committed to prompting equal opportunities for Canadians, furthering economic development to reduce disparities, and providing essential public services at a reasonable level to all Canadians. This was the best draft agreed to by the provinces in September, 1980.

The resolution before us, Mr. Speaker, gives rights to the people of Canada. The Charter of Rights and Freedoms takes rights from the legislatures and Parliament, and gives them to the people. In my opinion, these rights and the amending formula cannot be bartered for. They are areas which concern all Canadians and they must be incorporated in the Constitution so that neither the weak nor the strong areas in Canada need compete for those things which should be basic rights and privileges for all Canadians.

Finally, Mr. Speaker, may I leave you with one thought. There is a consensus across Canada that constitutional change should be made. This is the first step and there will be many more in the future of Canada, but there is consensus on patriation with an amending formula and a charter of rights and freedoms. Once we have achieved a workable amending formula, we will be able to tackle some of the problems involved in the redistribution of the powers between the federal and provincial governments, without taking away basic rights that belong to the Canadian people. This could include redistribution in areas such as communications, where there is almost an agreement between the federal government and the provinces, and in the area of family law. If we had an amending formula, we would not have to go back to the British parliament to amend our family law, or provisions regarding

communications in the British North America Act. All we are doing is taking the first step. We are making it possible for future amendments to our Constitution to be made in Canada.

Inevitably there are differences as to the substance of these changes, but there is also a great deal of harmony of thought. We as Canadians have to start this process of change. As Disraeli said, "Change is inevitable in a progressive country, change is constant."

I am pleased to have been part of this process of change, Mr. Speaker.

Mr. Bob Corbett (Fundy-Royal): Mr. Speaker, I welcome this opportunity to speak in this immortal debate on the Constitution on behalf of my constituents in Fundy-Royal. Before starting my comments, I should like to congratulate, the hon. member for Prince George-Bulkley Valley (Mr. McCuish) for his fine presentation this afternoon on this vital issue, and for his representations on behalf of his constituents. I should also like to congratulate my colleague, the hon. member for Niagara Falls (Mr. McBain), and the hon. member for South West Nova (Miss Campbell), both of whom did a creditable job of putting forth their points of view. Unfortunately, I believe they are misdirected and misguided. However, they spoke with sincerity and with the wish to serve the interests of this nation.

I was interested this afternoon to hear the motion put forward under Standing Order 43 by the hon. member for Kitchener (Mr. Lang) that this House extend its hours of sitting so we could conclude the debate on the Constitution. Unfortunately, it is only too obvious to Canadians and to those of us who serve on this side of the House that the government would like nothing better than to conclude the debate on the Constitution. I can tell the hon. member for Kitchener that one of the ways in which the government could settle this issue once and for all is by holding a referendum in Canada now; a referendum which would make clear what should be written into the Constitution. But, of course, the government will not do that. I will go further, Mr. Speaker, and challenge the Prime Minister (Mr. Trudeau) and the government to call an election on this vital and important issue. But of course that will not happen either.

An hon. Member: Chickens.

Mr. Corbett: They are aware that the position they have taken is extremely unpopular in the constituency of Canada, and that they would not stand a chance of winning an election were they to go to the people on this vital issue. There is no question in my mind, nor is there one in the minds of the majority of Canadians, that if an election were called on this issue the Progressive Conservative Party would win it and would form a government under the leadership of the hon. member for Yellowhead (Mr. Clark). The reason the government will not call an election is simply that the name of the game is power. The goal of the Prime Minister is, first, to obtain power for himself, and second, to obtain power for the government.

In starting my remarks on this constitutional issue I should like to read an unsolicited song that was sent to me by a very important constituent of mine in Fundy-Royal, a girl in grade 11 whom I have never met. She wrote:

Canada, my homeland fair,
I'd give my life for thee,
If by my humble death I'd save
Our country's liberty,
Canada, with hand on heart,
We list to hear thy call,
We'll serve thee, faithful to the end,
We shall not let thee fall.

Canada, my Canada,
United as one we stand,
As thou wast found so thou shalt remain—
Give us thy command.
Canada my native land,
With freedom, rights for all,
We'll serve thee, faithful to the end,
We shall not let thee fall.

Shelly Tucker wrote:

I may only be 16, but I'm very much concerned with the welfare of my country. I feel people must be more patriotic toward their homeland, and appreciate it more. This song simply expresses my love for my country.

Shelly Tucker
1980

Some hon. Members: Hear, hear!

Mr. Corbett: It is to people of this country like Shelly Tucker that we owe our debt, our allegiance, and our determination to make Canada a better place in which to live. Unfortunately, it is unlikely that will be the case, should this constitutional package be passed.

● (1640)

Let me review briefly how this confederation all came about. The country of Canada is a federal state. It is a federation which is controlled and has been controlled since 1867 by the British North America Act. This act was designed for Canadians by Canadians. It outlined the responsibilities of the central government, as opposed to the responsibilities of the provincial governments. It fulfilled a necessity within our federated system. It dictated that divisions beyond reach or easy access to consensus of opinion would not alter the way the country was designed to be run.

There were some very good reasons why the British North America Act was designed in that fashion: So there would be control, and so that not one of the 11 involved governments would be able to act unilaterally to change the direction and the intent of the BNA Act. It ensured that one government would not be predominant in all things. The decision was a Canadian decision, and it was respected by the British parliament.

Discussions began to take place as to how we might better control our destiny. This has been discussed for a good many

years. Discussions which took place in which Canada played a major role, this being the senior dominion, and the Statute of Westminster became a reality. It was written in that statute that the British parliament would henceforth have no further direct control over the "Dominions" included in that statute. Canada was a motivating force in the writing of the Statute of Westminster and, interestingly enough, Canada was to be the only exception.

It is pertinent to ask ourselves as Canadians: Why was Canada, at Canada's request, the only exception to this rule? The answer is, quite simply, we were concerned in that day and age, just as we should be today, that no single government would have the opportunity to override the jurisdiction of another. Much to the chagrin and the sorrow of Great Britain, we insisted that Canada be made an exception to the Statute of Westminster and that we continue with the jurisdiction given under the British North America Act. Because of a lack of agreement among Canadians themselves and the various levels of government in Canada at that time we were unable to see our way clear to cutting the colonial cord. Without the protection of, or the resource to the United Kingdom, some Canadians were concerned that their federal government or various provincial governments would have difficulties coming to agreement and, indeed, that something disastrous might happen to the country as a result.

However, progress was made and, as time went by, we recognized it would be a good thing for Canada if we were able to bring our Constitution home, but there was a mechanical difficulty as to how that would come about. I think there is certain validity to the arguments that the current system serves Canada well, that there is no reason why we should bring the Constitution home, and that the British North America Act has served the country well for the 114 years it has been in effect. But, that is not my position, nor is it the position of the Progressive Conservative Party. It is important for Canadians to recognize that certainly all members who sit in this House of Commons now agree the time has come to bring the Constitution home to Canada, but we decidedly disagree that it should be on the terms of the Prime Minister alone. Trudeau—the Prime Minister wishes—

[*Translation*]

Mr. Cousineau: On a point of order, Mr. Speaker. If at all possible, I would prefer that the Chair ask the hon. member to respect the customs and traditions of the House, and to refer to the title of the Right Hon. Prime Minister and not to his family name.

[*English*]

The Acting Speaker (Mr. Corbin): The hon. member for Gatineau (Mr. Cousineau) raised the point that the Right Hon. Prime Minister (Mr. Trudeau) should be addressed by his title, but I thought I heard the hon. member for Fundy-Royal (Mr. Corbett) correct himself.

Mr. Hnatyshyn: He corrected himself.

The Acting Speaker (Mr. Corbin): The point has been made. I recognize the hon. member for Fundy-Royal.

Mr. Corbett: Thank you, Mr. Speaker. I respect the position of the Prime Minister, even if I have questions about the validity of the present person. If the hon. member for Gatineau (Mr. Cousineau) was paying closer attention to the substance of my remarks rather than being picky, he would have recognized that I withdrew my reference to the Prime Minister's surname.

The Prime Minister proposes, among other things, to allow changes by referenda, yet he will not take advantage of the present opportunity to go to the people with a referendum and ask them if, indeed, this is the way they want to see their Constitution brought home. This referendum proposal would only allow changes proposed by Ottawa to be put to a referendum call. Obviously this is designed to allow the power to remain with the federal government. Only the federal government would have the right to call for a referendum. Under this proposal, rights could be written in or written out. Rights have always been present to protect the minority, but if we put a question designed to meet the desires and architectural requirements of the federal government, what chance would the minorities of the country have to voice their opinions in such a referendum? The proposition in the referendum would be written and financed by Ottawa; it would be financed by the taxpayers of this nation. The provincial governments would not be required to ratify any amendments which might be made.

I should like to refer briefly to a speech made by a prominent Canadian back in November, 1980. In part it read:

> Referendums don't work too well in a parliamentary democracy, particularly in a federal state—
>
> —The referendum procedure undermines representative democracy under which we elect men and women to study these questions and decide them for us . . . If an issue is important enough, the will of the people can be tested at any time in a general election—

● (1650)

This is why I put the challenge to the Prime Minister to call an election on this issue. Those words were spoken by John Turner in his address to the annual dinner of the Administration Society, University of Regina. I am certain the words of John Turner were well taken by hon. members opposite.

The question of the Victoria formula, as opposed to the Vancouver formula, is also extremely important. I would like to comment briefly on this subject. Under the formula suggested by the government, Ontario and Quebec must be supportive of any changes to be made to the Constitution. In effect, this gives them a virtual veto. With all due respect to those two provinces, I fail to realize why they should be given the powers of a veto in perpetuity, since indeed this is what it would be. This would be the case regardless of any future movement of the population, either west or east, and despite the fact that those provinces at some future date may lose their position of power, as far as population is concerned. Those two provinces would be forever given the power of a veto. I believe that

smacks of discrimination to the rest of Canada. I believe Canadians generally disgree with that proposal.

Our party, and most of the provinces, support the Vancouver consensus in which Parliament and seven provinces representing 50 per cent of the population have the opportunity to change the Constitution, if that is the will of the people involved. In the Vancouver formula there is an opting-out provision. I think that is only fair since the provinces have historical rights under the British North America Act, which this government should not have the right to unilaterally take from them. Those provisions set out the powers and rights of the legislatures, ownership of natural resources and the property of the provinces.

The debate this government is so anxious to terminate involves the most important issue which has been debated in this House since confederation. Any unilateral action which this government will perpetrate on the rest of Canada will only create dissension and hostilities among all Canadians. It is these people who must accept the responsibility.

Mr. Laniel: What about the flag debate?

Mr. Corbett: When the unilateral action was taken at the time of the flag debate there was no thought in this House that a matter of that magnitude would dare be presented to the people of this nation in such a blatant and arrogant fashion. No doubt at that time there was no other issue which could evoke as much feeling as did the flag debate. But that flag debate is behind us and we are dealing now with a matter which affects all Canadians. They will have to live with it, as will their children's children and the children of those children for years to come.

The action taken by the federal government will ensure for some time to come that this Constitution will not serve in the best interests of national unity. Indeed, there will be more divisiveness than positive effects. But, Mr. Speaker, we will have it, since the government will invoke closure. The debate will be terminated, and I can only hope the majority of people who sit in this House have the opportunity before that happens to express the viewpoints of their constituents, as I am doing today.

In my constituency the matter of closure is something which is not taken lightly. I can tell you, Mr. Speaker, that in a recent poll I conducted in my constituency 78 per cent said "No" to the question:

Do you feel the government should have the right to invoke closure on any matter it wishes to terminate parliamentary discussion on?

I suggest that 78 per cent is a representative figure from across this nation. At any rate, it is a fact in Fundy-Royal. The purpose of the Constitution is to establish the game rules, the framework from which we can enjoy freedoms which will become an integral part of our democracy. If it is to work, the Constitution must be the result of honest communication and an honest attempt to reach an agreement amongst all the partners of Confederation, not just between one man and the party he leads. This resolution should not proceed until we have the word from Canadians as to whether or not this is, indeed, the way they want to see the future of this country formed.

Again, speaking for the people of Fundy Royal, I can tell you that 72 per cent of the people replied "No" to the question:

Do you agree that the federal government should move unilaterally to patriate the Constitution?

An overwhelming 72 per cent replied "No", Mr. Speaker. That is indicative of the beliefs of the people who live in this nation of Canada.

The British have a responsibility, whether or not the members of the government want to realize it. Their responsibility is under the Statute of Westminster. I suspect the British parliament wishes it did not have that responsibility, but it does. The problems now are the same as they were back then when we decided it would be in the best interests of the people to leave the British North America Act intact. The problems are the same now as they were then. The government's determination to move unilaterally and to ram it down the throats of all Canadians just exemplifies that very fact.

Let us look to see what this action will mean to us as Canadians. What is it that the Prime Minister wants the British parliament to do which he knows he cannot get this Parliament to do? He knows he could not get this done here in Canada. There is no overwhelming argument which validly says we need the amendments the Prime Minister is suggesting. We have always been able to solve our problems here at home through compromise, consultation and agreement. What is the Prime Minister's purpose and reason? I say they must be suspect. This is the Prime Minister who has created crisis after crisis to serve his own purpose and to determine his own course. I can cite the War Measures Act as an example of what I am talking about. It should be pointed out that this measure will be included in the Constitution, should it pass. The Prime Minister utilized the War Measures Act and said he would justify that action at a later date. That justification has never come. This is the individual who, over the serious objections of many conscientious people, implemented the gun control provisions. For what reason, I would ask? Flies do not create garbage. Those guns he wants so dearly to control are still in the constituency. The difference now is that people who were under his direction have access to them without having to take the proper procedures through the courts of this land. It was wrong to implement that particular piece of legislation in the manner in which he did, and it should be withdrawn.

● (1700)

This is the same Prime Minister who campaigned on an anti-wage and price control issue back in 1974, but, as soon as he was elected went on his merry way and implemented wage and price controls. This is the man who, as head of the government party, insinuated there would be no increase in gasoline prices if that party was elected in 1980. The facts speak for themselves.

There are many suspect matters respecting the motives of the present government and its leader. It is known that his

preference is to have a republic rather than a monarchy. We know his attitude regarding the role of the Queen, and the sort of disrespect which he has shown on past occasions.

An hon. Member: When was that?

Mr. Corbett: This charter will do nothing for the rights of Canadians. It will do nothing toward enshrining rights for people. It will enshrine rights for the government only.

There is an unequal application of various proposals across the country. Why is it that the Prime Minister and his government refuse to incorporate the very basic right to the ownership of property, the right of an individual to work for a piece of land so he can have a home in which he can house and shelter his family? What is wrong in our society with having something as substantial and as basic as the right to property written into the Constitution? We have not had a satisfactory answer; we have had no answer at all, and we are not apt to ever have one.

What is wrong with the basic premise that God should be respected and written into our Constitution, as He has always been an inspiration in our society? Why is it that God, the cornerstone of our heritage, has been so blatantly left out? The founders of this country fell down on their knees and praised God for helping them find the land, and they thanked God for all the bountiful gifts He bestowed on them. What is now wrong with referring to the role which God plays in the lives of Canadians?

An hon. Member: Communists do not accept the concept.

Mr. Corbett: What about the rights of the elderly in this country? Why have we not made some allusion to them, particularly the rights of the elderly poor? Why can we not pay some attention to these people who so desperately need help as a result of the mismanagement of funds, the fiscal fiascos this government has perpetuated upon them, inflation and their inability to cope with it? What is wrong with writing in the dignity we have or should have in this country for our elders, the people who laid the foundations of this great nation? They have been left out, just as it is obvious that the rights of those who are yet unborn in this country have been left out. I speak about those people who will not be born in this country because of a very serious lack of appreciation of the basic component of life itself, something these people seem to be so determined to overlook and forget.

What about the rights of the unborn children who will never see this country and will never have the opportunity to participate as we do? There is no one but God—whom they refuse to recognize—who should have the right to take an innocent life, whether it is in the womb or outside of the womb. The fact that this charter of rights does not recognize the right to life and the right of the unborn child is a very serious shortcoming.

We can look back upon and be proud of many things in this country, including the heritage of the two founding people whose forefathers came from France and Britain. But for some reason or another, we cannot agree that one should be as equal to the other. I find it strange that all the efforts which have been made in one direction do not seem to be applicable when we ask for the same rights in the other direction.

For instance, why is it necessary to change the name of Dominion Day to Canada Day? What does that particular piece of wisdom emulate? I suspect it is to try to satiate the insatiable appetites of the minority of people in this country. That bothers me because, if that is not the case, certainly that group is being tabbed with the responsibility, and this cannot have gone unnoticed. Why can we not have an explanation?

The present government seems to feed and thrive on the alienation of this country, the alienation of the French against the English, the alienation of the English against the French, the alienation of the west against the east; it goes on and on.

How is our Constitution to be determined? How is it to be designed? The powers of this House of Commons are to be diluted. The powers of the provincial legislatures are to be diluted. It will be determined by the courts of this land which will be staffed by federal judges appointed by the government. One person will have the opportunity to lend the most weight as to who will make the decisions that will affect the lives of Canadians. The government will decide the role of judges and who the judges will be. It will control the referendum process, and even Parliament will be set aside.

Dealing briefly with that, I want to allude to the responsibility of those who create, or who will have created such a system in Canada. I refer to all those government members, including those who would like to do differently—and there are several over there—but cannot because they are being directed and orchestrated by their leader. The responsibility must also fall upon the shoulders of members of the New Democratic Party who chided, but lined up so willingly behind the government. There are obviously some dissenters in the New Democratic Party. Those people are to be credited, because in a party of 28—

An hon. Member: Thirty-two.

Mr. Corbett: —thirty-two, there were four who had the courage of conviction to stand behind what they know to be right. However, on the government side of the House there is only one man with enough courage and conviction to vote in a way which will provide the future of this country as it should be. I am not surprised these people have taken the direction they have taken. Some of them have shown their arrogance, and it certainly has been significant enough to be noticeable.

• (1710)

When the President of the United States was in this chamber not too long ago the performance of a number of the members of the New Democratic Party was shameful. The way they displayed their arrogance and intolerance for a man who leads the most powerful nation on the face of this earth, not even standing up and giving polite applause, was a disgrace. Their mentor, the ambassador from the U.S.S.R., had the common decency to stand in his place in the gallery when the President of the United States walked into this chamber.

That was a despicable display of arrogance and ignorance by an undisciplined gaggle of nincompoops.

This nation and its future should be determined by harmony, not discord; it should be determined by co-operation, not confrontation; it should be determined by understanding, not bull-headed determination. The future of this nation should be based on patience, not pressure; it should be based on good will, not suspicion and it should be based on thoughtfulness, not deceit. Most of all, it should be based on compassion and thoughtfulness for all Canadians.

I started my speech with a song presented to me by a student, a girl in grade 11 from Hampton, New Brunswick. In closing I would like to read into the record a short essay presented to me by a grade 8 student from Norton in my constituency. It is entitled "I Love Canada" and reads as follows:

Have you ever stopped to realize how beautiful a country Canada is? The picturesque fishing villages, golden plains of wheat, small villages nestled between the high Rockies and the frostbitten regions north of the Canadian Shield exemplify the true beauty. This is one reason why I love my country. I think that Canada deserves our love and patriotism for many reasons.

Canada is a free country. We are not under communist or tyrannical rule. Canadians can choose their own religions, are not restricted by the government in any illogical way and have a right to say what they feel.

Canada has become a new home for many immigrants who have found a better life here. These immigrants have brought their customs and languages making Canada a colourful country.

We in Canada also have the privilege of a public education and a chance at a good job which we should really be thankful for. Canada is a rich country. We have wheat and other produce, oil, wood, and ⅓ of the world's pure water.

I think that what I love best about Canada is that it is a paradox. So many of Canada's features contradict each other. The mountain regions of the west differ from the flat prairies. Languages are different also. Contrasts in population are also evident. Large cities such as Toronto, Vancouver and Montreal differ from the sparsely populated cities in the Northwest and Yukon territories.

Canada is a wonderful, beautiful country. The last two lines of our national anthem is my prayer for our great nation;

"God keep our land glorious and free

O Canada, we stand on guard for thee"

Mr. Speaker, we all should dedicate ourselves to Veronica Barton.

Some hon. Members: Hear, hear!

Mr. Rod Murphy (Churchill): Mr. Speaker, I am happy to have the opportunity today to speak in this constitutional debate. Last May 22, I took advantage of a similar debate, which my party initiated two days after the Quebec referendum, to say some things about Canada's past and its future. The motion before the House that day was as follows:

That this House welcomes the result of the referendum in Quebec and pledges itself to interpret that vote as a clear call for constitutional change.

That motion was endorsed by the speeches of members from all parties in this House. Many of those speeches called for the government and others to make sure we grasped the opportunity to change our Constitution and to make use of the good will there was throughout Canada at that time. I should like to quote something the hon. member for Provencher (Mr. Epp) said, as reported at page 1315 of *Hansard* as follows:

So at this time of good will we also face a serious peril—a real threat that disappointment and anger can replace this good will if we fritter away our opportunities. All of us recognize how quickly good will can be replaced by anger and accusations. We must avoid giving any comfort to the separatists, wherever they may be, to conduct our activities in such a way that the talks would not lead to new satisfactory arrangements. There are obviously people in this country who are hoping that these talks will end in failure. This cannot happen. The talks must be real and they must bear results.

Note the phrase used by the hon. member for Provencher, Mr. Speaker, "fritter away". There is a real danger that this is exactly what we will allow to happen, but, Mr. Speaker, we must not. I am not trying to lay the blame on one doorstep. In reality, that blame must be shared by many across the land, by some in this House and in the Senate.

Last spring, I followed the Liberal government's attempts to negotiate a new Constitution. I listened to the premiers at their conference in the summer and I watched the federal-provincial conference in the early fall. I could hear, feel and see that the good will generated by the vote in the Quebec referendum was dissipated. As these events and the backroom manoeuvring that accompanied them occurred, Canadians lost faith in their politicians. These actions by so many of the major actors on the federal and provincial scene gave many Canadians a feeling of disgust. As a history teacher, when I sit back and think about Canadian history, I realize this has always been the case. It is something we do not brag about and it is something we do not clarify when we talk about our past. We cannot clarify it now.

I would ask all Canadians throughout the country to move forward despite the regretful actions of those who have acted in such a petty manner and so selfishly. We must work together regardless of the process through which some people have dragged us. I should like to quote my own words if I may, Mr. Speaker. On May 22, 1980, as reported at page 1317 of *Hansard*, I said:

This opportunity is also a challenge, because if we do not make significant headway now the negative feelings the previous speaker mentioned, which are real, and the feeling of hopelessness on constitutional talks, will be felt not only by the Quebecois but by all Canadians. There is presently a hope in our ability to overcome the obstacles which have created roadblocks in the past and that we now must meet in order to face the challenge we have as a nation.

I now read from page 1319 as follows:

In this respect I would like to remind hon. members that historically what has been called English Canada has always been a generation behind French Canadians in determining its own aspirations.

At the beginning of this century Henri Bourassa, as an MP in this House, rose to call for a Canadian identity. He was rebuked by those who wished to remain part of the British Empire. Twenty years later we accepted the wisdom of Bourassa's remarks. When Quebec premiers called out for the strengthening of the role of the provinces within confederation, the rest of the country ignored them and was appalled at the thought. A generation later we heard the same call coming from each and every region of this country. In the sixties when Quebec was asking to be *maître chez nous* or master of their own destiny, the rest of Canada was accepting increased foreign control of our resources, our industry and our future. It has often been said that Quebec wants too much independence and that English Canada wants none. We are now in the 1980s and another generation has passed by. It is time for all Canadians to be asking to be masters of their own destiny.

● (1720)

At the bottom of page 1319 of *Hansard,* I said:

The mood of the country is open to changes in the constitution, especially after the decision of Tuesday night. This openness to change, however, might well dissipate if all points of view are not aired in an open and non-partisan manner.

Unfortunately, when I said those words last May I did not expect to be a prophet. No politician should ever claim to be a prophet, but that is exactly what happened.

Talks on the Constitution were held between the premiers and the federal government. Politicians from all parties held discussions. But these discussions certainly were in a partisan manner. People did not want to overcome their own political selfishness, no matter who they were, to work toward a Canadian future. I regret this partisan approach we have had in the last ten months. As I said earlier, it is not just the Tories—but all people—whether they are Liberals, premiers, interest groups or even, on occasion, members of our own party—have not acted in a non-partisan manner.

Many of the speeches in this House have been deplorable. Many of the speeches made outside this House have been just as bad. As in cases of war, people have tried to bring God in on their side. People have brought in regional hatred and all sorts of divisive forces to justify their own partisan needs. I would like to use just one example to prove this point. Like other Canadians, I am aware of many examples that prove we have not handled this situation in the manner in which we should. I refer particularly to the Conservative ad which appeared in many western newspapers.

Mr. McMillan: It was a good ad.

Mr. Murphy: It reads:

Broadbent just gave your vote to Trudeau.

The Liberal-NDP deal will make westerners second-class citizens.

Then there is a little "Pierre" with an "X" beside it. The ad continues:

If your riding elected an NDP Member of Parliament to fight for your interests in Ottawa, you've been betrayed. Instead of fighting for you, he—

They forget there are women in the House. The ad continues:

—has sold you out to Pierre Trudeau.

Some hon. Members: Hear, hear!

Mr. Beatty: Read it again.

Mr. Murphy: That is the whole problem. The Conservatives in this House are proud of that ad and yet it appeals to all the prejudices. By its very nature it is calling for more hatred, for more regional division and more separatist sentiment in this country. It is a disgusting, a partisan and a small-minded effort. Conservatives who disagree with the constitutional proposals have every right to do so. They have every right to speak out on the issue. They have every right to advertise their position. But, really, members, can you honestly say this ad addresses issues instead of prejudice?

Mr. Beatty: Yes.

Mr. Murphy: Can you honestly say it dealt with difficulties rather than personalities—

Mr. Beatty: Yes.

Mr. Murphy: —or that Canadian unity was asked for rather than regional alienation?

Some hon. Members: Yes.

An hon. Member: You are learning.

Mr. Beatty: Listen to your constituents.

Mr. Murphy: Hon. members convict themselves. I do not have to say any more. They used a stupid, narrow-minded ad which they brag and gloat about. It is the worst advertising anyone could ever promote.

Some hon. Members: Hear, hear!

Mr. Murphy: It does everything possible to work against Canadian unity, and they wonder why they are losing the respect of all Canadians. They do it to themselves.

Mr. Beatty: What do your constituents say?

An hon. Member: Read the polls.

Mr. Murphy: One of the hon. separatists asks what do my constituents say. I have a two-two vote. Two for the issue and two against. I have talked to people throughout my constituency. They have not felt the need to have a big letter-writing campaign. As I said, I have two letters for the issue and two letters against.

Most people would like us to bring the Constitution home and to work toward our future, not build more hatred.

An hon. Member: You are not getting your mail.

Mr. Murphy: It is not just the Tories who have taken the narrow and low path in this debate. Many others have done so. The most forceful arguments made against these proposals usually relate to unilateral action. There is no doubt in my mind this is basically a unilateral decision. I face that fact and I accept it. I do not like it. I recognize that most Canadians do not like it. Yet, I have not seen any willingness on the part of provincial or federal politicians to work this out.

An hon. Member: Do you include Saskatchewan?

Mr. Murphy: The record of the provinces and the federal government is one of failure. Neither Canadian history, Canadian or British law, nor the interpretation of that law give us answers how to proceed to amend our Constitution. Because of that there is a deadlock. Needless to say there are antagonists on both sides of the question who will and do quote from different legal opinions and different legal precedents to justify their own position. But our Constitution, as it presently stands, and the Statute of Westminster are silent on how to amend this Constitution. This was deliberately the case. We as Canadians then and we as Canadians now have not found an

amending formula satisfactory to everybody. It is an unfortunate situation, but that is the situation we face.

Premier Lyon of Manitoba who occasionally parades himself as the leader of the premiers, has gone to Britain to suggest his own unilateral action. A press release put out by his own government's news service on February 6, 1981 reads:

> He suggested the U.K. parliament consider relieving itself—in accordance with accepted constitutional practice—of the trust relationship with Canada by divesting itself of its power to amend the BNA Act and by recognizing the present constitutional requirement that amendments affecting the powers of the two levels of Canadian government be made only with the unanimous consent of the provinces and the Canadian Parliament.

In other words, Premier Lyon's unilateral action is that the British throw the whole thing back in our face and that each province should have a veto over any future amendments to the Constitution. That unilateral action suggested by the Premier of Manitoba is no different to the package which is being proposed here. Certainly there is different substance but the method of how they want to change our Constitution is the same. It was not only the Premier of Manitoba but others, representing both sides of the argument, who have gone to England asking basically for their own unilateral package. People forget that. What Premier Lyon is asking for is just as unilateral and just as much a change to our Constitution as the package which is before this House. Any Constitution which comes back to Canada and gives each and every province a veto will never be changed because no province will ever willingly give up that power of veto. It will not happen and it will not work. If the British were to accept Premier Lyon's unilateral action, we would never be able to amend this Constitution no matter how needed or how valuable an amendment would be.

That is not the only provincial suggestion as to how to amend the Constitution. There is the opt-out Vancouver formula which would allow each province to more or less make up its mind what it wants in Canada. In other words, some will add civil rights to a charter, others will not. Some will have resource control, others will not. Some will work toward the future of the country, others will not. When you get right down to it, despite the glossiness of the Vancouver formula, that is what it is all about. It says that we as Manitobans, as Albertans, as people from any province, will decide our options within confederation, we will decide to what extent we want to help other provinces or regions.

● (1730)

An hon. member has called it a drop-out formula. It is not only that, Mr. Speaker, it is a formula which will automatically create a breakdown in the unity of Canada because no part of the country is going to stand by and watch another province say: I am sorry, but I am not going to contribute to medicare; you cannot use our resources; we do not believe in a charter of rights or that your pension plans are not applicable in my part of the country, because that type of unilateral action by a province can only create more divisiveness, disunity and confusion as we progress as a nation.

There were a number of other points raised in the attack on the present procedures, one of which was alluded to in that infamous Tory ad, which suggest that somehow western Canadians become second-class citizens under this formula. Yet what it does is give each region and the federal government a veto, but, because of the differences that exist within this country now, the veto works differently.

Ontario is a region, therefore it has a veto. Quebec is the same. For historic reasons we are giving Prince Edward Island a bit more power in the Atlantic region, but basically there must be agreement of two provinces out of the four before there can be an amendment. It is a bit different in the west again, but basically there must be agreement of two provinces with 50 per cent of the population before there can be any change. They must agree before there can be any change in the Constitution, and that is a pretty substantial veto by any region, which makes it very difficult for anyone to ram an amendment through. There must be this agreement, therefore, the people of those provinces still have protection.

The argument that it is not fair has been made about each and every amending formula presented to us. There will always be someone who says: Oh, that is not quite as fair to me as it is to him or her. There will always be some province or region that says: It could be better for me. However, I hope we are going to get through this time, and whatever future we have as a country, with a less selfish attitude.

As I said earlier, the Tory ads play on regional separatism, alienation, small-mindedness and prejudice, but if that is to be the attitude taken in the future by any political party, then we are going to have trouble developing our future as a nation. We must work together, we must have a willingness to accept others views, and when we disagree it is better to take the high road, talking about the substance of our disagreement, rather than picking on one or another region of the country.

In the charter of rights we add something new to our Constitution, something that many of the provinces do not want, but something wanted by many Canadians. We will for the first time have civil rights in a charter. We have had civil rights in the past but we have also had examples, and we are not going to go through the list again, of how they can be ignored by governments, whether provincial or federal.

We will have a better, but not perfect, recognition of native rights. That is important to my constituency. It will recognize equality of men and women; again, it is not perfect but it is better than what we have at the present time. There are other groups such as the handicapped who will for the first time have recognition in a Constitution. This might be the best package that exists at the present time, but it is still not perfect and there are interest groups in this country who want changes. They have a legitimate right to work toward those changes, but because every interest group is not satisfied now is no reason not to go forward. We cannot even satisfy every province so how do we satisfy every interest group?

So we should not, to use the expression of the Prime Minister (Mr. Trudeau), hold our noses and pass it; we should look at the substance, at what we see as a reasonable charter, a

reasonable amending formula, a reasonable constitutional package and accept that. To do otherwise is to be unfaithful to Canada's future because a Constitution sets the groundwork for where we go as a country. It recognizes our past, the significant events in our history, and our geography. It recognizes that we have to work within that framework, we have to recognize regional and ethnic differences, the different economic aspects and needs of our nation. We do that through resources, equalization and taxing formulae. That just sets a framework, because what happens in the country is based only on the Constitution. A Constitution cannot force a country to take hold of its future, force a government to pass good laws, or force the provinces to respect everyone. It can, through appeal to the courts, force them to respect human rights, but it does not guarantee they are going to offer the educational, medical and social service facilities that will enable every Canadian to live a successful and happy life. It may not do that, but it does set that framework. It is a framework which we can use only if the provinces and the federal government are willing to take hold of it, pass the laws and take the actions which will lead to a greater future. Our future depends on something else. It depends on good will. It depends on honest efforts. It depends on people being willing to work together to try to solve the problems we face.

● (1740)

Earlier I said the process we have gone through has not enjoyed that good will. There has not been honest effort. I also mentioned that this is not something unique in the last ten months since the May referendum. That has been the situation through every generation of our history. It was the situation prior to the BNA Act being accepted. There were separatists then. There were people with regional differences then. There were politicians who played on those regional differences then. Throughout our history we have had those problems. Throughout our history Canadians have not always taken the high road. That is the situation again now, but I hope people in this House and throughout the country will feel the package is good as far as it goes and that while some Canadians may not like everything in the package, if it passes we will have to live and work with it within the Constitution. We should do everything we can to make our country the greatest it can become, and to make sure it respects the rights of individuals to the greatest extent possible. If we do not do that, then it does not matter what is on paper. Everything really depends on good will and the proper exercise by governments of their powers, whether those governments be provincial or federal. They should do all they can to help Canadians in every walk of life.

Mr. Chuck Cook (North Vancouver-Burnaby): Mr. Speaker, I rise to speak in this constitutional debate not only to my colleagues on all sides of this House, not only through television and *Hansard* to the country and to all Canadians wherever they may be, but to speak on behalf of our children and grandchildren. If the Lord be willing down the path of time my grandchildren will ask me where I stood and what I said when I held the floor on an issue which may substantially alter their lives and their country. I want them to know that at least I tried and that my party made every effort to speak out and persuade the members of the government party that what they were doing was wrong and would have implications far beyond their narrow thinking at the moment.

I speak from the heart. I wish to express my fears and reservations about a Constitution which will divide us, not unite us, a Constitution with built-in conflicts which can lead to chaos and a Constitution which easily may lead to the end of Canada and possibly the birth of several smaller, independent nations in what should and could be a far greater nation.

I first ask whether the people are in favour of this document. Do Canadians from coast to coast endorse it? Is this what Canadians want? Let us examine the score card at the present time.

The last Gallup poll on the subject showed that 64 per cent of Canadians disapproved of the government's unilateral action in trying to bring an amended Constitution to Canada from Britain. Only 22 per cent approved. Eight of ten provinces—Ontario and New Brunswick being the two exceptions—are against this action. Six of the ten provinces are fighting this action in the courts. Quebec Liberal leader Claude Ryan is totally opposed, as is the present Quebec premier. The NDP provincial parties in Saskatchewan, Alberta, Manitoba and Quebec have publicly spoken against it. Four NDP Members of Parliament have broken with their party leader and have stated they will vote against the Liberal package in the House of Commons. The Ottawa West NDP riding association has called on the federal party to withdraw all support for the Liberal package. Four Liberal senators—the hon. senators for Lauzon, Dovercourt, Harbour Grace and, most recently, the hon. senator for the Ottawa Valley—so far have spoken against the Trudeau proposal in the Senate.

Two Liberal members of Parliament, the hon. member for Montmorency-Orléans (Mr. Duclos) and the hon. member for Ottawa-Vanier (Mr. Gauthier), spoke out at the constitutional committee hearings against parts of the package. Gordon Robertson, former secretary to the cabinet for federal-provincial relations and for many years Trudeau's top constitutional adviser—

Some hon. Members: Order.

Mr. Cook: —has spoken out against the referendum.

Mr. Collenette: Madam Speaker, on a point of order, I hate to raise this at this late date, but the hon. member has been using unparliamentary language. He may be quoting from a newspaper or other documents, but I would advise Your Honour, and we have done a bit of work on this, that Beauchesne's fourth edition Citation 175 states in part:

> It is out of order to read extracts in a debate if they . . . contain unparliamentary expressions, as no language can be heard in quotation if it would be disorderly if spoken—

I ask Your Honour to admonish the hon. member for North Vancouver-Burnaby (Mr. Cook) for trying to get around the rules in this manner.

Madam Speaker: I am sorry, but I was discussing something with the Clerk at the time and the expression used by the hon. member escaped me. The parliamentary secretary is right in saying that hon. members cannot do indirectly what is not allowed directly. That must mean that if there is a word which is unparliamentary, the hon. member cannot use it even if he is quoting from an article or from something else.

Mr. Hnatyshyn: Madam Speaker, I rise on the same point of order. I think in all fairness, and I understand that Your Honour was discussing a matter with the Clerk, it might be worth while for Your Honour to read the transcript before making a final decision. It strikes me that there may be a number of occasions when it would be appropriate and quite permissible for a member to read from a transcript, to make a point. We have to look at the context within which that is done. I think it would be appropriate that the hon. member be allowed to continue with his speech and, possibly tomorrow, we can at more leisure consider the point of order raised by the parliamentary secretary.

Madam Speaker: I have to say in response, that hon. members cannot use words which are unparliamentary just because they are quoting. If the words were unparliamentary, they must be withdrawn. I did not hear them, and I am sorry, but if the hon. member for North Vancouver-Burnaby (Mr. Cook) feels he has probably gone beyond what he wanted to say or what he meant to say, perhaps he could withdraw now and the incident will be closed.

Mr. Hnatyshyn: Madam Speaker, the word in question was "Trudeau". If that is unparliamentary, I apologize, but I do not think that particular word is unparliamentary.

Mr. Cousineau: We know what you are trying to do.

Mr. Collenette: Madam Speaker, we have sat here patiently through the last five weeks. We have seen the rules of debate transgressed by members of the Conservative Party, and I think it is time we put a stop to it. No member may refer to another member by his name. We must refer to hon. members either by their titles as ministers, such as the Prime Minister, or by their constituencies. This transgression has taken place for the last four or five weeks, and I wanted to bring it to Your Honour's attention. Your Honour usually does not sit in the chair during the normal debates because of other duties. I know Your Honour is here because of royal assent, and I wanted to bring to Your Honour's attention that this has been going on. I respectfully ask that the hon. member for North Vancouver-Burnaby refrain from using the unparliamentary practice of calling the Prime Minister (Mr. Trudeau) by his name. That is not permitted in debates.

Mr. Hnatyshyn: He was reading from a transcript.

Mr. Collenette: Same thing.

Mr. Cook: Madam Speaker, I have been reviewing my notes thoroughly, and I did not refer to the Prime Minister (Mr. Trudeau). The only name I have used in my comments to this point is the name Gordon Robertson, and I do not believe he is a member of this House.

Mr. Collenette: Trudeau.

Mr. Cook: I will have to see the blues before I am prepared to withdraw because I do not believe I said that.

Madam Speaker: Since there is a divergence of opinion as to what was said, I suppose the only recourse we have is to wait for the blues.

Mr. Beatty: I don't think anybody should mention Trudeau's name either.

Mr. Cook: Madam Speaker—

Mr. Knowles: Question.

Mr. Cook: I will wait for a decision tomorrow as to whether unparliamentary language was used. If there was, it was not intended.

• (1750)

The people of Canada are having a great deal of difficulty understanding this constitutional reform package now before Parliament. This may be because of the persistent campaign of innuendo and false rhetoric about what is proposed and how the Constitution is going to work.

The most outrageous statement being made is that our Constitution will be patriated to Canada. In a statement released on October 2, 1980, the Prime Minister said that the resolution proposes first that the Constitution be brought home. At long last, he said, we will have a Constitution truly our own. Freed of the paralysis of the past, with our Constitution home, with our independence beyond question, with our rights and freedoms guaranteed, the process of reform and renewal can truly proceed, the Prime Minister said.

The Minister of Justice (Mr. Chrétien) said, "I am proud to have the opportunity of introducing a motion in the House of Commons which will be able to bring the Constitution home. After 113 years of nationhood, Canada at last will be able to bring its Constitution home."

In addition, we are being brainwashed with our own tax moneys. Accompanying a copy of the resolution, are two government published pamphlets entitled respectively "Highlights of a Proposed Resolution Respecting the Constitution of Canada" and "An Explanation of a Proposed Resolution Respecting the Constitution of Canada". The first contains the following statement: "Canadians are now witnessing a truly historic event as Parliament is being asked to take steps to patriate Canada's Constitution. The Government of Canada has placed before Parliament a proposed resolution to bring the Constitution home."

The second is even more enthusiastic in its misstatements. It says, "In view of the fact that there is now a widespread belief that patriation has become essential for reasons of both national pride and practicality, the Government of Canada has laid before Parliament a proposed resolution designed to bring about the patriation of the Constitution. When these proposals come into effect, they will signify the passing of the last vestige of Canada's former colonial status."

These statements, Madam Speaker, are not true. There is not a clause, a sentence, a word, a period, a comma or a semicolon in the resolution which can be construed as establishing a Canadian Constitution at home in Canada. Our Constitution will continue to be a collection of acts of the British parliament, and it must not be forgotten that what a Parliament enacts it always has the power to repeal.

This government's suggested creation of a Canadian Constitution, by a British act, will still be capable of repeal by the British Parliament. There is no provision whatever for the establishment of a Canadian-based Constitution, and anyone who says otherwise has not read or understood the resolution, or is attempting to deceive.

Let us turn to the so-called Victoria amending formula. This method of amending the Constitution which in perpetuity gives the right to Ontario and Quebec to individually block any constitutional amendment—

An hon. Member: The messenger is knocking.

Mr. Cook: I am a westerner and I say this is totally unacceptable to the west. It is a continuation of the domination by the central provinces over other rapidly growing, expanding and vibrant regions of this country.

Mr. Knowles: The Tories have no respect for the Crown.

Mr. Cook: Population is important, but the rights of the minorities—

Madam Speaker: Order, please. I believe we have a message from the other place.

THE ROYAL ASSENT

[*Translation*]

A message was delivered by the Gentleman Usher of the Black Rod, as follows:

Madam Speaker, the Right Honourable the Deputy Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Madam Speaker with the House went up to the Senate chamber.

And being returned:

Madam Speaker: Order, please. I have the honour to inform the House that when the House went up to the Senate chamber, the Deputy Governor General was pleased to give, in Her Majesty's name, the royal assent to the following bills:

Bill C-55, an act to amend the Canada Student Loans Act;

Bill C-34, an act to amend the Judges Act and certain other acts in consequence thereof;

Bill S-15, an act respecting the Royal Canadian Legion.

Madam Speaker: It being six o'clock, this House stands adjourned until 2 p.m. tomorrow, pursuant to Standing Order 2(1).

At 6.05 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Thursday, March 19, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

INDIAN AFFAIRS

FUNDS FOR HOBBEMA, ALTA. SCHOOL—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): Madam Speaker, because of the urgency of immediately upgrading the standards at the Hobbema school in Alberta by transferring its control to the Indians themselves, and because the Minister of Indian Affairs and Northern Development (Mr. Munro) promised last September to provide $96,000 to the bands to aid in that task, yet has now reneged on that promise, I move, under Standing Order 43, seconded by the hon. member for Erie (Mr. Fretz):

That the Minister of Indian Affairs and Northern Development cure himself of his habit of making promises he cannot keep and immediately provide the Four Bands Reserve with the moneys promised.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL PENSIONS CONFERENCE

SUGGESTED ATTENDANCE OF CNR AND CPR REPRESENTATIVES—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that both CNR and CPR have, for many years, failed to provide adequate increases to their pensioners so that they can even hope to cover a part of the ravages created by inflation, which is now in double-digit figures, and in view of the fact that concerns expressed by the Canadian Railways Employees Pension Association that the CNR may have manipulated figures to reduce its financial obligation to the pension fund by hundreds of millions of dollars, I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That this House call upon the minister to request that both the CNR and CPR appear at the National Pensions Conference planned for the end of March to provide complete details and all relevant documents, to answer any charges and clear up all misunderstandings and, further, to indicate how in the future these corporations will meet their moral obligations in providing to their former employees more reasonable pension increases in the face of double-digit inflation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HUMAN RIGHTS

ADVISORY COUNCIL ON STATUS OF MEN—MOTION UNDER S.O. 43

Miss Pat Carney (Vancouver Centre): Madam Speaker, I rise pursuant to Standing Order 43. As critic responsible for the status of men I deplore the continuing discrimination, particularly by this government, against the male minority, which does not enjoy rights granted to the female majority, which has its own advisory council and its own minister. Therefore, I move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

That this House instruct the government to establish an advisory council on the status of men reporting directly to Parliament and, further, since membership in the Advisory Council on the Status of Women is composed of women Liberals, that membership of the men's council be drawn from male members of the opposition parties.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MIGRATORY BIRDS

WATERFOWL DEPREDATION PROGRAM—MOTION UNDER S.O. 43

Mr. Doug Anguish (The Battlefords-Meadow Lake): Madam Speaker, I rise pursuant to Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that the current waterfowl depredation program, which does not provide adequate compensation for producers, is negotiated annually between the federal and provincial governments, and since the government of the United States does not accept

its responsibility of participating in this program, I move, seconded by the hon. member for Prince Albert (Mr. Hovdebo):

That when negotiations start on the waterfowl depredation program for the coming year the American government be asked to participate in the negotiations and that these negotiations focus on an ongoing program that will adequately compensate producers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*Translation*]

BUSINESS OF THE HOUSE

CONSIDERATION OF CONSTITUTIONAL RESOLUTION—EXTENSION OF SITTING HOURS—MOTION UNDER S.O. 43

Mr. René Gingras (Abitibi): Madam Speaker, I seek the unanimous consent of the House under the provisions of Standing Order 43 to move a motion relating to an urgent and important question.

Considering that since the beginning of the constitutional debate the House has listened to more than 170 speeches on that topic and that, as the debate progresses, we do not seem to be hearing new and valid arguments, I therefore move, seconded by the hon. member for Témiscamingue (Mr. Tousignant):

That the official opposition agree to extend the sitting hours until midnight, if need be and if they still have something to say on the subject, so that the House may go on to other equally important problems facing Canadians, such as inflation, unemployment and economic issues.

Madam Speaker: Presentation of such a motion requires unanimous consent. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*English*]

AGRICULTURE

DROUGHT PLAN ASSISTANCE TO CATTLE PRODUCERS—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity to 8,000 western cattle producers who have not received assistance from the federal government drought plan announced last year. By the way, it was breeding time when the plan was announced last year. It is now calving time. The program has a longer gestation period than that of a cow. I move, seconded by the hon. member for Medicine Hat (Mr. Hargrave):

That this House instruct the federal government to establish a method of appeal for the 20 per cent, or 8,000 cattle producers, the minister responsible for the program has said would not receive payment before the March 31 expiry of the program.

Madam Speaker: Is there unanimous agreement for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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SMALL BUSINESS

ELIGIBILITY FOR DEVELOPMENT PROGRAMS—MOTION UNDER S.O. 43

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity to thousands of small businesses across Canada which will be adversely affected by Bill C-57. Since in its piecemeal attempt at tax review, the government has levied a new sales tax on small businesses, businesses which will now be classified as manufacturers for tax purposes, I move, seconded by the hon. member for The Battlefords-Meadow Lake (Mr. Anguish):

That these same businesses now be considered eligible for federal enterprise development programs designed for manufacturers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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OFFICIAL REPORT

CALL FOR WITHDRAWAL OF MOTION IN NAMES OF MR. SCHRODER AND MR. FRITH—MOTION UNDER S.O. 43

Mr. Peter Elzinga (Pembina): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that Liberal members opposite have indicated in statements they have made in this chamber that they wish to muzzle newspapers in Alberta so that they will not report the truth, I move, seconded by the hon. member for Wetaskiwin (Mr. Schellenberger):

● (1410)

That the offensive statements made by the hon. members for Guelph and Sudbury, on March 10, be withdrawn.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

INDIAN AFFAIRS

FUNDS FOR FITNESS AND SPORT PROGRAM—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, whereas the government has unilaterally cancelled the very worth-while native sport and recreation program which provides jobs and much needed fitness and health programs to native people all across Canada, particularly in isolated regions, and whereas this program has proven extremely successful in combating many health and social problems which native communities often encounter, and whereas the government has provided nothing to replace this valuable program, I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That this House direct the Department of Indian Affairs and Northern Development to act immediately to provide interim funding so this program may continue through the summer and establish a study committee in consultation with native people to determine how best these program objectives can be maintained in the long term.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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SOCIAL SECURITY

SUGGESTED IMMEDIATE INCREASE IN OLD AGE PENSIONS—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Vancouver East (Mrs. Mitchell), I move:

That this House recognizes that couples 65 years of age or over have to spend one fifth of their income on food, and that food prices are rising at the rate of 16 or 18 per cent, which means that the present system of indexing falls far short of enabling senior citizens to maintain an adequate standard of living, or even to remain above the poverty line, and this House therefore calls on the government to implement its promise to provide help where help is needed by making an immediate increase in the rate of the pension paid to Canada's senior citizens.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

NEGOTIATION OF WEST COAST FISHING BOUNDARY—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in view of the fact that Canada's claim to our traditional fishing rights off the coast of the Alaska panhandle

is considered to be fully defensible in law, and by virtue of the fact that many salmon caught off the Alaska panhandle are spawned in Canadian waters, I move, under the provisions of Standing Order 43, seconded by the hon. member for Surrey-White Rock-North Delta (Mr. Friesen):

That in future boundary negotiations with the United States, the Canadian government shall insist on a seaward fishing boundary proceeding in a north-westerly direction from Cape Muzon, and not more than 12 miles from the coastline of the Alaska panhandle.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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HEALTH CARE

PROVISION OF SERVICES IN ONTARIO—MOTION UNDER S.O. 43

Mr. Peter Lang (Kitchener): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter which is not only urgent but, literally, a life and death situation. I am seeking the unanimous consent of the House on this motion, and hence am presenting it after the election campaign in Ontario but before the new government takes office. It concerns the quality of health care in the province of Ontario which is funded by the federal government to the tune of many billions of dollars. We have been informed by individuals and organizations, by doctors, nurses, physiotherapists and many other health care professionals, as well as individual Canadians who live in Ontario, that due to hospital budgetary cuts by the previous government of Ontario, people who require intensive care—

Some hon. Members: Order.

Mr. Lang: —are being kept out of intensive care units, that people who require coronary care are being kept out of coronary care units, that senior citizens who require—

Some hon. Members: Order.

Madam Speaker: Will the hon. member conclude his motion?

Mr. Lang: I move, seconded by the hon. member for Hamilton West (Mr. Hudecki):

That this House urge the new government of Ontario which will be elected today to set priorities in its budgets to address the problems of lives being lost due to the deterioration of the health care system in Ontario.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

POLITICAL PARTIES

NEW DEMOCRATIC PARTY DISSIDENTS—MOTION UNDER S.O. 43

Mr. Bill Clarke (Vancouver Quadra): Madam Speaker, in view of news reports that the NDP caucus leadership has frozen out the four caucus members who disagree with their leader on the constitutional question, I move, seconded by the hon. member for Fraser Valley West (Mr. Wenman):

That the black arm bands worn by members of that caucus to show disrespect for the visit of President Reagan be reissued as a sign of mourning for disrespect for personal opinion and individual freedom within the New Democratic Party.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

EXTERNAL AFFAIRS

SETTLEMENT OF EAST COAST MARITIME BOUNDARY BETWEEN CANADA AND UNITED STATES—NEED FOR FISHERIES CONSERVATION AGREEMENT

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, in the absence of the Minister of Fisheries and Oceans I will direct my question to the Secretary of State for External Affairs, simply because the questions overlap.

Yesterday an official of the United States state department stated that no negotiations on an east coast fisheries treaty between the United States and Canada will begin until the maritime boundary dispute between the two countries is settled by the International Court of Justice at the Hague, an action which I submit will take at least four or five years. Is it the intention of the present government to continue its conservation quotas for Canadians in this area until the boundary dispute is settled?

Will the government persecute the crews of nine scallop draggers, which were raided yesterday in my home town of Lunenburg, Nova Scotia, for allegedly catching undersized scallops, when Americans catch and market the same size scallops, or will an attempt be made to secure an interim conservation agreement with the United States for the benefit of the fishermen of both countries?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I think I should leave it to my colleague, the Minister of Fisheries and Oceans, to answer part of that question on a subsequent occasion. But with respect to the international aspect of it, let me say that it is very important to distinguish between a fisheries agreement, even an interim fisheries agreement, and a conservation plan.

As I understood the comment made yesterday before the United States Senate committee by a U.S. government official, he was talking about a full interim fisheries arrangement. I think we would have to say that we sadly regard the fisheries arrangement in the form of a treaty as no longer possible of attainment until the boundary question is settled. But with respect to conservation measures, we stated very forcefully to the Americans last week, during their visit, that we not only expected to be fully consulted on a conservation measure which they would bring into force, but that we expected a conservation measure to be put into effect. Of course, that is also the position we would prefer to continue with our own fishermen.

REQUEST THAT CANADIAN DELEGATION VISIT WASHINGTON

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, my supplementary question is directed to the same minister. In light of the position stated yesterday by an official of the United States state department before its Senate foreign relations committee that recall of the fisheries treaty is "total", and that no negotiations can begin, even on an interim solution, until the maritime boundary question is settled and, as I said a moment ago, in light of the present overfishing by Americans in this area and the potential for complete destruction of the stocks if this action continues indefinitely, will the minister take the initiative to put together a delegation led by himself, consisting of officials of his department, Members of Parliament from all parties who are interested, and fishing groups, to approach the United States government in an attempt to persuade it to modify its position on this important matter?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I am not sure we have to persuade the United States administration to modify its position, because it wants a conservation measure as much as we do. It may well be difficult to set it up with the co-operation of the fishermen of the United States.

Certainly I appreciate the fact that there is good will on all sides of the House with respect to this, and that we all have a common interest in putting forward a strong position vis-à-vis the United States government, particularly the United States Congress. I will certainly discuss with the Minister of Fisheries and Oceans the hon. member's suggestion about the appropriate forms of representation, including a delegation.

• (1420)

QUOTAS ALLOCATED TO EUROPEAN FISHING FLEETS

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, I thank the minister for his answer. I can assure him that we are endeavouring to be helpful and will concur in any genuine effort which is made to try to come to some form of agreement.

Since we are obviously facing an impasse on fisheries problems between our two countries, has the minister considered discussing with his colleague, the Minister of Fisheries and Oceans, revising the fishing quotas allocated to European-based fishing fleets within our 200-mile limit, and using those stocks as a bargaining chip to induce the American government to take a more enlightened position on the fisheries management treaty, since at present there is no quid pro quo for Canada on these fishing quotas now being allocated to European-based fleets?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, with respect to any existing arrangements by which we are bound with European countries, I think we would not be at liberty to depart from those. In fact, we are in the process of negotiating a new arrangement with the European Economic Community. At the moment it seems that it will not be very easily negotiated. Perhaps in light of that fact there may be, indeed, additional fish and additional fishing quotas about which the hon. member and I could talk.

NEGOTIATION OF WEST COAST FISHING BOUNDARY

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in the absence of the Minister of Fisheries and Oceans my question is directed to the Secretary of State for External Affairs. On March 9 in this House the Secretary of State undertook to raise west coast boundary and fisheries treaty matters on the occasion of the visit of the President of the United States. I would like to ask the minister if press reports are correct to the effect that Canada has reached a tentative agreement, not merely at the officials level but at the political level, on either the west coast fisheries salmon treaty or the boundaries issue? If not, what progress has been made in recent days as a consequence of the recent visit by the President of the United States?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, there has been considerable progress made with respect to the tuna fishery on the west coast, but with respect to the salmon and boundaries questions, those are at an earlier stage.

However, our negotiators report that they have achieved significant advances in the talks. Therefore, in the near future cabinet will have to decide whether or not to go on with the negotiations and, of course, the terms on which the negotiations should continue.

BRITISH COLUMBIA CHAMBER OF COMMERCE RECOMMENDATIONS

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I am pleased to hear that. In the same vein, then, I would like to ask either the Minister of Fisheries and Oceans, who has just taken his seat, or the Secretary of State for External Affairs, what specific boundaries on the west coast the government is prepared to advance on behalf of Canada? I ask this in light of recent submissions and resolutions passed by the British Columbia Chamber of Commerce which suggest that Canada stand firm on the traditional A-B boundary line in Dixon Entrance, insist on redrawing the fisheries boundary off the coast of the Alaska panhandle to reflect better the traditional fishing access of Canadian fishing vessels and, finally, that the federal government reflect the proposal of the provincial government that, in the San Juan extension, the southern fishery boundary follow the San Juan Canyon route rather than the equidistant line.

Will the Minister of Fisheries and Oceans or the Secretary of State tell the House if the Government of Canada will follow these recommendations of the B.C. Chamber of Commerce and British Columbia fishermen? If these matters cannot be resolved by bilateral discussion, may the House be informed as to whether they also could be submitted to the international tribunal, should that initiative be required with respect to east coast boundaries matters?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we will take very seriously the representations both of the hon. gentleman and of his province. I think I should distinguish between the two issues. On the salmon issue, the negotiations have made great progress and are far advanced. The boundaries issue is not at that stage at this time. As I said, we will very seriously consider this point of view.

* * *

THE ECONOMY

REQUEST THAT DOCTORS EXERCISE RESTRAINT IN FEE NEGOTIATIONS

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, my question is for the Minister of Finance. Yesterday the minister offered voluntary restraint by organized labour, organized business and individuals as his flimsy solution to the problems of a 12.2 per cent inflation rate. Wage increases have fallen behind the cost of living for the fourth year in a row.

• (1425)

Since the doctors of Manitoba are demanding 49 per cent fee increases, B.C. doctors are demanding a 44 per cent hike, and the Ontario doctors just turned down a 15 per cent offer, does the minister intend to call in the heads of the provincial medical associations and ask the doctors of Canada to restrain their excessively inflationary demands before our medicare scheme is wrecked?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, it would be more appropriate for provincial ministers to deal with the question of rising costs in provinces. As the hon. member may recall, the last time we had a very serious increase in wage rates in Canada the provincial premiers themselves met together and requested the federal government to take action in the way of wage and price controls. It seems to me that it would be appropriate, at an early stage, for all levels of government to

take into account the impact of excessive wage settlements or wage demands in the current inflationary environment. I appreciate the interest of the hon. member in drawing this very important matter to our attention.

REQUEST THAT OIL COMPANIES FREEZE PRICES TEMPORARILY

Mr. Mark Rose (Mission-Port Moody): Passing the buck to the provincial ministers may be all well and good, but in this case let us examine the oil companies, those dandy corporate citizens, whose profits are up 40 per cent over the last year, and just got caught with their arm in the cookie jar for another $12 billion; $175 million on inventory mark-ups—a big cookie jar—with six cents a gallon on oil, piggybacked on the March 1 price increase.

I would like the minister to call in those oil maggots, just for a little friendly discussion, and examine with them the effect of their behaviour on inflation rates in Canada, and to ask these high rollers to set an example for the rest of the country by freezing the price of oil, at least for a while.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): All along, the government has resisted the requests of the oil industry to move up oil prices to the world level. We have taken quite a different view in that respect than the industry itself because we understand the impact which accelerating energy prices does have and is having, and which, if moved to the world level, would be even greater. For example, in the last year energy prices increased 24 per cent. We believe that is considerable. I want to assure the hon. member that that particular point has been taken into account.

In addition to that, I remind him that in the budget I did levy additional taxes on the oil and gas industry. In all honesty, I am somewhat disappointed by the lack of enthusiasm of the New Democratic Party for these additional taxes on the oil and gas industry.

PROFITS MADE BY CHARTERED BANKS

Mr. Mark Rose (Mission-Port Moody): The minister, in his obfuscation, neglected to mention the profits and the excessive gouging. That is really what my question was about. Let us take the chartered banks. We have here—

Madam Speaker: Order. Would the hon. member just ask the question?

An hon. Member: Just ask the question, Madam Speaker said. You are not Ed Broadbent.

Mr. Rose: I want to ask whether the minister will call into his office the heads of the chartered banks, who have similarly been profiteering, to talk to them about the spread between the interest rates on money which is on deposit and the interest rates which they charge for mortgages and loans. If the minister cannot bring the chartered banks into his office and ask them for help, will he take a stroll down to the Senate where all the board members of the chartered banks sit?

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): A stroll to the Senate seems more inviting than to call in the presidents of the banks. But let me—

Some hon. Members: Hear, hear!

Mr. MacEachen: Let me tell the hon. member that it is true that the profitability of the banks, as has been discussed in the House already, has been somewhat healthy in the last period. I have asked the House to take a look at the profitability of the banks over the preceding several quarters and over the preceding year to see whether, on the basis of a fairly extended period of time, a claim can be made that profits are excessive. It is for that reason that I have asked the House to take a longer view, not only of the past period but the current period and some months into the future, and at that time make up its mind whether, in fact, there have been excessive profits. In the meantime I intend to monitor the situation, and if action is required I will be prepared to consider it.

• (1430)

PROTECTION FOR SENIOR CITIZENS AGAINST INFLATION

Miss Pat Carney (Vancouver Centre): Madam Speaker, my question is also addressed to the Minister of Finance who yesterday told this House that the Economic Council of Canada concurred with his view that Canada's old age pensioners are "fully protected" from inflation by the present system of indexing. Since the Economic Council of Canada said no such thing in its report on pensions, and since some preliminary estimates by former council staff indicate that pensioners are being short-changed by about $50 million to $60 million per year, will the minister either stop the sham of insisting that pensioners are being protected through indexing, or will he put some truth into the statement by returning that $50 million to $60 million to Canada's senior citizens?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): I disagree totally with the premise of the hon. member's question. I disagree totally and completely because the Canadian pension system—the guaranteed income supplement, the old age security—both systems, are fully guaranteed and adjusted quarterly, not bi-annually as suggested by the hon. member for Winnipeg North Centre.

PENSION PRICE INDEX FOR SENIOR CITIZENS

Miss Pat Carney (Vancouver Centre): Madam Speaker, I am pleased to see that the minister has such an open mind on this subject. I should like to point out to him that the estimated spread between the cost of living index and a pension price index is in the order of 4 per cent, which means that pensioners

today are facing 16 per cent inflation rather than the 12.2 per cent that has been indicated.

Will the minister at least re-examine an indexing system which pays pensions according to data which is seven years out of date and which does not reflect the spending habits of senior citizens or will he use his considerable influence in the government to ensure that necessary studies on a pension price index will take place?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I appreciate the constructive tone of the question and the constructive intention. I will be glad, as I have begun already, to discuss the matter further with the Minister of National Health and Welfare. My understanding is that if a basket of necessities commonly used by senior citizens or pensioners were put together as a basis for a cost of living index, it would not provide a significant improvement to the pensioners as compared with the current cost of living index. But I would be quite prepared to look at the studies upon which the current index is based to see whether it could be improved. My current information is that there is no appreciable improvement that could be reached through a change in the basket of necessities.

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NATIONAL SECURITY

ACTIVITIES OF FORMER BRITISH HIGH COMMISSIONER IN CANADA—REQUEST FOR INVESTIGATION

Mr. Peter Elzinga (Pembina): Madam Speaker, my question is directed to the Solicitor General. Can he indicate to the House whether the government was aware of the activities alleged to have been indulged in by the former British High Commissioner to Canada, Sir Peter Hayman and, if so, what action has been taken, or what action does the government plan to take?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, the RCMP were not aware of the matters to which the hon. member refers. We do not propose an investigation into them. If the matter requires the attention of anyone, which is not for us to say, it would be a matter for British authorities.

Mr. Elzinga: Madam Speaker, my supplementary question is also directed to the Solicitor General. In view of the fact that there are alleged overtones of sexual involvement with children, and in view of the fact that the High Commissioner had close links with the intelligence community in Canada, does the government not think that this warrants an investigation in order to clear the air in Canada, since he was High Commissioner for that period of time?

Mr. Kaplan: Madam Speaker, any improper or illegal activities that might have involved children, as the hon. member knows, would be a matter for municipal police forces or provincial police forces and would not fall within the federal policing program of the RCMP.

So far as the national security interest is involved, we are not aware of any national security interest that was prejudiced by any of these alleged acts.

* * *

NATIONAL DEFENCE

F-18 FIGHTER AIRCRAFT—REPORTED RE-EVALUATION OF PRODUCTION PROGRAM IN UNITED STATES

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, I should like to direct a question to the Minister of National Defence. Reports from Washington this morning indicate that two days ago the Defence Systems Acquisition Review Council at a meeting which was to have given the go-ahead for production of the fighter version of the F-18, decided instead to re-examine the entire program critically. Would the minister confirm the accuracy of these reports and, if they are correct, could he tell us what implications they have for the Canadian fighter purchase?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, it just happens that I had a conversation with the Canadian ambassador to Washington a few moments ago to check on these rumours and allegations that I have heard from that side of the House. The ambassador told me that there was no such rumour in Washington and that there was no question of reducing the F-18 program at the moment. No decision has been taken, and GAO report is still under consideration and a decision will be taken in due time.

Mr. Sargeant: Madam Speaker, the minister did not really reply to the question that I asked. I referred to a DSARC recommendation that came out two days ago which says that instead of going ahead with full production, the program will be critically re-examined. This will delay it further.

I would submit to the minister that if these reports are true, that this information, coupled with all the other information about the failings of the fighter, including the most recent recommendation of the United States chief of navy materiel that the program be cancelled, indicates that the program has serious problems in the United States. That being the case, has the minister or his department any plans to cut Canada's losses now while we have the opportunity, or is he still prepared to let our armed forces be saddled with a $4 billion white elephant?

Mr. Lamontagne: Madam Speaker, I do not know what the aim of the hon. member is in regard to the F-18. He should know, because he probably reads all the reports I get from most of the program managers, that in 1979 811 F-18 aircraft were planned. That was raised later to 1,377. Every year they review the program to see how, year by year, the United States Defence Department and the navy have performed. I would ask the hon. member to stop these rumours and allegations and to stick to the full report that he receives regularly, even from my department.

[*Translation*]

NATIONAL PENSIONS CONFERENCE

INQUIRY RESPECTING QUEBEC PARTICIPATION

Mr. Jean-Claude Malépart (Montreal-Sainte-Marie): Madam Speaker, I have a question for the Minister of National Health and Welfare, and it relates to the participation of the provincial governments in the forthcoming national conference on pensions which, to my mind, will be very significant for the well-being of present and future pensioners. I would like to know if Mr. Lévesque's PQ government has responded positively to the Canadian government's invitation to attend or have they behaved like a separatist party by refusing to take part in the conference?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I can confirm to the House that eight provinces and two territories have accepted the invitation to attend the National Conference on Pensions and that I have every reason to believe that Ontario will be there as well. We will know that for sure within a few days. Unfortunately Quebec is the only province which turned down the invitation. It did so in a letter from Premier Lévesque himself, a letter in which he refused to send observers or officials to our national conference on the reform of private company pensions. What makes it even more unfortunate is the fact that it will not be a federal-provincial conference but indeed a national conference where all participants, especially spokesmen for private industry, will come to tell us what they are prepared to do to improve the lot of pensioners. I therefore regret very much the attitude of Mr. Lévesque.

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[*English*]

MINING

QUERY RESPECTING CANADIANIZATION POLICY

Mr. Bill Yurko (Edmonton East): Madam Speaker, my question is directed to the Minister of State for Mines. Can the minister advise this House whether the government has under consideration or is working on a Canadianization policy or program for selected segments of the mining and mineral industry and, if so, when does the government intend to announce such a program?

● (1440)

Hon. Judy Erola (Minister of State (Mines)): Madam Speaker, the answer is no, with the exception of uranium.

Mr. Yurko: Madam Speaker, I have a supplementary question, with a little longer preamble this time.

Some hon. Members: Oh, oh!

Madam Speaker: The hon. member is not allowed a long preamble at any time.

Some hon. Members: Oh, oh!

Mr. Yurko: Madam Speaker, the extent of the Canadianization program in energy, and the massive requirement for capital in that project, will cause the other industries in Canada, many of them, including the mining industry, to seek capital on the international market. Because of the very high interest rate on debt capital, they will be seeking equity capital. Because it is expected that the mining industry needs some $50 billion to $70 billion of capital in the next ten years, I submit—

Madam Speaker: Order, please. The hon. member has gone on with his preamble. I asked him not to do that. I am afraid I will not allow his question now.

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WESTERN DEVELOPMENT FUND

CONSULTATION WITH PROVINCES

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, without preamble, my question is for the Prime Minister. It relates to the western development fund. There is much curiosity in western Canada because this fund seems to have slipped the level of consciousness on the part of the government. The Minister of Finance indicated last week that there have been no consultations with provinces or anyone—

Some hon. Members: Order.

An hon. Member: Enough.

Mr. Hnatyshyn: —and there have been no priorities established. My question is a very simple one for the Prime Minister. Does the Prime Minister have any deadline with respect to consultations taking place in western Canada, and when will he announce the details of the western development fund?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am sure the hon. member understands that this western development fund was part of the energy package. As he knows, this energy package has not yet had the wholehearted support of the Conservative party or of some of the western provinces. Therefore, it is obvious that we cannot spend the fund before the energy package is accepted by this House.

We have, however, had consultations informally. We are anxious to draw in the best possible ideas so that this fund, when it is assembled, will be spent for the benefit of western Canadians.

Mr. Hnatyshyn: Madam Speaker, I think the Prime Minister is mistaken because the federal government has unilaterally moved with respect to taxation on the resource industry in western Canada. This whole program is indeed a fraud. It is taking $38 billion out of western Canada and putting back $2 billion in a pork-barrel handout system. Has the Prime Minister set any deadline as to when the priorities of this government respecting reinvestment of this money in western Canada

will be established? Do we have to wait for this as long as we have waited for double-tracking?

Mr. Trudeau: Madam Speaker, I am surprised that the hon. member describes this as pork-barrelling. He will recall the government, of which he was a member, in the budget presented by the hon. member for St. John's West was proposing a scheme of things where there would be some $40 billion spent in the four western provinces over a period of three and a half years, that is to the end of 1983. We are attempting to match that figure to ensure that that amount would be spent in the west, much as the hon. member's party was doing, except we do not call it pork-barrelling. We say we want to do it in the interests of western Canadians.

An hon. Member: You take it out first.

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THE CONSTITUTION

QUEBEC REPRESENTATIONS RESPECTING CONSTITUTIONAL RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I have a question for the Prime Minister. He will recall that Mr. Claude Ryan, leader of the Liberal party in Quebec, speaking shortly after the announcement of the election date in Quebec and talking about the Constitution said that the first thing a provincial Liberal government would do, the day after the election, would be to communicate with the Liberal government and its head to invite them to resume reasonable negotiations and discussions on the Constitution.

Is it the position of the Government of Canada that any government elected in Quebec on April 13 would have the right to make representations on the federal government's constitutional package before the resolution was passed by Parliament and sent to Britain?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, not only every government but every leader of the opposition in this country at every provincial level has found himself quite free to make representations. I believe it is known that several leaders of the opposition did directly or indirectly make representations before the standing committee. Nothing will be changed in that sense by the date of the provincial election, any more than anything will be changed tonight by the election of the new government of Ontario, whatever it is.

Representations have been going on. As was pointed out by one of our hon. members before orders of the day were called, members of this House have made many representations. During the last part of the constitutional debate some 170 speeches have been delivered. This procedure will go on as long as this House does not decide that is time to bring the matter to a vote.

Mr. Clark: Madam Speaker, as the Prime Minister knows, whatever he might wish, one thing which might change in the province of Quebec after the election of April 13 is that there might be a new government which might be headed by Mr. Ryan.

Some hon. Members: Hear, hear!

Mr. Lambert: Then you will be in for it.

Mr. Clark: Mr. Ryan has made it very clear that he would want to have the opportunity, as the head of a new government, to discuss the constitutional package in Canada rather than be faced with a decision which had been taken by this Parliament to send Canadian business to Britain.

Is it the position of the Government of Canada that any government which would be elected in the province of Quebec on April 13 should have the right to make representations, as a government, to the Government of Canada, and to the Parliament of Canada regarding the joint resolution now before this House of Commons, and that it should not be denied that right by having this government act in a way which would send Canada's business to Britain before the people of Quebec have a right to make a decision on April 13?

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, we are happy that the Leader of the Opposition recognizes that the next government of Quebec will likely be a Liberal government.

Some hon. Members: Hear, hear!

Mr. Trudeau: I am surprised to hear that concession so early in the election campaign—

An hon. Member: Answer the question.

Mr. Trudeau: —particularly since his former seatmate, the former member for Joliette, is now leading the Union Nationale Party.

Some hon. Members: Oh, oh!

Mr. Trudeau: I do not think the question can be answered as an absolute. If the Leader of the Opposition is arguing that all future governments to be elected in any province of Canada would have to be heard before the resolution goes to London, the answer is obviously no. If he is arguing that that should be done only for the Quebec election, then I wonder why he is discriminating against all of the other provinces.

Some hon. Members: Hear, hear!

VISIT OF MINISTER OF JUSTICE TO BRITAIN

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, we all know that Quebec is in rather a special situation in this case because, of the elected members of that province who are sitting in this House, only one has had the courage to speak for his province against his party on the constitutional question.

Some hon. Members: Hear, hear!

Mr. Andre: You use Quebec as your rationalization.

Mr. Clark: To remind the Prime Minister of one of his own phrases, in which he indicated it would not be dignified for the Government of Canada to be sending representatives to lobby British Members of Parliament prior to the emergence from the Parliament of Canada of the joint resolution on the Consitution, does the Prime Minister continue to hold the view that it would not be dignified for the Canadian government to be indulging in that practice? If he does, can he tell us whether the deputy minister of justice, Mr. Tassé, is now in Britain lobbying British Members of Parliament?

Can he tell us whether it is the intention of the present Minister of Justice to be in Britain next Wednesday to speak to the foreign affairs committee of the parliamentary Labour party, to lobby, in an undignified way, those Members of Parliament in relation to a matter which will still be before the House of Commons of Canada?

● (1450)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, you recognize that there are many questions involved in that.

An hon. Member: Answer them all.

Mr. Trudeau: I will indeed try to answer every one of them if I can have the indulgence of members opposite. I must say that I find it rather strange for the leader of a party in this House to suggest that members elected from a province do not speak for that province. Surely that is the job of every member in this House, to speak for Canada and to speak for the province in which he was elected. To make the kind of suggestion made by the Leader of the Opposition seems to me like throwing stones when you live in a glass house, because I could have clearly argued on the same basis that there is only one member of his party who has the courage to speak for Alberta in this House.

Some hon. Members: Hear, hear!

Mr. Lambert: What tripe!

Mr. Trudeau: That is not how we view the role of members in this House. They have been elected on both sides to speak for their constituents as they see it in their conscience to do. One member on this side has disagreed with our government policy, but I think it is quite obvious to the Leader of the Opposition that one member on his side has done the same.

Mr. Hnatyshyn: We did not sic Jacques Olivier on him.

Mr. Trudeau: I hear about Jacques Olivier. I am not sure of what the relevance of that is.

Mr. Baker (Nepean-Carleton): Neither is Jacques.

Mr. Trudeau: As to the presence in London of the Minister of Justice, it is true he agreed quite some time ago to speak to the members of the Canadian Club in London next week. We hope he will be able to keep that engagement. It will, of course, depend on events in this House. We hope we have the co-operation of the Leader of the Opposition to permit the Minister of Justice to go there and keep that engagement.

Some hon. Members: Hear, hear!

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REGIONAL DEVELOPMENT

INDUSTRIAL RESTRUCTURING AND LABOUR RETRAINING

Mr. David Orlikow (Winnipeg North): Madam Speaker, I would like to direct my question to the Minister of Employment and Immigration. A few days ago the minister announced that the communities of Windsor, Sept-Îles, and Sydney were among the first to qualify for the new program of industrial restructuring and labour retraining. When the announcement was first made about this program, the minister indicated there would be community committees to administer the program, on which there would be labour and business representation. Have labour and business groups in these communities been consulted yet, and have discussions been held with them regarding the role they will play? If not, why not?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, just to give an additional piece of information to the House, the community of Sorel was one of the communities beyond the three that were mentioned. In each of those instances a member of the cabinet went to the communities to make an announcement, meet with local leaders, and discuss the development with local community committees. Those are now being established. We expect that the chair persons of those committees, plus the membership, will be announced within a week or two. Then we will get on to the second round of assessment of other communities that are eligible for this very important and very innovative new program.

Mr. Orlikow: Madam Speaker, I have had an opportunity to speak with people in the steelworkers' union and the auto workers' union. I have not yet had an opportunity to talk to the paper workers. They tell me there have been no discussions with them as yet, as to their role. They are wondering if they will just be pro forma members of a large committee in which the usual government bureaucrats will be running the whole show. They wonder what has happened to the government's promise that they would be consulted in a real sense.

Mr. Axworthy: Madam Speaker, I am not sure exactly whom the hon. member spoke to, but I can give him and other members of this House every assurance that the whole basis of the program depends on full participation of business, labour, and the municipal governments of those communities, as well as the federal government. We see it as an opportunity to provide for a very constructive partnership. I can assure the

hon. member there will be full consultation and involvement of all the key sectors to make this program work.

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[*Translation*]

IMMIGRATION

CANADIAN PLANS TO HELP EL SALVADORAN REFUGEES

Mr. Marcel Prud'homme (Saint-Denis): Madam Speaker, my question is also for the Minister of Employment and Immigration.

[*English*]

In view of the current situation in El Salvador, is the Canadian government considering any special measures to alleviate the plight of the people caught in that country?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): As members of this House will recognize, Madam Speaker, the civil strife has caused a serious disruption and there are now an estimated 50,000 to 60,000 refugees on the border of El Salvador. I asked the officials to investigate the situation and work with the United Nations.

The United Nations High Commissioner has requested that there be no major movement of refugees at the present time. In the meantime, we are undertaking certain special measures such as those relating to Salvadorians in Canada now on business permits. They will be landed here if they are sponsored by relatives, or will be given minister's permits to provide for employment while they are here. After six months we will review their case with a view toward landing them. As well, those in Canada can sponsor relatives who have had to flee El Salvador because of reasons of strife. Those are intermediate measures. We will continue to monitor the situation and provide whatever relief this country can, within the tradition that we have already established.

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ENERGY

APPLICATION OF ENERGY CONVERSION PROGRAM TO NEW BRUNSWICK

Hon. J. Robert Howie (York-Sunbury): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. Has the minister taken a decision on whether New Brunswickers who switch from oil to electricity for home heating can qualify for the $800 grant program? If not, will he take a decision before April 1?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I expect to take a decision before April 1. However, I am still waiting for a commitment from the government of New Brunswick about the conversion of the Coleson Cove generating station away from oil to other fuels. As soon as I have this firm confirmation and commitment from the government of New Brunswick, I will be happy to approve the conversion to electricity as well as the conversion to other forms of energy away from oil.

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POLITICAL PARTIES

LIBERAL PARTY FUND RAISING SCHEME

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, I have a question for the Minister of Consumer and Corporate Affairs who has responsibility for ensuring that Canadians are not overcharged for shoddy goods. In view of newspaper reports this week which refer to a "Rent-a-Liberal" scheme, whereby contributors to the Liberal Party who give $150 will be invited to a party with six Liberal cabinet ministers, including the Minister of Consumer and Corporate Affairs, will the minister put an end to this scam to ensure that these people are not ripped off?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I think it is a very, very good bargain, much better than some fund raising operations of my friends on the opposite side.

Mr. Baker (Nepean-Carleton): But we raise more money.

Mr. Beatty: Madam Speaker, may I ask the minister exactly what these individuals purchase for their $150?

Some hon. Members: Oh, oh!

* * *

NATIONAL DEFENCE

SALE OF INSURANCE POLICIES AT CANADIAN FORCES BASE, COLD LAKE, ALTA.

Mr. Jack Shields (Athabasca): Madam Speaker, my question is for the Minister of National Defence. Canadian Forces Base Cold Lake constitutes a very sizeable community of service and non-service personnel. It has been drawn to my attention recently that insurance agents in towns bordering on the base are not allowed to go on base to sell property or auto insurance, yet a company, Gold Circle Insurance, has been allowed exclusive access to the base. Why has the Gold Circle Insurance company been granted such a privileged monopoly which puts local independent agents at a great disadvantage? Does the monopoly apply to all Canadian Forces Bases? Also, can the minister name the Liberals who own Gold Circle Insurance Company?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, the question requires a lot of answers. I think it would be better to give them to the hon. member in writing. However, I can assure him that there is no question of privilege to anyone and that the company is run very equitably. There have been a lot of complaints similar to his. Each time we have inquired and found that everything was being done equitably.

● (1500)

Mr. Shields: There is absolutely no competition for Gold Circle Insurance Company at Canadian Forces Base Cold Lake. All independent agents living in the towns of Bonnyville, Cold Lake and Grand Centre, are barred access and may not even advertise in the Cold Lake newspaper. I show the minister an advertisement by Gold Circle that says, "Additional information may be obtained from the base exchange officer". Is this not a monopolistic practice?

Mr. Lamontagne: Madam Speaker, I will investigate and see what kind of an answer I can give the hon. member.

* * *

AIRPORTS

TORONTO ISLAND AIRPORT FACILITIES FOR USE BY STOL AIRCRAFT SERVICE

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is for the Minister of Transport. In view of the fact that he is reported to have stated in a letter to Mayor Eggleton of Toronto in January that:

> ... If the city of Toronto agrees to the use of Toronto Island Airport for STOL operations under the conditions suggested, Transport Canada is willing to seek Treasury Board funding approval for the provision of the necessary airport facilities.

Will he advise the extent and cost of these necessary airport facilities?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, a few weeks ago I made an offer to the City of Toronto in which I stated a number of principles and practices that Transport Canada would follow should the city council revise its position and vote in favour of STOL facilities. They answered by adding new conditions to the set I had laid down. My deputy is in Toronto this afternoon discussing the matter with the mayor. Part of our offer will be to build facilities at the Toronto Island Airport for general aviation and some facilities for STOL, but the latter would be built on a cost recovery basis.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Baker (Nepean-Carleton): Madam Speaker, I wonder if I could ask the government House leader his intentions for House business tomorrow and into next week, and would he be able to confirm that Wednesday, March 25, is in fact to be an allotted day?

Mr. Pinard: Madam Speaker, that is right; next Wednesday will be the seventh and last allotted day of this period of supply.

[*Translation*]

Today, we shall debate constitutional issues. Tomorrow, we shall proceed to the report stage of the bill to provide borrowing authority to the government. It has been agreed by the House leaders that should a vote be necessary, it would be deferred to next Wednesday at six o'clock. We hope that this will happen tomorrow so that we can at least dispose of the report stage of this urgent bill tomorrow afternoon.

As for the business of the House next week, I repeat that Wednesday will be an opposition day, and during the rest of the week, we shall be debating constitutional matters.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, in the event that we deal with the report stage amendment on the borrowing bill before the end of the day tomorrow, would it be the intention of the government House leader to continue with the constitutional debate for the balance of that day?

[*Translation*]

Mr. Pinard: That is a possibility that I am willing to seriously consider, but I would rather wait to see whether this occurs, and after Oral Question Period tomorrow I shall be able to confirm to my learned colleague whether we might attempt to proceed with the third reading of the bill. I would prefer this, but if we fail to agree, we shall probably carry on with the constitutional debate.

[*English*]

Mr. Knowles: Madam Speaker, may I ask the government House leader whether he has any recent word from the Acting Minister of Veterans Affairs about the legislation we trust he is preparing to present to Parliament at this session?

[*Translation*]

Mr. Pinard: Madam Speaker, I have heard the very honest and generous answers provided to the hon. member by the Acting Minister of Veterans Affairs, and I wish to assure the hon. member that the minister is dealing seriously with this matter, and that as soon as there are further developments, he will immediately inform the hon. member for Winnipeg-North-Centre (Mr. Knowles).

[*English*]

Mr. Hargrave: Madam Speaker, I would just remind the government House leader once again that he would always find a ready reception on this side of the House if he were to bring in the meat import law for quick passage so we can get into committee.

Mr. Pinard: My colleague talks about "meat". I will try to "meet" his request.

ROUTINE PROCEEDINGS

[*Translation*]

COMMITTEES OF THE HOUSE

MANAGEMENT AND MEMBERS' SERVICES

First report of the Standing Committee on Management and Members' Services—Mr. Comtois.

MISCELLANEOUS ESTIMATES

Third report of the Standing Committee on Miscellaneous Estimates—Mr. Gauthier.

NORTH-SOUTH RELATIONS

Fourth report of the Special Committee on North-South Relations—Mr. Breau.

[*Editor's note: For texts of above reports, see today's Votes and Proceedings.*]

* * *

[*English*]

ENERGY

TABLING OF DOCUMENTS RESPECTING DEVELOPMENT OF COAL RESOURCES IN NORTHEAST BRITISH COLUMBIA

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, on February 24, the hon. member for Vancouver-Kingsway (Mr. Waddell) requested the government to release documents in its possession with respect to the northeast British Columbia coal discussions. After consultation with the Minister of State for Economic Development, I am pleased to table a number of documents relating to these negotiations.

In addition, I might mention that we can also table a list of over 100 studies on the project conducted by DREE and the B.C. government. They are available upon request from the Department of Regional Economic Expansion.

There are also a number of other documents dealing with exchanges between our government, the government of British Columbia and our embassy in Tokyo, various internal memoranda and exchanges with the coal companies, which will not be released because they fall under the exemption clauses of the access to information legislation now before Parliament.

• (1510)

[*Translation*]

SPECIAL COMMITTEE ON NORTH-SOUTH RELATIONS

CONCURRENCE IN FOURTH REPORT OF SPECIAL COMMITTEE

Mr. Herb Breau (Gloucester) moved that the fourth report of the Special Committee on North-South Relations be concurred in.

Motion agreed to.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 409, 1,716, 1,718, 1,851 (revised), 2,094 and 2,095.

[*Text*]

RESEARCH EXPENDITURES—ANNUAL INCREASES IN PRICE INDICES

Question No. 409—**Mr. Orlikow:**

What were the actual or estimated annual increases in the price indices from 1969-70 to 1978-79 for the (a) National Research Council—Research Expenditures using 1969-70 as a base year (b) Medical Research Council—Research Expenditures using 1969-70 as a base year (c) Science Expenditures Price Index using 1969-70 as a base year (d) Implicit Price Index of the Gross National Product using 1969 as a base year (e) Consumer Price Index using 1969 as a base year?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): In so far as the Ministry of State for Science and Technology is concerned: the problem of developing an adequate index to reflect the impact of inflation on R and D costs is a very difficult one, to which no completely satisfactory solution has been found. The federal government uses the IPI-GNP as a deflater of science expenditures in Canada, consistent with the practice of other member countries of the Organization for Economic Co-operation and Development. Moreover, since our R and D target is stated in terms of the Gross National Product, the IPI-GNP is an appropriate index for R and D planning purposes.

However, a number of separate indices have been developed by some departments and agencies to reflect their assessments of how inflation has affected them. The following tables set out the indices referred to by the hon. member—for the years 1969 to 1978, or 1969-70 to 1978-79 as appropriate—and the annual changes in each index.

The indices are: (a) an index developed by the National Research Council, the NRC-RE index; (b) an index which the Medical Research Council (MRC) has devised; (c) the

Science Expenditures Price Index (SEPI) proposed by the Science Council; (d) the Implicit Price Index of the Gross National Product (IPI-GNP); and (e) the Consumer Price Index.

The hon. member's question indicates his awareness of the fact that some of those indices refer to fiscal years and some to calendar years. The tables respond to his question as posed except that the MRC index is given for calendar years, since the council calculates it in this way.

Price Indices

Year	NRC-RE	MRC	SEPI	IPI-GN	CPI
1969 (or 1969/70)	100	100	100	100	100
1970 (or 1970/71)	105.5	104.6*	105.8	104.6	103.3
1971 (or 1971/72)	110.6	108.0*	112.2	108.4	106.3
1972 (or 1972/73)	117.9	114.0	120.2	113.4	111.4
1973 (or 1973/74)	132.1	125.0	130.5	123.8	119.8
1974 (or 1974/75)	115.4	147.0	151.9	142.7	132.8
1975 (or 1975/76)	177.3	162.1	174.9	158.0	147.2
1976 (or 1976/77)	194.7	181.0	197.4	173.0	158.2
1977 (or 1977/78)	211.4	197.1	215.9	185.1	170.9
1978 (or 1978/79)	**	214.3	234.1	196.9	186.2

Percentage Changes in Each Price Index (compared with previous year)

Year	NRC-RE	MRC	SEPI	IPI-GNP	CPI
1969 (or 1969/70)	—	—	—	—	—
1970 (or 1970/71)	5.5	4.6*	5.8	4.6	3.3
1971 (or 1971/72)	4.8	3.3*	6.1	3.3	2.9
1972 (or 1972/73)	6.6	5.6	7.1	5.0	4.8
1973 (or 1973/74)	12.0	9.6	8.6	9.2	7.5
1974 (or 1974/75)	17.6	17.6	16.4	15.3	10.9
1975 (or 1975/76)	14.1	10.3	15.1	10.7	10.8
1976 (or 1976/77)	9.8	11.7	12.9	9.5	7.5
1977 (or 1977/78)	8.6	8.9	9.4	7.0	8.0
1978 (or 1978/79)	**	8.7	8.4	6.4	9.0

* IPI-GNP figures used because MRC had not then developed its own index.

** Responsibility for the relevant program transferred to the Natural Sciences and Engineering Research Council.

PETRO-CANADA—AIRCRAFT

Question No. 1,716—**Mr. Cossitt:**

1. Has PetroCan bought, leased, contracted for or in any way whatsoever been involved with Challenger Jet aircraft or any other type of aircraft and (a) if not, does it propose to do so (b) if so, is the number of aircraft involved ten and, if not, what is the number?

2. What are all the details of any such situation that exists including costs?

3. Have any negotiations, conversations or anything of any kind whatsoever taken place on this subject on behalf of PetroCan, directly or indirectly and, if so, by whom?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Petro-Canada reports as follows: 1. Yes. (a) Not applicable. (b) One Challenger 46.

2 and 3. Petro-Canada has placed an order for one Challenger 46 at a cost of $7 million with expected delivery in early 1982. Because of the lengthy delivery time involved, Petro-Canada has also obtained a position in line for the longer-range Challenger E in the event that future operations require that type of aircraft.

Question No. 1,718—**Mr. Cossitt:**

Does PetroCan own, have an interest in or is it in any way involved with the usuage of aircraft at the present time, directly or indirectly and, if so, what are all the details?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Petro-Canada reports as follows: Petro-Canada owns and operates six (6) aircraft for operational purposes. These aircraft include: two Twin Otters, one Beechcraft 100 King Air, one Grumman Gulfstream 1, one Hawker Siddeley 125, one Britten Norman Islander.

DND—EXPENDITURE DIFFERENTIAL ON NEW FIGHTER AIRCRAFT

Question No. 1,851 (Revised)—**Mr. McKinnon:**

Do the Supplementary Estimates (B) for the fiscal year ending March 31, 1981, list an expenditure of $97,990,000 on Aircraft and Engines—New Fighter Aircraft and does the contract with McDonnell Douglas Corporation call for payments of $48,744,637 for the same period and, if so, on what is the additional $49,245,393 to be spent?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): The table below shows the sequence of forecasts in regards to funds for the main contract and the project support elements identified in total program requirements but which are not part of the main contract with McDonnell Douglas.

The original submission which became Supplementary Estimates (B), subsequently, was made in December, 1979. The January, 1981, forecast is the total which will be spent up to March 31, 1981.

	Supplementary (B) Submission to TB in December, 1979	September 1980 Forecast	January 1981 Forecast
	(thousands of dollars)		
Main Contract (US)	48,771	48,771	48,771
Exchange	7,315	7,315	7,800
Contractor Spares	25,709	5,000	—
Maintenance Support Equipment	3,000	3,000	2,925
Missiles	3,066	3,400	6,460
Training Publications	—	—	2,287
Exchange	5,124	1,461	937
Management Costs	3,277	2,777	2,770
Other Support (Simulated, etc)	1,728	5,330	1,923
Total	97,990	77,054	73,873

THISTLE REPORT ON EASTERN NEWFOUNDLAND FISHERY

Question No. 2,094—**Mr. McGrath:**

1. Will the government release the findings of an inquiry into the herring and queen crab fishery in eastern Newfoundland and, if so, on what date?

2. For what reason was the report not made public?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): 1. Yes. The department will release the findings of the Thistle report. However, the date of release has not been determined.

2. My officials are currently developing long-term management plans for both the herring and crab fisheries. The recommendations made by the Thistle report are being evaluated for inclusion into the long-term management plans for Atlantic Canada. Once the review process has been completed, some time within the next few months, the report will be released.

GROUNDFISH LICENSING PROGRAM

Question No. 2,095—**Mr. McGrath:**

1. Under the government's new groundfish licencing program, how many (a) full-time (b) part-time fishermen will be licensed in the four Atlantic provinces and Quebec?

2. Has this information been made available to provincial governments and, if not, for what reason?

3. Are there appeal procedures for the licensing program and, if so (a) what are they (b) how many appeal boards have been established and who are the members?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): 1. The initial categorization of fishermen was as follows:

(a) Newfoundland: 11,500
Maritimes: 10,000

(b) Newfoundland: 23,500
Maritimes: 9,800

These figures are subject to change in accordance with the appeal procedures outlined in 3. (a).

Note: Under an agreement between the federal government and the government of Quebec, the province licences small boat fishermen. The province has had in place for a number of years a similar program of issuing licences to full-time or "professional" fishermen.

2. The number of fishermen assigned to each category is a matter of public record.

3. (a) The initial categorization of fishermen is subject to appeal to local committees consisting of fishermen, representatives of the community and departmental officials. Fishermen have the right to appear before these committees and the right to be represented.

Any individual who is dissatisfied with the results of the first level may appeal to a second regional appeal board consisting of persons not engaged in the fishery. There is a final level of appeal to the minister.

(b) Eighteen appeal committees have been established in Newfoundland. Each committee consists of four fishermen, one person from the community not engaged in the fishery and one departmental official.

In the maritimes, committees are presently being established. It is anticipated that there will be about 25 such committees. Their membership will be similar to the committees in Newfoundland.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,460 could be made an order for return, that return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,460 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

CHRYSLER CANADA

Question No. 1,460—**Mr. Deans:**

1. From 1965 to June 1980, how many orders in council were issued affecting Chrysler and its subsidiaries operating in Canada and what was the actual wording of each order in council?

2. What amount of customs duty was remitted for each order submitted concerning Chrysler and its subsidiaries?

3. What were the commitments from Chrysler and its subsidiaries in exchange for remitting each customs duty?

4. Did Chrysler and its subsidiaries meet each commitment?

Return tabled.

[*Translation*]

Mr. Collenette: Madam Speaker, I ask that the remaining questions be allowed to stand.

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule

B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, continuing on from the interruption yesterday, let us consider the so-called Victoria amending formula, which is a method of amending the Constitution which in perpetuity would give the right to Ontario and/or Quebec individually to block constitutional amendments. I am a westerner, and this is totally unacceptable to the west. It is a continuation of a domination of the central provinces over the other rapidly-expanding, growing and vibrant regions of the country. Population is important, but the rights of the minorities in other provinces must be protected.

This amending formula will cause resentment. It will give sustenance to those who wish this country to break up and each region to go its own way. Let us imagine a situation in which nine provinces agree to amend but one province, either Quebec or Ontario, says no. Does this lead to national unity, or does it sow seeds of secession? A Constitution must be a matter of accommodation and concession by all in the interests of all. I see little concession by either Ontario or Quebec in this amending formula.

Let us take the worst case scenario one step further. Let us say that all provinces are agreed but the federal government will not agree. The proposal then calls for a national referendum to break a deadlock. Let us presume—and it certainly is not beyond the realm of possibility—that the deadlock is caused by an authoritarian federal government wishing to enhance its powers. Indeed, these very proposals are such a power grab. The federal government, and only the federal government, may call a national referendum. It picks the time. It picks the simplistic questions, and it has the power to spend millions of tax dollars on advocacy advertising in an attempt to sell its point of view to all Canadians. The provincial governments have no say in this. Indeed, if they wish a referendum on an issue, they cannot demand one. Only the federal government can do so.

Mr. Laniel: You have two years to change it.

Mr. Cook: This is giving awesome power to a centralist government. This is the beginning of a unitary state. This could be the end of provincial powers and the end of confederation.

Mr. Laniel: Because of the provinces.

Mr. Cook: For its own power-grabbing purposes the federal government decides that the questions of civil rights and property are now so important that it must have complete jurisdictional power.

Let us consider another case. Suppose it is alleged that the natural resources of all provinces, including the mines and hydro of Ontario and Quebec and the oil of Atlantic Canada and the west, will better serve all Canadians if there is total control by the federal government. Or let us say it is said that, perhaps for the sake of uniformity and efficiency, all education must be controlled and operated by the federal government on a national basis. All of these items are, of course, basic in provincial rights and powers. However, with a national referendum and millions spent on advertising by a federal government, can we really be sure that such a federal power grab would fail? How can we be sure? To be honest, we cannot. It could happen in the future, and the conversion of provinces and regions into a totally monolithic, federal, unitary state would begin.

However, it is my belief that long before such changes could take place there would be separation. Conceivably there could be civil war before the people of any region would allow a power-mad federal government to do legally through referendum what could not be done any other way. Do we want to have such a stacked deck in favour of the federal government, or do we prefer the system of separation of powers and the confederation which has basically served Canada so well for 114 years?

There are checks and balances in our system. Our system requires compromise, not authoritarianism. It has worked in the past. A typical example of this is unemployment insurance. Confederation can, with men of good will, continue to work in the future, but through these constitutional proposals the federal government indicates it wants more power and not co-operative federalism.

For a country to work, it must have checks and balances of power built into the system. In Canada the Fathers of Confederation designed these checks and balances. Among others, such checks and balances are Section 91 and Section 92 of the BNA Act. Now we have a subtle, insidious proposal for national plebiscites in this country which allows one partner in confederation, the federal government, to make major changes legally in the balance of power in Canada.

What this House has before it is an amending formula which is unfair to many parts of Canada and a provision for a referendum to override the wishes of the provinces. These two things are wrong in justice, wrong in freedom and wrong in the interests of all the people of Canada. These proposals are the initial steps to a unitary state and to an electorate carefully controlled and disciplined by the federal powers. These proposals are the beginning of the end of Canada as we have known it.

I would like to refer to the proposed charter of rights. Most Canadians want a charter of rights guaranteeing certain human rights which have always existed in Canada. Again I say that the charter is badly drafted, hastily thrown together and certainly does not achieve what many people think is being achieved.

It is not necessary to go through the entire document. It has pretensions to being noble, yet there is no preamble, no mention of God or family and no guarantee of property rights. I want a charter of rights, but not this hodge-podge of ill-conceived words.

I will give examples of what I mean. The Minister of Indian Affairs and Northern Development (Mr. Munro) told a group of native people in Vancouver that the new Constitution would continue the protection of native rights which already exists in the BNA Act. The BNA Act says nothing about native rights. The only reference to Indians is in Section 91(24), which gives Parliament exclusive legislative jurisdiction over Indians and lands reserved for Indians.

At the time the minister spoke the resolution did not even mention native people, and the amendment subsequently made in committee merely states that the aboriginal and treaty rights of the aboriginal peoples in Canada are recognized and affirmed. But the native peoples of Canada have never been able to establish any enforcible legal rights with respect to their land claims, and for the Constitution to affirm unproveable and undefined rights is simply another trick to fool them and us.

What about fighting back against Quebec's Bill 101, which would make that province a francophone island in an anglophone sea? We have been told many times that the separatist option in the Quebec referendum was defeated because of the promise of the Prime Minister (Mr. Trudeau) and other members of his government that constitutional changes would be made to protect language rights. The brave new Constitution refers to the fundamental right to have one's children educated in their minority language provided they reside in an area in which the number of children is sufficient to warrant the provision, out of public funds, of minority language educational facilities. No area sizes are prescribed. No population numbers are spelled out. No one is empowered to determine these points, and there is no provision whatever except an appeal to the courts to overcome a refusal by Quebec or any other province to comply with this section.

● (1520)

Mobility rights are said to be guaranteed in the new Constitution, and upon a quick and careless reading this appears to be right. Section 6 (2) of the Constitution Act says that every citizen and permanent resident of Canada has the right to move to, reside and work in any province. Unfortunately, the section makes this right subject to its being overriden by any laws or practices of general application in force in a province so long as they do not discriminate primarily on the basis of province of previous residence. For example, if B. C. were to pass a law establishing a quota and permit system for people wanting to move into the province, the law would be perfectly valid under the new Constitution so long as it did not set quotas according to provincial origin. Thus, mobility rights are not guaranteed at all.

There is one problem not addressed by these constitutional proposals that, from a westerner's point of view, may be the ultimate problem for the future of Canada. I speak of representation by population without a counterbalance to ensure that the central provinces cannot overwhelm and legislate in their own best interests at the expense of the rest of Canada. Indeed, many fellow westerners and maritimers consider this to have been done over the past 100 years. I do not wish to speak of the alleged abuses of the past; I speak only of the future, and the hopes and aspirations of Canadians not only for justice to be done, but also to appear to be done.

As long as Canada uses representation by population as the sole criterion for voting purposes in this House of Commons, the 75-95 syndrome will not only offend and alienate but cause the regions outside of central Canada to consider themselves second-class citizens. Some way must be found to balance the 75 seats of Quebec and the 95 seats of Ontario in this House. It is simple to say, as population moves westward, that more seats and better balance in voting will naturally occur. I do not believe we can wait that long before an explosive resentment takes place.

The constitutional proposals have done nothing to attempt to change the Senate. Yet that is where the most rapid bringing together of this country could take place. A Senate composed of an equal number of senators from each province could provide the balance wheel against exploitation that does not now exist.

The genius of the American republic has been their Senate, where tiny Rhode Island has the same number of voting senators as the great states of New York or California. Rhode Island feels equal, feels part of the decision-making process in the American Senate. I doubt the Prince Edward Islander feels that sense of participation with a mere four seats out of 282 in this House of Commons, and three senators out of 104. Unless central Canada is prepared to share power, and share it equally, with the other regions of Canada, this country is on a collision course toward disaster. Where are the provisions in this Constitution to redress the balance and truly make Canadians equal, not only by population but by geography and region? Unfortunately, there is none, and to me it is a colossal blunder to avoid the one subject that could bring this country together as nothing has in the past. I would warn central Canada: unless it is prepared to offer equality and influence in the power and forces that shape this country, it will see the western region take the power to which it is entitled in a united country, even at the risk of breaking up the nation.

The matter of the 75-95 syndrome must be considered and solved to the satisfaction of all, or any constitutional proposals will be whistling in the wind. It is a problem that cries out for negotiation and solution while there is still time and good feelings between regions. This must be part of any future constitutional discussion.

I must say a lawyer's word about the draftsmanship of the new Constitution. In the history of mankind, no nation on earth has produced such an inept, confusing, conflicting mess as is proposed for us. It will make Canada the laughing stock of students of constitutional law throughout the world.

I urge hon. members opposite, I beseech them, to look to their conscience, to consider the overwhelming weight of evidence and testimony that this is a hastily thrown together patchwork that can tear this country apart.

What must be done, carefully and with great deliberation, is to begin anew and with good people—not all of them politicians—to design and create a fair and just Constitution for Canada. Once that is done, let us ask the British parliament to do only one thing, that is, to repeal the BNA Act. Then let us proclaim our own Constitution, made in Canada for Canadians by Canadians.

Countries all over the world have been able to create their own constitutions, even out of the chaos and confusion of revolution. After 1776, the American colonies sent delegates to a continental congress in Philadelphia to draft the United States constitution, and they succeeded in doing so, amending formula and all, in two years.

In 1782, George Washington wrote to representatives of the 13 colonies who were arguing over the terms of their constitution as follows:

> What is needed is a sacred regard to public justice and the prevalence of that friendly disposition among the people . . . which will induce them to forget their local prejudices and policies, to make mutual concessions to the general prosperity, and in some instances to sacrifice their individual advantages to the interest of the community.

Five years later, in a letter to James Madison, he urged:

> Let prejudices, unreasonable jealousies and local interest yield to reason and liberality. Let us look to our national character and to things beyond the present period . . . wisdom and good examples are necessary at this time to rescue the political machine from the impending storm.

Almost 200 years later, Washington's words are as apt and meaningful to Canadians today as they were to him and his countrymen in their time.

I urge upon this House to set this bad package aside. Let us have a constituent assembly. Let a group of good Canadians, with all deliberate speed, correct the massive inadequacies of these proposals before Parliament. Let them design a Constitution that will bind us together, not increase the alienation and separation of regions and provinces.

That is my plea, Mr. Speaker. May my grandchildren find I was helpful in the process of Parliament which may lead to changes in this grab bag of future disaster for my country.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Gilles Marceau (Jonquière): Mr. Speaker, although I deplore the fact that the hon. member for Glengarry-Prescott-Russell (Mr. Ethier) is ill, I would be remiss if I did not congratulate the hon. member for Madawaska-Victoria (Mr. Corbin) on his recent appointment, and I am convinced that he will discharge his responsibilities with great competence. Mr. Speaker, as I take the floor to join in this debate I am certain that I will not come up with anything new, let alone spectacular. Still I believe that my first responsibility is to take part in this parliamentary debate, and the aim of my speech is threefold. First, I want to keep a promise I made to my constituents when I committed myself to let them know how the situation would evolve and explain to them the very significant decision I will soon have to make.

• (1530)

Second, Mr. Speaker, I believe that the role of a federal member is to enlighten the people on the true meaning of the proposal we are debating in the House, of the courses it advocates, and of the interpretation it can be given with respect to the genuine interest of the people and the protection of all citizens, particularly those who are of French extraction and whom it is my duty and first responsibility to represent and defend. Third, Mr. Speaker, I will take the liberty of appealing to the common sense and the spirit of co-operation of all members, of provincial premiers and of Canadians generally so that a loyal and sincere effort be made with a view to trying these constitutional proposals in the honest hope of strengthening and uniting our great country, a hope we all share.

Mr. Speaker, it is an open secret that the progress of my thoughts in this debate has not been easy. It has been agonizing at times because I do not belong to that category of citizens who believe they hold a monopoly over truth and who remain insensitive to a resolution whose aftermath will be so important for the future of the country and of all Canadians. I have tried to marshall my thoughts in light of what is my first responsibility, that of a federal member of the Canadian Parliament. Mr. Speaker, I must confess to you and to hon. members of the House that during this debate as well as in the preceding weeks and months I had mixed feelings at times thinking on the one hand about what I consider my country, that piece of land where I live with my family and where I can try to be fulfilled with my language and my culture and with all the other riches left to me by my ancestors.

On the other hand, however, behind my nationalism which I do not deny there is also a deeply anchored desire to be a Canadian and, as a francophone, to enjoy my rights not only in Quebec but throughout Canada as well. I deeply believe in Canada, in its historical continuity, in its well-known generosity toward those who come to share our territory and our history. I believe that Canada is made up of people who trace their origins back to Amerindian, British and French founding nations and who, over the years, formed two distinct societies.

Ethnic groups other than English and French came to join this first component of our historic duality. Canada has acknowledged the presence and the coexistence of those two groups; I must admit there has been a lot of progress in that field, Mr. Speaker, but we still have a long way to go. I believe that the sooner those two societies or groups are recognized, which have not become solely French or English entities but rather gatherings of people who speak French or English and who are deeply scarred compared to one another, the better will be the social balance we have been seeking for over a century.

Mr. Speaker, I suggest that federalism is tailored to the diversity of our people and that it can absorb without diluting the multicultural wealth for which our country stands so

proud. Although I think that federalism rests on patient and generous negotiations rather than confrontation, I also think that all good things must come to an end and that the public interest will force us in time to make a decision. The time for speeches is nearly over, the time for action will soon be upon us. Of course at certain times we have heard from both sides very challenging and very constructive arguments. However, the time has now come to make a decision.

Canada has existed for 113 years, but it retains a last link with the colonialist era. Mr. Speaker, I think that it is healthy and not an act of disloyalty to state our differences in an attempt to find areas of agreement. Mr. Speaker, during this debate, I did not conceal my misgivings in two areas. I would like to summarize them briefly and say that I am not yet convinced that the changes that should have been made in this constitutional package would have provided a greater flexibility and made it more acceptable.

First, Mr. Speaker, and I am not the only one to share that view, even though very few have stated it publicly, I would like to deal with the application of clause 133 to Ontario. My position is simple, clear and specific. The present Constitution requires the Quebec and Manitoba governments to be bilingual at the legislative and judiciary levels, and the proposal now before us does not change anything in this connection. However, Mr. Speaker, the province of Ontario, for reasons which I consider unacceptable and inexplicable, has not seen fit to become institutionally bilingual in all areas and, contrary to New Brunswick, it refused to be realistic and show some sense by asking that clause 133 apply to Ontario so that it would not become officially bilingual in all areas but only in those where already two provinces are bilingual under the Constitution, that is Manitoba and Quebec, while New Brunswick has done much more than what was requested of the Ontario government.

● (1540)

Mr. Speaker, today being election day, I express the wish that the new Ontario government, whatever party is elected, realizes that it is of paramount importance that the province of Ontario, which has been a leader and which has benefited most from confederation, should make up its mind now that it no longer has to take political and electoral considerations into account. I do not mean to say that its citizens never had to work hard to benefit from confederation, but the fact remains that the system has brought them where they are today, living in a strong, rich and developed province which must now lead the way not only in the economic field but in the linguistic and cultural fields as well.

The federal government has been blamed for not enforcing section 133. I must confess, Mr. Speaker, that at first I found this approach interesting and that I was attracted to it for a long time. But on the other hand, one must be fair and recognize that a decision made in that area by the federal government would have infringed on a provincial jurisdiction, and considering that the leaders of Ontario or Quebec not only never asked for the enforcement of Section 133 but in fact asked the federal government to disregard it, the situation was a difficult one. I think that the only way Section 133 could have been enforced by the federal government is through a joint resolution during a session of the joint committee when all the parties in the House would have risen above political partisanship and asked the Ontario government to enforce section 133 in its own province. Unfortunately, this was not possible because the official opposition was against it. Mr. Speaker, there remains—and that is my argument—an element of justice. I do not see why there should be a double standard: that Quebec and Manitoba should be required to be bilingual in their legislatures and courts, while Ontario is not.

My second point, Mr. Speaker, concerns Section 23 which requires English-speaking immigrants to Quebec—I should not say "requires" because there is a choice—after three years to join either the French or the English system. I feel that an immigrant to Quebec should be aware of these conditions and requirements and learn to live with them. I would have preferred that this aspect of Bill 101 providing that any immigrant to Quebec must adopt the language and culture of the majority had been left out of this constitutional proposal. I am told that Bill 101 actually provides for some flexibility and that the Quebec government apparently recognizes a special status to anglophones coming to Quebec, although there is no mention of this in the act. Therefore, it is a question of principle. I, for one, consider that immigrants to Quebec, whatever language they may speak, should adopt the French language, while maintaining their own language and traditions.

However, the Canada provision which is found in the proposed Constitution puts on an equal footing the people from Quebec who move to other parts of Canada and the people from other provinces who move to Quebec. I feel, therefore, that this provision is acceptable in the present context since we insist on equal rights for all Canadians wherever they live.

Mr. Speaker, my position on the three points now being discussed, namely patriation, the amending formula and the charter of rights, is as follows: to my mind, patriation is a neutral act. It does not imply any redistribution of powers and, as such, it is a step ordinary Canadians clamour for every day. But an attempt is being made at equating patriation with a redistribution of powers, and on that score the provinces have erred. In a way, they are to be blamed for the deadlock in which the federal government has been placed and which has forced us to propose a constitutional package that is unilateral.

Naturally, that is the type of wording the media spread around when, in fact, it is totally inaccurate, because unilateral patriation would imply patriation with the sole consent or on the sole initiative of the federal government; this is totally contrary to facts, as we know. We have the support of Ontario

and New Brunswick: Saskatchewan and Nova Scotia are non-committal or have more or less given their formal acquiescence, and a very important party in this House of Commons, the NDP is on our side generally with just a few exceptions.

So, patriation should really not be criticized since it does not alter jurisdictions. It even goes further than the status quo. In fact, it takes away some of the powers of the federal government. It denies the federal government the authority to change the Constitution, which it now has. So, not only does patriation not strip the provinces of any powers but it removes some from the federal government, which, when the package is accepted, will be bound by the law of unanimity for two years and, if no other formula is found, by the Victoria formula. Therefore, to my mind, patriation should be done quickly and should not lead to this carping at the amending formula.

As some hon. members have already done, I immediately gave up on the law of unanimity. We have been seeking that desirable unanimity since 1927. We might have achieved it in 1971 at the Victoria conference, had it not been for the adviser to the then Quebec Premier, Mr. Bourassa, the notorious Claude Morin, the current Quebec minister of intergovernmental affairs, whose option we all are too well aware of. Without his intervention, we may have attained our goal and, although I am not passing final judgment, I venture to say that we made a mistake in 1971. We should have intervened then and patriated the Constitution as we had intended to because, at that time, we had the support of several provinces.

Naturally, some will argue that, by a weird coincidence, Mr. Thatcher was a Liberal in Alberta at that time. It was sheer coincidence that Mr. Smallwood happened to be then Premier of Newfoundland, that Mr. Regan was the Premier of Nova Scotia during that period; strange coincidence all around, but be that as it may, let us not forget that Mr. Robarts was the Premier of Ontario and Mr. Campbell that of another province. So there was a consensus. But we wanted unanimity and, in my view we waited too long; if we wait much longer now, I am afraid the impasse might become total and permanent; that is why I feel we must act without further delay.

● (1550)

An amending formula calls for the participation of four regions, and I suggest that as far as the amending formula is concerned, one must avoid considering provinces as such. Four regions are mentioned: Ontario, Quebec, the East and the West. Of course, we still have two years to agree on a new and more acceptable formula, but in case we could not find a better one than the so-called Victoria formula, the latter will be enforced. What does this Victoria formula say? It goes like this: Quebec, Ontario, eastern Canada and western Canada will decide not as small entities, not as provinces, but rather as areas and regions. A moment ago, I listened to the previous speaker who said that western development is being overlooked. Quite the contrary, given the fast growth of the west, particularly in Alberta, is it not quite possible that in a few years from now, Alberta will reach the 25 per cent figure and thus have a veto?

However, it should be kept in mind, Mr. Speaker, that much has been made of the Quebec veto, it is true. I think all members agree that because of its position, being the main centre of French-speaking Canadians, Quebec deserves, I would not say a special status, but a status of equality with the other provinces and regions. In my view, the fact is that there are four regions, one of them being mostly French-speaking and the other three mostly English-speaking. Hence, one must consider the matter on a regional basis and I, for one, find acceptable this formula that the Parti Québécois refuses to talk about, because I listened to a program in which Mr. Morin, dealing with the constitutional package, took pains not to mention that federal Members of Parliament, who are taken to task here, were the first to stand for the rights of all Canadians, including Quebecers.

However, other formulas should not be left out, and I do not agree with those who say that we should retain that formula. We have two years to find another one. I believe the one proposed is acceptable. Indeed, it was accepted in 1971, but one should keep an open mind about such considerations. So, failing an agreement on another formula, I believe this one is acceptable and should remain in force.

The charter of rights, Mr. Speaker, appears to be the most sensitive subject before this House. First of all, I would have liked, and it may not be too late to come up with this idea because I have not heard it suggested during this debate, as I was saying Mr. Speaker, I would have liked the charter of rights, as is the case with the amending formula, not to be implemented before a two-year waiting period had lapsed. The provinces would then have two years to try to find satisfactory compromises and it would have, at least I think so, resulted in a better dialogue.

I still wish it could be so. Such a solution might be seen as a kind of compromise which would make the package more acceptable. Since we are looking for solutions, I did not want to merely criticize but to introduce a positive element in this debate. That being said, the charter of rights still guarantees several fundamental freedoms, such as freedom of conscience and religion, freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication, freedom of peaceful assembly, and freedom of association.

In fact, this charter of rights provides a series of guarantees for citizens which is far from insignificant. However, as I have said before, there is also clause 23 and the matter of linguistic rights on which I do not agree completely concerning the matter of immigrants and the opting out of Ontario. It still remains, Mr. Speaker, that this charter guarantees certain basic rights and the protection of educational rights of all Canadians, whether anglophone or francophone. This is one of

the reasons why I entered politics, Mr. Speaker, so that Canadians who live in Quebec can have rights as francophones, not only in Ottawa, but throughout the country. This principle will therefore be entrenched in the Constitution. We have been criticized for having included this principle, but it still reflects word for word what the premiers agreed to. We have been told that the phrase "wherever the number is sufficient to warrant it" could cause problems. This might be, but it will be up to the provinces to prove their good faith. They will have to prove whether this country should break up, as certain people have said, or whether it should stay united. However, to stay united, it is essential that the rights of francophones be recognized not only in Quebec, but throughout the country.

Mr. Speaker, I would like to close by simply saying that what has brought me to support, not blindly but rationally the whole package in spite of my reservations, is that I consider it a means of putting an end to separatism. Obviously, if, to put an end to separatism, the resolution suggested that the rights of francophones be jeopardized, I would not accept it. For the moment, I must give the benefit of the doubt to those who have proposed this resolution, and I would like at this time to underline the extraordinary work of our Right Hon. Prime Minister (Mr. Trudeau) and the Minister of Justice (Mr. Chrétien), who have not spared their efforts in developing and promoting this proposal.

An hon. Member: And also the Minister of Energy, Mines and Resources (Mr. Lalonde)!

Mr. Marceau: And also the Minister of Energy, Mines and Resources (Mr. Lalonde). But he has enough energy for many things besides this resolution. Mr. Speaker, if I have a few minutes left, I would like to quote a few words by Gaston Miron, the separatist poet, who confirmed my own conviction by saying a few months ago: It is imperative that the constitutional package proposed by Ottawa should not come about, otherwise the autonomy of Canada will be ensured and it will mean the end of Quebec independence.

If a separatist sees our constitutional procedure as a means to prevent him from achieving his goal, we must admit that it would be rather difficult for a federalist, or for someone who believes or states to be one, not to support it and not to put his trust in those who have developed this proposal, who defend it and who want it to be implemented. Mr. Speaker, as the hon. member for Jonquière I don't carry much weight in this House, but as a member of a team who has chosen the path of democracy, I have fought as hard as I could so that this proposed resolution might be improved and become more acceptable. Within my group, both among my colleagues and among my voters, there have been consultations and I have been told: The hon. member for Jonquière does not have the right to harm his constituents by a personal decision which would go against the wishes of the majority of his supporters and his colleagues. So in a spirit of co-operation I will support the proposed resolution but under the following condition: that this proposed resolution be only a beginning, the start of bigger things to come.

Everybody on both sides of this House, Mr. Speaker, as well as the premiers will have to realize that the time has now come when we must all sit at the bargaining table and genuinely try, through the adoption of a whole series of measures, to develop and improve what is now only an embryo into a country where Canadians can live in happiness. But we must not delude ourselves. When the Constitution has been patriated, it will have to be amended and we must not forget, in keeping with the preamble, we will have to implement the tenet of the recognition of the two linguistic groups, anglophones and francophones, as well as the cultural contribution of the other ethnic groups. That is the price we must pay to keep our country united and I am confident that we will all choose to.

• (1600)

[*English*]

Hon. Sinclair Stevens (York-Peel): Mr. Speaker, in joining in this debate today, I must first of all say how humbled and thankful I am that our illustrious emperor, the Prime Minister (Mr. Trudeau), has permitted debate to go on long enough this time, to allow me to say some words on behalf of my constituents. As you know, Mr. Speaker, this is the first time that I have had the opportunity to speak on this constitutional resolution either in committee or in this House. I intended to speak on the matter originally when it was first brought before us, but the brutal majority of the government in power was used to deny me that right. The use of closure at that time prevented me from speaking as I had intended at that stage of debate.

Having said that, I should add that I was very surprised today to hear the tone of the exchange between the Leader of the Official Opposition (Mr. Clark) and the Prime Minister with respect to the simple request of my leader to the Prime Minister that he consider delaying consideration of this resolution until a sufficient time after the Quebec election to ensure that the new leader, whoever it may be, would have an opportunity to reconsider the province's position with respect to the resolution. Presumably whoever is chosen leader in the province of Ontario today would also have a chance to reconsider Ontario's position on the resolution.

I was quite startled and surprised at the Prime Minister's offhand remark that, somehow or other, leaders of opposition always have the right to speak and that in any event there is no need to delay. I do not think that is satisfactory. I think it shows that an errant, arrogant, high-handed attitude is prevalent in this government under the leadership of this present emperor.

Mr. Mazankowski: Aided and abetted by the energy czar.

Mr. Stevens: Having said that, I would hasten to add that in considering the resolution before us, I think it is important that we also consider the amendment of my colleague, the hon. member for Provencher (Mr. Epp) to amend the main motion by deleting Clause 46 in Schedule B in the proposed resolution and by making all necessary changes to the Schedule. I shall come back to this point later, Mr. Speaker.

I was surprised that the hon. member who spoke before me and who is now leaving the House never even referred to the matter before the House today, the question whether or not Clause 46, which deals with the amending formula proposed by the government, should remain in the resolution. That is a very key question in this whole matter. This clause covers the question of the form of the referendum that the Prime Minister proposes. If you analyse the concerns of Canadians, of provincial governments, of many members of this House, you will find that they centre on the question of the amending formula that the Prime Minister suggests we should accept.

Coming from the province of Ontario, perhaps I can say that we do not have as much to fear from this formula as do some other provinces. In the wisdom of the Prime Minister we have been given a possible veto; likewise the province of Quebec. But yesterday I was in Alberta, Mr. Speaker, and I can tell you that people there are concerned about this matter. I think they have cause to be concerned at the prospect that the Constitution could be amended in the future against their wishes and certainly against any veto that they might care to cast—because they will not have that power.

Mr. Campbell: Good.

Mr. Stevens: For the record, I think it should be reported that a very prominent member of the government has said it is good that the province of Alberta would not have the same veto as the province of Ontario or the province of Quebec. Perhaps inadvertently that hon. member has shown the true colours of the government on the resolution before us.

That is one question, Mr. Speaker. There is also the question of the amending formula and, if I may, I will come back to it later.

What I have found most strange in this debate is that the Prime Minister wants to foist on the people of Canada, against their will, an amending formula that will provide for referenda in future years, presumably at the request of the federal government as is spelled out in the resolution, but he says no to consulting the Canadian people by referendum prior to this resolution being confirmed.

Does it make any sense that we have a Prime Minister who says, "In the future let's consult the public through a referendum process, but today, no". He knows why. He knows why he would not test this resolution by holding a referendum in the country: it would not carry. Being the true emperor that he is, he does not like to consult his subjects in case those subjects deny him some of the rights he has grown to love.

When we touch on this question of the charter of rights and the whole concept of writing into some type of code—a new "code Trudeau" if you like, because that is what we are considering here—I think we must first of all look at how sincere this government is when talking about rights.

I was elected in 1972, Mr. Speaker, and almost since that time this House has had before it the question of the uranium cartel. You recall that cartel, Mr. Speaker. It is the one that was involved when the government got into bed with the conspirators. They decided to rig prices. They decided to raise the price of uranium from $6 per pound to over $40 per pound. You recall that not only did they do that, but when the knowledge of this cartel became public—not in Canada but first of all in Australia and then in other foreign countries—this government was so terrified that its role in the cartel would be exposed, that it passed that infamous uranium information security regulation that denied every member of this House and every citizen of Canada the right to hold, much less speak about, the documents relating to the uranium cartel.

● (1610)

The regulation I have in my hand is still law. It is not law directly because of any act passed in this House; it is a regulation passed by order in council by the Trudeau Liberal government. In part, it reads:

> No person who has in his possession or under his control any note, document or other written or printed material in any way related to conversations, discussions or meetings that took place between January 1, 1972 and December 31, 1975 involving that person or any other person in relation to the exporting from Canada or marketing for use outside Canada of uranium or its derivatives or compounds shall
>
> (a) release any such note, document or material, or disclose or communicate—

And so on. They shall not, it continues:

> (b) fail to guard against or take reasonable care to prevent the unauthorized release of any such note, document or material or the disclosure or communication of the contents thereof.

Anybody who broke that regulation could end up in jail for five years.

Mr. Neil: Just like Nazi Germany.

Mr. Stevens: Where are our rights? Here we have an emperor saying that he wants to give the people of Canada a new charter of rights, yet he was instrumental in taking fundamental rights away from every Canadian citizen.

Mr. McKnight: Not once, but twice.

Mr. Stevens: Speaking of cartels, I have another illustration of how absolutely inconsistent this government can be. We know the tremendous disclosure made only a few days ago concerning what the government claimed to be a massive rigging of prices within the petroleum industry. I do not know whether those who have been active in the petroleum industry have been unfair in their pricing or whether they have fixed prices but, that is why we have a combines investigation branch. What I do know is that we have certain rights in this land granted by common law. We have a certain court system which, up until now, guaranteed people reasonable protection against unfair allegations and charges.

When we read Clause 11 of this so-called charter of rights proposal and then take a look at what this very same government did with respect to certain members of the petroleum industry, we will see how totally inconsistent the government is in its position. Let me refresh members' minds about what clause 11 says. It reads:

> Anyone charged with an offence has the right
>
> (a) to be informed promptly of the specific offence;
>
> (b) to be tried within a reasonable time;
>
> (c) to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal;
>
> (e) not to be found guilty on account of any act or omission that at the time of the act or omission did not constitute an offence;

I put those points on the record because hon. members should think about what this government did with respect to the petroleum industry.

As we know, that industry has been under continuing review since 1973, a period of eight years. I ask hon. members this question: Is it trying a person within a reasonable time to have something pending since 1973? But, most important, the government came to the conclusion that whatever came out of the investigation there was insufficient evidence to charge anybody. Therefore, in open defiance of Clause 11, which the government now proposes for our new charter of rights, the government took the alternative course of saying: "We are going to open up the information, make it public and drag the whole matter through a new public inquiry over another two years."

I am sorry that the Minister of Energy, Mines and Resources (Mr. Lalonde) has left the House. Surely even he would agree that what is alleged is grossly unfair. For example, it is stated that the director of investigation estimated there were excess costs totalling some $12 billion in 1980 currency involved in overcharges. He said that had these funds otherwise been invested in the years when the unwarranted charges occurred, there would not have been the present loss of more than $89 billion. Do hon. members know where the investigation branch got that trash from? If we read the seven volumes of so-called evidence, we see that the investigators went through various dealings and found instances of where a spot price was below a price at which foreign crude was purchased. They asked why the crude was not purchased at the spot price, totally ignoring the fact that is not how the market works. They took that figure, which in the aggregate is less than $4 billion, and multiplied it by their created inflation factor to bring it up to 1980 dollars. That is where the first $12 billion came from. They said that if the original $4 billion, which can be challenged, had been suitably invested it would now be worth $89 billion. I do not know what they mean by "suitably invested"; I am sure their investment counsel would have done very well by them.

Talking of rights, how would any member of this House feel on picking up a parking ticket if he were told by the local municipality he would not be fined but that there would be an inquiry as to what happened? In this inquiry, the policeman would tell his story. If the member wanted to tell his story, fine; but the matter would never be brought before a judge where he could say whether or not the member was guilty. Yet that is exactly what this government is doing.

The government is proceeding this way because it is part of the nationalization of the oil industry scheme. It is all part of the socialization under way in Canada today. It is all part of a government working to rally the public mood against the petroleum industry in the earnest desire of eventually nationalizing—

Mr. Neil: As ordered by the NDP.

Mr. Stevens: Let us make one thing clear. My party and I have nothing but good to say about getting more Canadian content into the oil and gas industry in Canada. That does not mean that Canadianization has to be nationalization.

Some hon. Members: Hear, hear!

Mr. Stevens: It does not mean that what has been built up as a common law right—that is, the right to be dealt with fairly and if a person has broken the law, to be suitably charged, to be taken to court to let the judge and jury decide his guilt—is to be set aside either.

I suggest, Mr. Speaker, that when we consider this resolution before us we bear in mind it is being put forth by a very untrustworthy, insincere government indeed. The government's proposed constitutional reform package contains some forty new or changed rights, freedoms or limitations of our freedom. Once it has been debated in this Parliament, it may be referred to Westminster for what the Prime Minister hopes will be a rubber-stamp approval. I also suggest that this would be against the wishes of most provincial government and, according to the polls, even against the wishes of the majority of Canadians.

• (1620)

On this important issue there will be one voice only in Canada. Our Prime Minister, however, has no qualms about his determination to amend unilaterally the Constitution. In fact, once the proposed constitutional package is put into effect, the Prime Minister will have succeeded in strengthening the ability of the federal government to act in a similar arbitrary fashion.

Clause 46 of the resolution before us proposes that our Constitution be amendable by holding a referendum to determine the views of Canadian citizens. Such a referendum will be held at the discretion of the federal government, which will also establish the rules and procedures and set the question. It does not take much imagination to envision the ways in which this vote can be manipulated.

In that connection, Mr. Speaker, I have given you two examples of how this goverment chooses to manipulate. They are mind-benders *par excellence.* That is the one thing they understand.

The recent referendum vote in Quebec gives an adequate indication of how this whole question of process in referenda

can be treated on all sides. Moreover, the federal government will be able, if this resolution should go through and be confirmed, to use its immense presence and budget to launch a massive advertising campaign in order to stir up emotions and influence the ultimate outcome of the referendum.

In that connection, I think we are perhaps aware that the estimates now before us contemplate this government spending almost $70 million in federal government advertising in the coming year alone. That makes them by a long shot the number one advertiser in Canada. The runner-up spends $25 million. The federal government is number one by far when it comes to spending advertising dollars.

What are they doing? They are basically spending that money to tell the Canadian public what a good job they think they are doing. When it comes to federal advertising, we in Canada are number one. The United States federal government is number 30 in that country as far as advertising is concerned.

When you bear that in mind, Mr. Speaker, and see how this government likes to manipulate through such things as massive advertising, can Canadians be at ease if we permit the government to bring in this referendum formula which my colleague is proposing be deleted from this resolution?

The important point is that the Prime Minister is proposing an amending formula which will allow the federal government to bypass the provincial legislatures and instead ask the Canadian public to make a decision in the heat of the moment. Giving the federal government such a unilateral privilege in the Constitution threatens the very basis upon which our very federation is founded. The ultimate result will be that Ottawa will always have the final voice in deciding constitutional change.

By now it should be clear to Canadians that there is a considerable difference between the Progressive Conservative and the Liberal approach to constitutional reform. Our party is in favour of bringing the Constitution home with a built-in amending formula that is suitable to the provinces. We are anxious that the Constitution be quickly patriated so that any further or more substantive changes can be made here in Canada by Canadians. Above all, we are concerned that amendments to the Constitution should not be imposed unilaterally by the federal government but should reflect a broad consensus of the Canadian population.

The Grits, on the other hand, would like to have entrenched in the Constitution a charter of rights before patriation takes place and before an amending formula has been decided on. They have persisted in this ambition even though the majority of Canadians are opposed.

In effect, the Prime Minister hopes to take advantage of the present ties still binding us to Westminster in order to bypass the will of the Canadian people. The Prime Minister wants Westminster to make our laws for us. This is extremely ironic in view of his continuing regret over Canada's lack of independence, as he puts it.

Let me read some statements made by the Prime Minister in Quebec City in 1976 before the annual meeting of the Liberal Party. At that time the great emperor said, and I quote:

—basically, what we want to do is take away from England, from the United Kingdom, we want to take away from this foreign country, friendly country, the right to make laws for Canadians; it shouldn't be very difficult to agree on that.

He went on to say:

For a hundred years now we haven't been able to agree to tell the British: please stop making laws for us. All the other Commonwealth countries have done so, all of them. In 1931, when the Statute of Westminster was adopted in England, it said exactly this. It said: from now on the British empire has ceased to exist in . . . the five dominions of the Commonwealth, we will not make laws for them . . . You are adults now, you can make your own laws yourselves. The Canadians said: No, no, we aren't able to do it.

That is the emperor speaking, our present Prime Minister. A little further on he stated:

Let's agree to patriate that Constitution, let's do it without discussing the division of powers, we can always fight afterwards, we don't need the Queen as arbitrator, nor Harold Wilson as arbitrator; if we don't agree, we don't agree, we won't agree; if we agree, we'll agree; we won't need the Pope either, for that matter; we can do that among ourselves.

Talk about a flip-flop! That is what he said in 1976 in Quebec City when he thought it served his purpose. I suggest those statements of the Prime Minister reflect a totally inconsistent position to what we are now asked to pass in this House. He is presently saying, "Your Majesty and Mrs. Thatcher, we would like to have our Constitution brought home, but for me, please make certain legislative changes because, frankly, I do not think I will be able to get the provinces to agree to them, and I cannot trust my subjects to understand what I want passed". Clearly the Prime Minister does not object to behaving in a colonial fashion when it suits his own interests.

Some have dwelt on the actual provisions of the British North America Act and the provisions of the Statute of Westminster. I will not read them into the record again, but clearly it was contemplated at the time the Statute of Westminster was passed that we should virtually be cut off from England at that point. However, for purely technical reasons the Canadian government asked that this power of amendment remain with Westminster. That is what is now being taken advantage of at the present time.

I could touch on the question of rights and what jurists have said as to enshrining of rights, whether it is good or bad. There are arguments on both sides. Frankly, I believe that every time you start codifying, you run the risk of limiting people's rights. I believe that is being overlooked by most people, who say without question that they accept the emperor's charter of rights proposal.

I suggest that if hon. members want to be specific, it is very interesting to look at some of the clauses we have to deal with in the resolution. Clause 12, for example, in one sense looks very innocent. It reads:

Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

There is no qualification. Not even Parliament can override this privilege which is found in our present bill of rights. As

hon. members know, the American constitution has a similar clause. The result has been endless litigation in their courts on the question whether it is legal for a state to maintain capital punishment on its statute books or pass a new statute. If Clause 12 becomes entrenched, we may face the same dilemma in Canada. However, our dilemma is going to be much more complicated than that of the United States, as capital punishment is a national and not a provincial matter.

• (1630)

The Prime Minister knows that any attempt to restore capital punishment through a vote in the House, then ratified by the Senate, would be challenged as being contrary to the Constitution, if he has his way and this resolution becomes part of the Canadian Constitution. Notwithstanding the Prime Minister's attitude toward Britain, he now proposes that Westminster should pass a measure which would make Canada an abolitionist state virtually for all time. Mr. Speaker, that worries me. Now, granted I voted in favour of capital punishment and I think I voted the way that perhaps 70 per cent or 80 per cent of Canadians would have had they had the privilege, as I did, to vote on that question. However, as we know, through manipulation this Prime Minister bound his cabinet to support his abolitionist move, he whipped his caucus into line and in a trumped-up, so-called free vote forced us into an abolitionist state. And now, by a constitutional resolution, he is trying to write it into law so that future Parliaments cannot change what this emperor deemed to be in the best interests of Canada.

An hon. Member: Your leader voted for abolition.

Mr. Stevens: Mr. Speaker, I notice these flapping penguins over here who call themselves Grits.

An hon. Member: Sheep.

Mr. Stevens: And sheep. I know something about sheep, although most are more useful. Clearly, Mr. Speaker, you can always judge in this House when you have hit a point. The question is: Will they have the gumption to stand up when a vote is called in this House and, if they believe that this country should not necessarily be an abolitionist state for all time, demonstrate that belief by voting against the government when this resolution is considered?

There are other changes, though. The proposed charter provides that everyone has the right to life. The effect of Clause 7 will be to strengthen the hand of the pro-abortionist faction. Let me explain. To date the Canadian courts have determined that the words "person" and "human being" do not include the unborn child, with the result that a child must be born before it can assert rights. The proposed charter reaffirms this interpretation by not explicitly providing for the right to life of the unborn child. Because of this omission, the right to an abortion will be virtually entrenched in our Constitution.

Good arguments can be made for or against an entrenched charter of rights. The point is that Canadians should be given more of an opportunity to examine these arguments. Let us face this question of abortion, call it the way it is. We now have a Prime Minister who is going to try to control his caucus, first to put us under closure, ram this resolution through and virtually entrench the right to an abortion in our Constitution.

Now, Mr. Speaker, having said that, bear in mind that this is the same person who, as minister of justice, amended the Criminal Code that ushered in the predicament we are now in with respect to abortions. When are we Canadians going to stand up and say we have had enough? How many tens of thousands of abortions should be performed before not only members on the Liberal side vote according to their conscience, but the Canadian public get aroused about one of the most brutal things that could occur in any country?

Some hon. Members: Hear, hear!

Mr. Stevens: Touching on the question of property rights, all of us here are aware that the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) proposed in committee an amendment to the charter providing for the right to the enjoyment of property. Let me review the odd sequence of events that occurred. We find that the Acting Minister of Justice said in committee that if such an amendment was put forward by the Progressive Conservative Party, it would be accepted by the government. The following day, the hon. member for Shefford (Mr. Lapierre), speaking on behalf of the government members of the committee, said:

I think that Mr. Beatty has clearly demonstrated that property rights should be included in the new Constitution. Since I am the same man I was yesterday, the same man who made a commitment to his colleague opposite, I am still willing to go along with their suggestion . . . property rights have intrinsic value in Canada and we are prepared to go ahead with this.

However, what we all overlooked was "Little Eddie". Little Eddie, the hon. member for Oshawa (Mr. Broadbent), happened to be down in Montreal and said he did not like that because he thought it meant in future they could not nationalize, they could not take over private property, and he was going to withdraw his support from Mr. Trudeau if he dared to persist on that amendment. And Mr. Trudeau, being the socialist that he is, quickly agreed.

Some hon. Members: Order, order.

Mr. Collenette: Mr. Speaker, I would like to draw the attention of the House to something that happened yesterday when Madam Speaker was in her chair and I objected to language being used by one of the hon. member's colleagues. It concerns using the proper name of a member of this House. As you know, the Standing Orders require that we refer to members by their constituency or by their office, be they the Prime Minister or a minister. There is ample precedent both in Beauchesne's fourth edition and in Bourinot that such a reference by name cannot be done even indirectly. In other words, if the hon. member is quoting someone else and still using an unparliamentary expression—that is, referring to someone by their proper name—then this is not permitted. Yesterday Madam Speaker said, just before royal assent at six o'clock, as reported on page 8396 of *Hansard*:

The parliamentary secretary is right in saying that hon. members cannot do indirectly what is not allowed directly. That must mean that if there is a word which is unparliamentary, the hon. member cannot use it even if he is quoting from an article or from something else.

I would ask you, Mr. Speaker, in the future, to see that hon. members of the Conservative party obey the rules of this House, which are for the benefit of all members.

Mr. Nystrom: Mr. Speaker, when the hon. member calls the Prime Minister (Mr. Trudeau) a socialist, I object. I think it gives socialism a bad name to refer to someone who is a non-socialist as a socialist, particularly the Prime Minister. I would ask the hon. member to state the facts.

The Acting Speaker (Mr. Corbin): Order, please. The hon. Parliamentary Secretary to President of the Privy Council (Mr. Collenette) has raised a legitimate point of order. We have had previous occurrences of the naming of members. It is the practice under our rules to refer to hon. members by their constituencies, to ministers by the portfolio they occupy and to other hon. members by their title, as in the case of the Prime Minister (Mr. Trudeau). I would ask the hon. member to adhere to that wise parliamentary practice.

Mr. Stevens: As you know, Mr. Speaker, I originally referred to the hon. gentleman as "emperor". If that is a more acceptable term, then I have absolutely no objection.

I would like to emphasize that the present Parliament is not a consensus institution on constitutional questions. We certainly were not elected in the 1980 election to do what we are considering today. We were not elected to amend the Constitution of Canada; we were elected to work within the Constitution of Canada. This chamber was created by the British North America Act, and here we are studying a resolution that is opposed by eight of the ten provinces in Canada. We say that by sending this resolution to Westminster we can amend the very Constitution under which we are created.

● (1640)

I mentioned earlier that I was in Calgary yesterday. Naturally one runs into people in that area who have many frustrations. One gentleman I had never met before came to me and said, "Do you know what you are living with in Ottawa?" I said, "I have heard it called many things; what is the name you give it?" He said, "You are living with a parliamentary dictatorship." In my own riding citizens have often told me that we have an elected dictatorship down here. I think both these observations are correct. This House and the other place are dominated by a government formed from a majority Liberal caucus which, in turn, gets the majority of its members from Quebec.

It is a regrettable fact of Liberal life that Liberals were able to elect only two members west of Ontario. In terms of the popular vote not only did the Liberals not receive a majority vote in the last election nationally, but also provincially they did not carry by a majority one single province or territory other than the province of Quebec. Yet the Liberal caucus will have the final say in Canada on the constitutional reforms being debated at the present time.

There is an even more fundamental issue at stake here, and that is whether it should be possible for any federal government to alter radically the nature of confederation by winning a simple majority in Parliament. In my opinion, it is totally inconceivable that Parliament, which was created by the British North America Act, should now set about to alter substantially that act without the support of the provinces of Canada. Surely our Constitution should take precedence over all other legislation and should be more difficult to amend than ordinary laws.

We have heard of the great objections raised by many of the premiers, but in concluding I would simply like to put two contrasting statements on the record because I think this point is often overlooked. In an address to the Empire Club in 1966, Premier Lougheed, who was then the leader of the opposition in Alberta, made the following comment:

We need in Canada a halt to the growing regionalism in this country—a return to a strong central government... We need an awareness by the provinces of their responsibilities to support the central government—an attitude which has been effectively stated by the prime minister of Ontario.

Speaking to exactly the same club subsequently—this was just recently—the premier said, and I quote:

I am not overstating the case to say that if the federal government's budget next fall brings in the natural gas export tax it will be considered like a declaration of war by Ottawa against western Canada and will be so resisted.

What has gone wrong in this country that premiers, who at one time spoke so favourably, should resort to using words such as "war"? Clearly it is the Trudeau Liberal government which has brought that about.

Some hon. Members: Order.

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): I will recognize the hon. member for Algoma (Mr. Foster), but I should say that the occupants of the chair have to be consistent. I noted that the previous occupant of the chair warned the hon. member for York-Peel (Mr. Stevens) that the use of a personal name is not acceptable.

Mr. Maurice Foster (Algoma): Mr. Speaker, I am very pleased to have the opportunity to speak this afternoon on the resolution concerning the patriation of Canada's Constitution. This debate will be very significant in our history. I understand over 170 speeches on this resolution have been made by hon. members.

The importance of patriation will be seen in the future in how we view ourselves as an independent nation, how we see ourselves as one nation and one people and not just ten feuding provinces. Equally important will be the formal mechanism which will exist between the federal and provincial governments for further modernizing and adjusting our Constitution to meet the changing circumstances and times of the last two decades of this century.

Although we have failed as a nation many times over the past 54 years to reach agreement on the substance and the method of constitutional patriation, it is essential that we succeed this time if we are to become a truly independent country. The lack of success in patriating the Constitution with an amending formula has been not only a symbolic shortcoming in our nationhood but also a continuing, divisive force used by people who wish to divide our country and promote regionalism.

I have been a member of this chamber for nearly 13 years, and during that time this issue has come forward repeatedly over the years in the House of Commons, in the Senate and in the provincial legislatures across the country. The matter has been studied more than any other issue by federal-provincial conferences, royal commissions, task forces and Senate, House of Commons and legislature committees. Never in the history of our country has that activity been greater than in the last year. The federal and provincial ministers of justice and intergovernmental affairs ministers worked at a fever pitch all last summer on a list of a dozen items of constitutional concern. Everything from a preamble to an amending formula, fisheries, communications and family law was on their agenda.

The Prime Minister of Canada (Mr. Trudeau) and the premiers tackled the subject last September in a televised conference, but to no avail. The agreement which has alluded prime ministers and premiers since 1927 was not to be found.

This resolution does not change the balance of powers between federal and provincial governments except to give greater powers to the provincial governments in the field of resources. Any other changes as to powers between the two levels of government will have to await further negotiations between the two levels of government after patriation. This is really a first step in the constitutional renewal which is needed.

The resolution before us today is a modest one compared with the long list of proposals facing the Prime Minister and the premiers last September at their conference here in Ottawa. It seeks to do four main things. It seeks to patriate the Constitution with an amending procedure, to entrench a charter of rights and freedoms, to entrench provisions respecting equalization and to grant new powers to the provinces in the field of resources.

I have been impressed by the tremendous amount of work done by the special Senate and House of Commons committee. There were hundreds of hours of work and long hearings over a three-month period. The committee heard over 300 witnesses and 100 groups from all over Canada. This has resulted in improvements to the resolution and especially to the charter of rights as it affects the equality of Canadians.

Gandhi once said: "Man becomes great directly in proportion to the extent to which he dedicates himself to the well-being of his fellow men". The Members of Parliament and senators on the special committee have dedicated themselves wholeheartedly for the past three months and done a great job for all Canadians in ensuring that we have the strongest Charter of Rights and Freedoms in existence today.

Some will say that the Constitution is not a burning issue on the main streets of Canada today. What is exciting politicians, premiers and constitutional experts is not the hottest topic in the local barbershops and coffee shops across our country. However, I believe that the principles of the resolution to be directed to Her Majesty are very important to Canadians, and they tell us so in our quiet conversations with them. They say: Yes, we should have our own Constitution in Canada like all other independent nations of the world; yes, we should have the ability to amend our own Constitution here in Canada without reference to the British parliament; yes, we should have the principle of equalization of opportunity entrenched in our Constitution, ensuring that geography will not condemn people to vastly inferior government services because they were born in parts of Canada less developed than other, richer parts; yes, our native people should have their treaty rights entrenched in the Constitution; yes, we should have a Canadian charter of rights and freedoms entrenched in our Constitution.

• (1650)

I say that if the people of Canada want these basic rights and freedoms entrenched in our Constitution, now is the moment in history to grasp the opportunity that is before us today. Otherwise we may wait many, many decades until another opportunity occurs.

A year ago we went through the trauma of the Quebec referendum on independence. A commitment was made at that time by most of the first ministers of the country that we would get on with constitutional reform if the people of Quebec opted for Canada. They did, and therefore we must move now if we want to grasp the opportunity which exists. It is time we were totally independent of Great Britian, able to amend our Constitution in Canada. Then we will be able to work together at further modernization of our Constitution to make it meet the challenges of the 1980s and 1990s that are already upon us.

No section of the constitutional resolution finds more favour in my constituency than part III relating to equalization and regional disparity, because our area is at once a donor and a recipient in this concept. Northern Ontario is a have-not region in the have province of Ontario. However, I cannot recall any of my constituents complaining about the contribution Ontario has made over the years to the have not provinces in other regions of our country. Thus we see that the concept of equalization of opportunity between regions and the sharing by the rich with the poor is a tradition in Canada. Likewise Algoma, which is in a slow-growth area, has been eligible for greater support from the government to help equalize the opportunities in our communities. Entrenching the concept of equalization and regional disparity into our Constitution recognizes an attitude that finds favour with the vast majority of Canadians.

A few years ago I visited an outport on Fogo Island in Newfoundland with the regional development committee of this House. We met with the community leaders to discuss

their economic development problems. When we were about to leave, the clerk of the hamlet said to me: "You won't forget us when you're sharing out the money in Ottawa, will you?" Mr. Speaker, this amendment to our Constitution is designed to ensure that no region of our country is forgotten when Parliament is sharing out the resources of this nation.

The charter also provides that we will be guaranteed mobility rights, so we can move freely from province to province in our country and work in any province we choose. This would stop the practice which has been occurring in a number of provinces whereby workers from other areas are denied the opportunity to seek a job. Ontario has not blocked workers from other provinces from coming to work in the province, nor should it. Without the thousands of workers from Quebec and Atlantic Canada, the rich resources of our north would not have been developed. This clause guarantees open borders in the future for those seeking work.

Another important aspect of this resolution to people in my constituency is the proposal to entrench in the Constitution the aboriginal and treaty rights of the Indian people. This was lacking in the original resolution and was of concern to many of the chiefs of the Indian bands in the dozen reserves throughout my constituency. This entrenchment was surely a dramatic breakthrough for the special committee on the Constitution and represents a considerable step forward in the guaranteeing of those rights and treaties.

Some chiefs have indicated that they would like to see more details of their rights spelled out in the charter, but most agree that a good start has been made in enshrining aboriginal and treaty rights for the aboriginal peoples of Canada in the amendments adopted.

The charter of rights and freedoms would guarantee to Canadians for the first time in our Constitution fundamental rights, democratic rights and legal rights. It would be binding on all levels of government. At a time when there is more and more government by regulation, orders in council and ministerial orders, this will be an effective way to protect citizens from abuses of power.

The existence of these entrenched rights—which will mean that both federal and provincial governments and every minister who makes laws and regulations that affect people's lives will have to conform to the charter of rights—will ensure that these laws or regulations cannot be struck down by a court. It recognizes for the first time in our Constitution the multicultural nature of our country and ensures that the charter is interpreted in a manner to preserve and enhance this heritage, a heritage which applies to almost one third of our population and is cherished by us all.

The charter will guarantee minority language education rights for our two official languages where numbers warrant the establishment of schools for minority language groups. This recognizes the agreement of the provincial premiers, in St. Andrews in 1977 and in Montreal in 1978, to provide such a right. Under the charter, citizens will be guaranteed equality before and under the law, regardless of race, nationality or ethnic origin, colour, religion, sex, age or mental or physical disability.

The inclusion of equal rights for the disabled is a tribute to the work of the Constitution committee and the special committee on the handicapped which studied this problem during the past year. A society can be judged by the manner in which it treats its disadvantaged members. The inclusion of the disabled in our charter of rights is a just and bold step to right the injustices of the past toward these citizens of our country.

Most of the people of this land want these rights put in our Constitution; they want the Constitution brought home to Canada in a way that will provide these rights for all of the citizens of Canada. They do not want the checkerboard approach of the Conservative Party where provinces could opt into the provisions of the charter at will; where native people would have aboriginal rights in one province but not in another; where the handicapped would be guaranteed equality in one province but not in another; where freedom to seek a job would be guaranteed in one area of the country but not in another.

This country is too fragmented already, Mr. Speaker. The Tory concept of patriating the Constitution would exacerbate and increase this trend towards fragmentation. We do not want a checkerboard of rights and freedoms across this great land. We want one Constitution that applies in every province from sea to sea.

We also want to see an end to the stalemate on an amending formula and a procedure to end the stalemate. The Conservative Party's proposals would guarantee constitutional stalemate for probably another 54 years. We must seize this opportunity to move forward and patriate our Constitution with an amending procedure and a charter of rights.

One of the arguments used against the constitutional resolution is that the amendments are not being made in Canada. This must be one of the weakest arguments I have ever heard. Because that is exactly what we have been doing for almost six months now—preparing amendments to the Constitution of Canada, here in the Parliament of Canada, in the special committee, and in the discussions and negotiations between the federal and provincial governments across the country. The people have been able to watch the committee hearings on television and the debates in the House. Thousands of them have communicated with their Members of Parliament and the government.

We will be asking the British parliament to pass the resolution from the Parliament of Canada, just as they have passed every other constitutional amendment put before them for the last 114 years. Only this time it will be for the last time. This resolution, when passed here, will be supported by a majority of the members of the Senate and House of Commons of the Parliament of Canada.

Lord Acton once said:

Our political ideals are never realized, but the pursuit of them determines history.

The resolution before us today represents a tremendous amount of work and effort on the part of many people over many years. It also represents an important step toward the realization of the ideals of many Canadians—our own Constitution in Canada at last, with an amending procedure and a charter of rights and freedoms. Surely we must move forward with this resolution now if we want to make this a better country. By doing this, we will be not only realizing the ideals of many Canadians but determining our own history.

Mr. Arnold Malone (Crowfoot): Mr. Speaker, the Minister of Energy, Mines and Resources (Mr. Lalonde) would like me to sit down before I say anything. This might be the only time I might oblige him since it is virtually five o'clock now, but I will have something to say later about how he tears at this country and gnaws away at it.

May I call it five o'clock, Mr. Speaker?

• (1700)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Edmonton North (Mr. Paproski)—Fitness and Amateur Sport—Termination of native sport and recreation program; the hon. member for Portage-Marquette (Mr. Mayer)—Transport—Appointment of grain transportation co-ordinator; the hon. member for Kindersley-Lloydminster (Mr. McKnight)—Energy—Forecast of reduction in cash flows of oil companies.

It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, notices of motions (papers), private bills, public bills.

Does the House agree to stand all items under the heading of notices of motions (papers)?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): There being no items on the Order Paper under the heading of private bills, the House will proceed to the consideration of public bills.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

BANK OF CANADA ACT

AMENDMENT RESPECTING BRAILLE NUMBERING OF BANK NOTE DENOMINATIONS

Mr. Charles Mayer (Portage-Marquette) moved that Bill C-235, respecting legal tender (braille numbers), be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

He said: Mr. Speaker, it is a privilege for me to discuss Bill C-235 for a few minutes this afternoon during private members' hour. It is a very simple and straightforward bill. I think all of us have had opportunities at various times to see some of the sad situations and problems which arise when people who are either blind or visually handicapped handle paper money. The purpose of this bill is to make it easier for these people to handle paper money with certainty, so that they are not concerned about being gypped. I propose in the bill to print paper money with Braille numbers. This is something which was done in The Netherlands some ten years ago, although admittedly not with as much success as anticipated. I have had discussions with some of the people at the embassy of The Netherlands, and my understanding is that systems are now available, through advances in technology, which in fact would make Braille numbering more suitable, more reliable, and, therefore, more useful as far as the purposes of this bill are concerned.

I am not in any way hung up on the fact that Braille numbers are the only way of assisting the visually handicapped in using bank notes. There are other ways in which paper money could be marked so that it will not present a problem to people who are unfortunately either blind or visually handicapped. I believe in England paper money is printed in different sizes so that it can be easily identified.

Before referring to one of the recommendations in the report of the Special Committee on the Disabled and the Handicapped, I should like to compliment those who were members of that committee. I see two of them present in the House this afternoon, the hon. member for Saint-Michel (Mrs. Killens) and the hon. member for Kitchener (Mr. Lang). I think it is an excellent report. As well there were two very good people from my party who were part of that committee, the hon. member for Oxford (Mr. Halliday) and the hon. member for Brandon-Souris (Mr. Dinsdale).

I should like also to comment on the format of this report. It is one of the easiest reports I have seen since becoming a member of the House. Not only are the contents excellent, but I think the format in which the committee presented its report is excellent as well.

I should like to refer to recommendation No. 64 which is on page 71 of the report. The purpose of this recommendation is to produce paper currency identifiable by visually-impaired persons. Recommendation 64 reads:

Legal Tender for the Blind

That the federal government instruct the Bank of Canada to announce, before the end of 1981, its intention to begin production of paper currency identifiable by blind or visually-impaired persons.

Certainly this recommendation is in line with the intentions of my bill.

On two occasions in the past—once in Saskatoon and once in Winnipeg—I had the unfortunate experience of standing in line at an CNIB booth when I saw the person in charge of the booth being deliberately gypped out of money that changed hands as a result of a transaction. All of us would find such a situation completely deplorable and unacceptable. In fact, it is hard to understand why people would behave in such a fashion. The purpose of this bill is to eliminate that kind of situation.

We all know of some of the things blind people have to do with paper money in order to keep track of it and know the denomination of the bills. They fold paper money in different fashions; they fold a $1 bill in a different method than they would fold $2 or $5 bills. At best, that is a makeshift arrangement. I see no reason why we cannot do something along the lines of the recommendation of the special committee to prevent such a thing being necessary and enable blind people to carry out normal business transactions.

Also I was struck by the comments of Denise Beaudry, a young woman from Montreal, which appeared in the task force report. She said, in part:

Except for the fear that sighted people have in my presence, I would forget that I am blind.

That is a very interesting comment on the way those of us who are fortunate enough to have our sight behave toward the blind, especially when we consider that it was made by a woman who is actually blind.

As I said, I will certainly not speak very long on this bill. I have spoken to some members in the other parties and I think there is agreement that at least the subject matter of Bill C-235 should be referred to committee. If the government is not prepared to accept the bill as such, I hope it will see fit at least to refer the subject matter to the Standing Committee on Finance, Trade and Economic Affairs, so that it can have a fair hearing and we can call witnesses to find out whether it is possible and practical to print paper money with Braille numbers. If not, certainly we should be looking at printing paper money of different sizes according to the denomination of the bill. In other words, a $1 bill would be a slightly different size from a $2 bill or $5 bill, and so on.

In closing, I feel this bill deserves consideration. If the government is not prepared to accept Bill C-235 as such, I hope it will be in favour of accepting the subject matter and referring it to the appropriate committee, so that we can comply with the recommendation in the report of the Special Committee on the Disabled and the Handicapped by ensuring that action is taken on this very important matter by the end of 1981.

Some hon. Members: Hear, hear!

Mr. Jack Masters (Parliamentary Secretary to Minister of State (Mines)): Mr. Speaker, I think it is apparent that there is a good deal of sentiment, both in Parliament and in society in general, in favour of doing a great deal more than we are to overcome problems facing disabled persons. This is not just a passing sentiment related to this year's observance of the International Year of the Disabled; our awareness of the handicaps which society creates for the disabled has been growing for some years.

The House can be especially grateful for the work of the Special Committee on the Disabled and the Handicapped. Its hearings across the country and the report which it published on February 16 have done a great deal to increase public awareness and understanding of the needs of disabled persons and to suggest ways of improving their situation.

The question of paper currency and what might be done to help blind persons identify the various denominations is just one of the many issues which have been raised and must be faced. The bill before us proposes the use of Braille markings to differentiate between different values of bank notes. There are differing views as to whether Braille is the best identification method, but there will be general agreement that there is a problem for blind persons in dealing with our paper currency. Some blind people have adopted special ways of folding their paper money to permit quick identification when they pay bills. Whether or not they do this, they must still rely on sighted persons at some stage to sort out the currency for them.

I should like to say at the outset that this question has been and is under careful consideration by the Bank of Canada. Officials of the bank have been in consultation with the Canadian National Institute for the Blind and the Canadian Council of the Blind. They have also studied approaches to the problem which have been adopted in other countries.

• (1710)

The use of Braille on banknotes is not supported by either of the two organizations, the CNIB or the Canadian Council of the Blind, which is an association of blind persons. There are two main reasons given for this. First, the raised dots of Braille can become flattened and indistinct as a banknote becomes worn. Second, only a small portion of blind persons—perhaps 5 per cent or 6 per cent of the 33,500 blind persons who are registered with the CNIB—use Braille regularly.

There are, however, other approaches which can be considered. Those who are registered as blind have less than 10 per cent of their vision. But not all of these are totally blind; perhaps 80 per cent or more of them have what is termed "guiding vision". For example, many of them can read the numerals on bank notes if they are sufficiently large and in contrasting colours or shades of black and white.

Another approach which has been under consideration involves differing sizes of bank notes for the various denominations. This is the approach recommended a few years ago in a report called "Vision Canada", which was commissioned by the CNIB in co-operation with the Department of National

Health and Welfare. This is the approach which the CNIB has tended to favour.

The recent report by the Special Committee on the Disabled and the Handicapped urged that action be taken soon to make our currency more easily identifiable by blind or visionally impaired persons. Although that committee did not recommend any specific method, it did mention that other countries use different sizes of currency. There are quite a few countries outside North America which have currency of various sizes, depending on denomination. I suspect that this developed historically, for reasons other than to assist the blind. But it could be an obvious aid to a blind person provided there is a sufficient difference in size to make the different denominations readily distinguishable. That is the case in Britain, which has three main bank notes, the one, five and ten pound note, with marked differences in size. On the other hand, Canada has six main denominations ranging from one dollar to 50 dollars. I am not sure whether the six bank notes could be adequately differentiated in size without creating an oversize bill.

One other approach which has been adopted by a few countries is to use a system of tactile codes to identify the different bank notes. These involve raised dots, circles or other markings which are a good deal larger than the Braille dots. The codes are simple and easily learned. These codes are now in use on the bank notes of The Netherlands, Belgium, Switzerland and Israel, all countries which also have varying sizes of currency. Several other countries are considering adopting a similar approach.

I suggest that from the evidence available there are several approaches which should be considered in trying to meet the goal in this bill put forward by the hon. member for Portage-Marquette (Mr. Mayer). Since there are some concerns about the effectiveness of using Braille, as proposed in this bill, I suggest we should not give it second reading. However, I believe we should refer the subject matter to committee, and I understand the government is prepared to do just that.

I should also like to mention that the matter is under careful consideration by the Bank of Canada, and I feel confident that today's debate will help in reaching a decision on this very important question.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I should like to commend the hon. member for Portage-Marquette (Mr. Mayer) on the introduction of Bill C-235. In doing that, although I am a couple of elections late I would like to welcome him to this House. I do so on a personal basis. He represents a constituency in which I lived for a while, on a farm, about 55 years ago. He farms near the farm on which I lived. I am happy to welcome the hon. member to this House. As I said, I am two elections late, since he came here in 1979 and back again in 1980. In any case, I commend him on introducing this bill.

As we have just heard, there are problems to be faced in deciding in what way to make our paper money such that blind persons can distinguish the denominations, but at least the idea of doing something along this line is one that should be considered. I am pleased to learn that the government is prepared to have the subject matter of this bill referred to a committee. I think it is appropriate, in conjunction with our concern for handicapped persons, that we do something about this.

I am prepared to support wholeheartedly the amendment, which I assume will come a little later on, that the subject matter be referred to the committee.

I note from what has just been said that consideration has been given to various ideas. I have wondered whether there could not be added to the different suggestions we have had the printing of money on different grades or textures of paper. We who are sighted may not notice it, but if I may refer again to my past as an old printer, by feel we can tell the difference in paper, and blind people are so sensitive in terms of touch that they might do so as well. I am not moving any amendment, I am just adding one more suggestion. I think all of these ideas, the thought of Braille, or special larger dots, or of large printing for those whose blindness is not extreme or total, are all ideas to be considered.

I am glad that the hon. member has brought this bill forward. I am very pleased that the government will not talk it out, but that it will let the subject matter be referred to committee. I hope that that committee will come up with a solution and bring a measure back to the House, where we will be glad to support it.

Mr. Doug Neil (Moose Jaw): Mr. Speaker, I would like to make a few remarks in this debate. First, I would like to congratulate the hon. member for Portage-Marquette (Mr. Mayer) for having brought this bill forward.

I have a number of friends who are either blind or visually impaired, and I can appreciate the problems they face on a daily basis when dealing with currency. The member for Portage-Marquette has indicated problems that he has seen, for example, where a blind person, because of his inability to identify currency, was gypped out of money.

I do not know what the cost would be with respect to putting braille on currency or making a change to it. We in this country spend a great deal of money in a manner which I consider very foolish. We spend many millions of dollars on advertising. We have many programs which I think do not serve any real purpose.

I am encouraged by the hon. member opposite who says that the government will refer the subject matter of this bill to committee for consideration. I hope that in referring the subject matter to committee the study will take place very quickly.

We have been a country for over a hundred years. We have had currency for over a hundred years. It seems to me that at this point in time we should do our utmost to make certain that necessary changes are made in the currency to assist the blind and the visually impaired.

It gives me a great deal of pleasure to lend my support to this bill, I am happy that the government is not planning to talk it out but, in effect, will accept it in principle.

[*Translation*]

Mrs. Thérèse Killens (Saint-Michel): Mr. Speaker, I too want to commend the hon. member for Portage-Marquette (Mr. Mayer) on his initiative. In our report we asked that everything be done before December, 1981. Of course we are aware that implementing the recommendations of the Obstacle report will probably take ten years or so. Committee members are realistic enough to know that no one can expect those recommendations to be acted upon during the International Year of the Handicapped.

Very briefly I would like to say that we already have enough problems. The handicapped experience difficulties when seeking employment, looking for housing, travelling and trying to gain access to public buildings, so for them to be able to identify currency may be a minor point. In my opinion, however, it is not a minor consideration for the blind. We have to go beyond the suggestion made in Bill C-235. We should also be able to identify coins, not only paper currency. I am pleased to see that the government is prepared to refer the bill to committee because the proposal of the hon. member for Portage-Marquette can certainly be improved in several respects. Fair enough. It is a beginning and I am sure that all parties in the House are unanimous and I am glad of that. Of course several amendments will have to be made if we are to meet the real needs of the handicapped. I would go even further and say that the committee responsible for studying such a bill ought to ask the blind to appear as witnesses. We heard a great many witnesses, we gathered evidence and put it on record. We are barely broaching the subject because we want to satisfy the clientele. When the committee gets the bill it will simply have to call witnesses who will be able to help us make a decision so that in the future it will be easier for them to identify currency. I am very glad that the government has agreed to refer it to committee.

● (1720)

[*English*]

Mr. Peter Lang (Kitchener): Mr. Speaker, I would first like to congratulate the hon. member for Portage-Marquette (Mr. Mayer) for introducing this bill. I think we all know from hearing hon. members of all parties here that there is support for the bill in the House. I and other members of the special committee on the disabled travelled across Canada to hearings in all the provinces and the Northwest Territories as well. We are well aware that there is popular support for this kind of bill.

The blind really should not have to rely on sighted people in order to manage their financial affairs. This is almost a civil rights issue. This is why we made the recommendation in our report that currency be made accessible to blind people, and made accessible in such a way that blind people can distinguish different denominations of notes.

The second reason I want to see the problem resolved this year, in 1981, the Interntional Year of the Disabled, is that I want the public to be aware of the situation. If the currency is changed, it will have an impact on all Canadians. They will have an increased awareness of the problems not only of the blind but of all disabled persons.

It is really with great pleasure that I join other members of our party in the House in supporting the principle of this bill. I move, seconded by the hon. member for Saint-Michel (Mrs. Killens):

That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

"Bill C-235, an act respecting legal tender (Braille numbers),

be not now read a second time but that the order be discharged, the bill withdrawn and the subject matter thereof referred to the Standing Committee on Finance, Trade and Economic Affairs".

The Acting Speaker (Mr. Blaker): Is it the pleasure of the House to adopt the amendment?

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I raise a very small point of order. I do not like to be technical, but I believe that the hon. member for Saint-Michel (Mrs. Killens), having already spoken in the debate, is ineligible to be named as the seconder. It is too bad, as I think it is appropriate for her to do it; but either there should be unanimous consent, or someone else should do it.

Some hon. Members: Agreed, unanimous consent.

The Acting Speaker (Mr. Blaker): First, the Chair thanks the hon. member for drawing this error to the attention of the Chair and the House.

Second, the hon. member has proposed a manner in which the hon. member for Saint-Michel (Mrs. Killens) may be afforded the pleasure of seconding the amendment. The Chair will therefore determine from the House whether there is unanimous consent that the hon. member for Saint-Michel second the amendment.

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): Is it the pleasure of the House to adopt the amendment?

Some hon. Members: Agreed.

Amendment (Mr. Lang) agreed to.

The Acting Speaker (Mr. Blaker): Shall the motion, as amended, carry?

Some hon. Members: Carried.

Motion, as amended, agreed to.

The Acting Speaker (Mr. Blaker): Accordingly, the order is discharged, the bill withdrawn, and the subject matter referred to the Standing Committee on Finance, Trade and Economic Affairs.

Is it the disposition of the House to call it six o'clock or to seek further business?

Some hon. Members: Six o'clock.

The Acting Speaker (Mr. Blaker): By unanimous consent I call it six o'clock, and I do now leave the chair until eight o'clock this evening.

At 5.28 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the schedule consequential thereto.

Mr. Arnold Malone (Crowfoot): Mr. Speaker, I am pleased to have the opportunity to share some thoughts with you this evening, particularly as I am a Member of Parliament from one of the western provinces, the province of Alberta, which at this time in our history feels quite aggrieved by the actions of the federal government. It feels that way in two areas, first of all about the Constitution and then with respect to energy pricing. The anger flowing through my region is doubly felt to the extent that I doubt very much if the Liberal members of this House recognize the seriousness of what is happening among people in another part of the country.

I want you to know, Mr. Speaker, that while all political parties will conduct polls from time to time—and I know there have been polls conducted in western Canada to see whether there is a mood to trigger western separation, which have indicated such is not the view of western Canadians—I want you to know that this government has embarked upon a very dangerous course if it assumes that separation is the only thing it has to guard against.

These people, by and large, have already been separated for a long time from the style of government of the party opposite. They are separating from a group of people who will not allow two aspects of their aspirations to come to pass; that is, a sense of equality of treatment, and participation in the Canadian

family. That is clearly demonstrated by the clandestine way the Minister of Energy, Mines and Resources (Mr. Lalonde) has attempted to turn the rest of Canada against the province of Alberta. The truth of the matter is that not only would western Canada grow and develop to match its aspirations but, within central Canada in particular, there would be an enormous boom and growth of opportunity, jobs and increasing wealth. It is that atmosphere, in which the Liberal government has marinated the minds of Canadians in the poison of their own thoughts, and in which we are now debating the Constitution of Canada—a Constitution that by the written word gives the opportunity to the federal government to hold a referendum to resolve what it might see as an impasse in future deliberations.

At this time we are talking about an amendment to strike from the proposed Constitution a clause respecting the referendum.

Before I go on to that I want to make two things clear. The first is that this party, the New Democratic Party to my left—I might say to my far left—the Liberal Party and the majority of Canadians, all want the Constitution of Canada brought home to Canada. That is not the problem. It is also fair to say that this proposed Constitution is a far better Constitution than that which was proposed on October 2. While the Liberals will chastise us for the time we have taken in debate, Canadians should be proud of that achievement having a far better Constitution than that which was proposed on October 2; by the admission of the Liberals as well as the NDP and this party.

• (2010)

I will single out tonight about five or six fundamental reasons why this Constitution should not go forward. It is dangerous and, irrespective of polls at this moment, it still has the potential literally to tear our country apart and the potential through the clandestine policies of this government to destroy this most blessed and fortunate people in all the world with an inheritance to the greatest nation on earth. For its own purposes it wants to ram a Constitution through, regardless of the fact that the major opposition party is opposed to it, or that there is some dissent within the New Democratic Party. Even one government member is opposed to this procedure. There is some dissent in Liberal ranks in the other place.

According to a recent pool, 64 per cent of Canadians are also opposed. Eight provinces say the method is not right. Six of them believe that to the extent they are taking the matter to court. Yet against that milieu and background, the government is running off with the Constitution of Canada as if it were its own. I ask on what basis can the government do this. Can it do it on the basis of a majority government elected in February, 1980, although it was never once mentioned during the campaign that that was the issue at hand?

We had an 18-cent election. We had an election on the basis of what the price of gasoline would be. We know what happened. People voted for cheaper gasoline and they got nine

increases. But the people never voted for anything respecting a Constitution.

If this Constitution goes through, if this majority government can give us a new Constitution, what is going to be the position of any future majority government? It may presume it has the power to change the Constitution willy-nilly, irrespective of the will of Canadians. This is a dangerous precedent.

I do not believe there is any mandate whatever to give these people representing Canadians in every region of Canada, the majority of whom by a recent poll, are opposed to what the government is doing, any right to do what they are doing. We, as members of Parliament are here for the purpose of representing them.

Let me take a look at some of the specifics of what I believe is wrong with this legislation. First, there is the unilateral nature of what is taking place, and the single-handedness of the federal government in changing the Constitution in a federal system which has both provinces and federal governments. In this case there are eleven governments, all with equal power although differently and separately defined. One of the eleven players is saying the Constitution is his and he will change it. I could accept that if the changes being made were only those changes which affected the federal government, but they are not. This government is making changes which change the powers of the provinces. I simply do not believe the government has the legality to go ahead and change the Constitution. This is analogous to one player making changes devising a whole new game and forcing all other players to play. The federal system itself is therefore destroyed. This government destroys by absorbing power, and then takes the position that it is the dominant power and the provinces are subservient. As soon as the government takes that position we no longer have a federal system. We are now moving on a track toward a unitary system, something with which I cannot agree.

To be clear, I want hon. members to know that I have no objection to the principles of unitary governments. If they work in Belgium, Holland or England, that is understandable because of the geography and the size of those lands. However, Canada stretches from Victoria B.C. to St. John's, Newfoundland, and is populated by a ribbon of people scarcely more than 100 miles from the United States border. We have a central government which separates east and west by the Canadian Shield. This gives the people of central Canada a geographical opportunity to travel south to Vermont to ski, to New York to ship or to Florida for the sun. In western Canada people go to "lost wages", Nevada, to lose their money or off to Hawaii for the sun. For the most part Canadians do not travel east and west.

A unitary government will not work. The style of government which will result from this Constitution, will lead us in future years to central power in Ottawa being dominant over the rest of the country. People at the grass roots level will have neither an association nor an affiliation with the central system because they will have more trust in their provincial government, if for no other reason than proximity, or that they cross paths with their MLAs more frequently than with their Members of Parliament.

I go now to another aspect, that of the amending formula. The amending formula is one which defies the aspirations of the lesser populated provinces. It puts provinces, such as New Brunswick, Prince Edward Island, Saskatchewan, Nova Scotia, and others, into a secondary class to the provinces of Ontario and Quebec.

We cannot continue with peace and harmony within the federal system when two provinces have been granted in perpetuity the right of veto which enables them to out-vote and even outcast other provinces. That part of the amending formula is absolutely wrong. If there is no agreement on an amendment among the provinces and the federal government, the federal government then has the right to resort to a referendum. Some people might ask why that is so wrong. Why is it wrong that we could use what would appear to be a very democratic process in making a decision, the people's vote? It is wrong because the federal government will have all the control relating to that referendum. As it took place in Quebec, it will take place federally—

Mr. MacBain: Quebec lost on it.

Mr. Malone: —with the government having control on the timing, on the advertising and how the question is worded. If in the federal system there is to be a referendum situation, a procedure I do not like, then surely the mechanism for a referendum should be the provision that if seven provinces agree they could also trigger a referendum. But this government has said we will have a federal system in which only one player can trigger the referendum mechanism. That is not a federal system. We would no longer be like West Germany, Australia or other federal systems. We will have changed to where we have a dominant superpower with subordinate provinces.

I suggest that changes Canada in an unacceptable way. People in this country will not tolerate, nor will they accept dominance. There are players in Canada who want to be good members of the family. They want to co-operate with all Canadians, but they are being bullied by a government which gets its popular vote from two provinces. It writes off the rest of Canada.

I disapprove of the manner in which this government is moving to patriate the Constitution. The nature of the request by the Canadian government is to give us colonial status. I have heard voices from the other side saying we are making the amendments here and just sending them to Britain for Westminster to ratify. The last stage of ratification is by Members of Parliament from another country, elected by other members outside Canada representing British citizens. These people sit in the British House of Commons, and vote on British legislation. They are the ones who would be casting the last decision on our Constitution. It is this Canadian government which has asked Great Britain to make the decisions for Canada.

● (2020)

The Canadian government has asked that we accept colonial status. That is unacceptable and wrong. All it had to do was ask Great Britain to return the British North America Act with or without an amending formula, then Canadians and Canadian councils and chambers such as this one could have made the decisions affecting Canadians.

The leaked document of September 8 last indicated the motives behind the government's desire to have Great Britain handle this. The advisers to the Prime Minister (Mr. Trudeau) warned that if he did not get his wishes through Great Britain, Westminster and the British parliament and only got the British North America Act, if he tried to implement those changes here and the provinces did not like them, they could challenge them through the court system all the way to the Supreme Court of Canada. The courts might rule that the act is unacceptable in the context of our present situation. Therefore, the Prime Minister's advisers told him to try to get the British to pass what he wanted passed because the Canadian courts have no jurisdiction over British law.

Those on the other side choose to hide behind the skirts of England, and Canadians should be aware of their reasons. They want to avoid a test in court, and they know that our courts have no control over British law.

Colonial status is utterly demeaning to Canada and her citizens. It belittles this government. Canadians should rise up with the greatest strength and ask this government to ask only for the return of our Constitution. The rest of the work can be done in the Parliament of Canada by those who are elected here.

I want to talk about another reason the Constitution should not come home in its present form. It deals with the charter of rights. I suppose at first blush what I will say next will sound to many new Canadians and young Canadians as a statement that is wrong. I do not believe in charters of rights because they follow upon the Napoleonic code. He enumerated all the rights of the people. He told them they had the right to freedom along with some others.

That makes the presumption that all power is vested in government and the government has the privilege of saying what is right. That is not the Canadian way. We follow the British model. In the early history of that country the people had no power whatsoever. The king was almighty; he had all power. The people were not even called citizens, they were called subjects.

That lasted until King John wanted to build a new castle. In order to do that he had to tax the people more. They revolted, took away the power from the king, and made him sign the Magna Carta which gave all the power to the people. In that Magna Carta the people said they would have a Parliament and a House of Commons so that common people could sit there and represent the people. For almost 725 years all the power has been vested in the people of that land. They changed all of the laws.

Mr. Kelly: Wasn't that a charter of rights?

Mr. Malone: Yes it was a charter of rights, but it said the people have all the power whereas this charter of rights takes that away and gives it to government and delineates—

Some hon. Members: Oh, oh!

Mr. Malone: The Minister of Energy, Mines and Resources is laughing. He does that because he is nervous. He did not have the courage to put into the charter the right to ownership of property. He followed exactly what they have in the communist countries and the military dictatorships of Africa.

An hon. Member: He has no guts.

Mr. Malone: I heard that last heckle. I defy anyone to say I have no guts.

If we were to lock a random group of Canadian citizens into a room and give them copies of constitutions from around the world, it would not surprise me one bit if they chose as their favourite constitution that of the Soviet Union. It is a guarantee of an extended set of rights that is unparalleled by any other nation in the world. The Cuban constitution is similar as are those of most of the military dictatorships of Africa and Latin America.

The principle in every one of those dictatorships is the fact that property rights are not included in their bills of rights. That is extremely fundamental. It means that communist countries can give you all the rights they want because they know if you own nothing, nothing else matters. What use is freedom of assembly when the government owns every place you can assemble? I quote from page 114 of the communist manifesto:

> In this sense, the theory of the communists may be summed up in the single sentence: Abolition of private property.

Some members opposite say we need a charter of rights because of the horrible thing that was done to our Japanese brothers and sisters on the west coast during World War II. They give other examples of why they think we need a charter of rights. However, in every example they give the changes have already been made. The people of this country made them through their House of Commons.

Had we had a charter of rights in 1867, we may not today even be considering women as persons, or as being able to vote or sit in this chamber. I would ask why? It is because the courts of the land interpret charters, not politicians.

Mr. Orlikow: What about the United States?

Mr. Malone: The people of the United States do not want busing in their education system. They have it because their courts are powerful. Their elected representatives cannot change this because the courts made those decisions.

Canadians should know that when decisions are made in the courts, when there is a charter of rights, power is stripped from the people. Members of Parliament can say what they want, this will not be changed because the courts will have become all powerful. This institution will be less valuable in serving democracy.

The courts become more powerful as they adjudicate the rights of people, as shown by the United States which has a charter of rights. Little children are bused 30 or 35 miles in one direction while children of another race are moving in the other direction in order to achieve some racial equality in the schools. The people of those communities do not want nor do they see any purpose in having their young children travelling that distance on buses. They have complained and complained to their elected representatives, but it is the courts which make the decisions. This government is asking that Canada adopt such a system. I tell you, sir, it defies democracy.

● (2030)

For over 700 years, since the signing of the Magna Carta, all rights in our democratic system have been presumed. What this government is trying to do is pluck out certain rights and say: These will be yours. And the people will look at them and say: Gee, those are great; we have the right to assemble. They do not recognize that when you start to codify rights, when the government pretends it is all powerful and gives you rights, you only have the rights it extends, not those left off the list.

Going down this long list we ask: What about the handicapped; what about the right to a job; what about the question of presumed rights? Obviously they cannot be put in a charter of rights so the only way it can be handled is to give them back to the people and leave the concept of the charter of rights.

The other aspect we should bear in mind, sir, is that a charter of rights will hinder us in those areas where we want to be selective. I come from a province where, in the town of Fort McMurray, more native people are hired than would be the case if this was done on the order of application or by random choice. That is positive discrimination. In this city, Canada's capital, the federal government will hire more females in the upper echelons of the civil service than might otherwise be the case because they have a policy to do so. But, if we introduce a charter of rights, then that is discriminatory. So I say to you there is some inherent danger in not having a situation where you can move in a very positive and equitable way.

Moving then to the mobility clause of this charter, I can appreciate that we should be able to move freely across this country and be able to get a job in any part of Canada. By and large we do that now. There are places such as Newfoundland where, I believe as a western Canadian, there is some legitimate reason why that province should have a selective policy. Newfoundland generally has had a lower per capita income than other provinces in recent years. If oil is struck in Hibernia that province should not give just those people trained in the industry in the west or the head office cities of Toronto or Montreal, the first chance at those jobs. I believe that province has a legitimate purpose in saying: We will give our people preference in job hiring. I also think they have the right to promote this, because in a democratic system we trust this principle will not be abused. It takes place only in those provinces that by and large have been in a disadvantaged position over the years and are trying to catch up, whether it be in the economy, language or whatever.

I believe this country is at a crossroads. I see the people in Central Canada coming to different conclusions on major issues than do people in other regions. At one time I thought that was because they were somehow unique. I do not believe that now. The reason we come to different conclusions is that we are fed different information in different parts of Canada. There is a great misunderstanding today concerning energy because what the people in western Canada think about energy and their role in Canada is quite different from what they are hearing in central Canada.

I note that the city of Toronto is the headquarters for CTV and CBC news, for CHUM Radio, which owns stations all across Canada, *Maclean's* magazine and others, and it literally has become the information dissemination centre for all of Canada. There are those in the national media who believe that somehow the central perspective is gospel, but the regional carriers of information living in a different milieu, or environment, are recording information different to that fed to the central regions of the country. What we end up with is a country which has national news made in Toronto but with very little regional news coming back. We then have this great myth that somewhere in western Canada there are greedy people, and that is dead wrong.

That is why the Minister of Energy, Mines and Resources can develop a policy which fits into this Constitution. It fits in with the anger of the moment. He is unwilling to pay more than $17.75 for western sweet crude but will pay the Mexicans the world price for their oil in spite of the fact it is Maya crude, a heavy sludge oil for which we have not enough refinery capacity and which takes a barrel and a half to equal the amount of gasoline from a barrel of Alberta sweet crude. For that reason we can argue that a barrel of Mexican crude costs upwards of $60 to $70. In addition, Mexico, for whatever reason, says their oil cannot be passed through to any other country, but must be refined in Canada. It must be refined in a heavy oil refinery, so we ship it to the Saskatchewan refineries. Because of overloading there we have to ship Saskatchewan oil to the U.S. for refining and bring the fuel products back. When you put all these transportation costs together, knowledge of which central Canadians basically did not have, we are not paying something near world price, we are paying almost 50 per cent more. Yet at the same time, for some reason, some are trying to make the people of central Canada believe that western Canada is greedy.

I will tell you just the opposite. If this government did not have the attitude it does with respect to the development of the west, if it were not so afraid of western Canada's present success, and if it had allowed them to go ahead with the kind of pricing regime they were looking for, which is well below world prices, there would be two tar sands plants on stream today. Central Canadians should know that the 25-year lifespan of one tar sands plant will result in direct spending of $108 billion in the province of Ontario. That is made up, in part, sir, by the expenditure of $800 million for iron and steel development; $370 million for metal fabrication; $325 million for transportation equipment; $740 million for manufacturing

and processing; $370 million for financing; and $750 million for other trades and services. So multiply $108 billion over 25 years by eight or nine, and you come up with an amount pouring into this country and into this province of Ontario that is absolutely enormous.

● (2040)

Let us look at it in other ways. If we are not sending $4 billion to Mexico, Venezuela or the Middle East but keeping $8 billion in Canada, that money helps reduce our deficit. That money stays in Canada. It means we do not have to tax our people or borrow more money to pay interest. For every four tax dollars we collect, one is used to pay foreign debt. We could keep that money at home and build Canada. There are 110 million people in Japan. The only resources there are fish and tin, but what an economy they have! Germany is one of the leading nations of the world with respect to economic strength. When world oil prices started to go up in 1971 Germany adapted and charged world oil prices. Did that hurt the German automotive industry? It did not? Germany is one of the leaders in the auto industry today.

This government chose to intervene and "protect" our industries. What are we doing now? We are bailing out Chrysler Corporation because that corporation continued to make 14-foot long Chryslers. Then all of a sudden the shock came. The government would not allow sudden increases in fuel prices, but its protectionist policy worked against it. On the one hand this government will not allow jobs to be created in Ontario, and on the other hand it is killing and stifling the initiative of the industries which are already here. That policy is wrong.

We have a clandestine government causing deep anger. That anger runs deep in the citizens of my region. West-Fed meetings are being held all over western Canada. That makes me bitter and angry with those people opposite. They force me to go home to my constituency, a good part of this country, to face people who say: "What the heck, why do I have to stay with this any longer when this government will not hear about western aspirations?" West-Fed has now held about four or five meetings in my riding. I have received many letters. One writer wrote the following:

As a westerner I have adopted a "helpless and hopeless" attitude toward our federal government. I feel we really have no voice and no artillery to fight the Trudeau Machine, but that is no reason to give up the fight.

Another person wrote, and I quote:

Myself like thousands of others have joined West-Fed as a last hope.

The important words are "last hope". They have given up on the Government of Canada, and they have done that because of this government's energy pricing and Constitution policies, which will make my province a second-class province in this country. The letter goes on to say:

With Trudeau in the saddle the western provinces stand as much hope as a snowflake in hell.

An hon. Member: Watch your language.

The Constitution

Mr. Malone: Another person wrote to me and said the following:

I am deeply concerned with the way the constitutional issue is being handled by the federal government.

Then in a later paragraph he said:

For that reason and because of the way the west is being treated generally by the central Canada dominated federal government I am prepared to vote to separate if asked this question in a provincial referendum.

These letters document the fact that this government is callous, cruel, fails to understand and does not govern Canada.

I come from a province in which 21 Members of Parliament are elected. The Liberal Party which forms the federal government today holds only 21 seats from eight of the provinces and two territories. All the rest of the power of this government comes from Quebec and Ontario. Hon. members opposite do not represent Canada. There is room for my region in this country. It is a good member of the Canadian family, but when those bastards on the other side—

An hon. Member: Watch your language.

Mr. Cousineau: Mr. Speaker—

The Acting Speaker (Mr. Corbin): Order. The hon. member for Crowfoot (Mr. Malone) has definitely used unparliamentary language, and I ask him to withdraw those words.

Mr. MacBain: Be a gentleman for a change.

Mr. Malone: Mr. Speaker, I am willing to withdraw. I am not sure what I have done is wrong. I have made reference to these people and the way in which I believe they are bastardizing the nation, which I think is wrong. They are very much the cause of this nation being in the situation it is in. We have a phony government, and it is that phoniness to which I am referring.

The Acting Speaker (Mr. Corbin): I regret to inform the hon. member that the time allotted for his speech has elapsed. He can continue if he seeks the unanimous consent of the House.

Mr. MacBain: No bloody way. He is a separatist.

Mr. Mayer: Shape up, MacBain.

Mr. Girve Fretz (Erie): Mr. Speaker, I am pleased to be able to speak on this very important issue tonight because I was one of the Members of Parliament denied that right by the government's imposition of closure last winter.

Before I get to the issues I would like to praise the efforts of the special committee on the Constitution. That committee laboured long and mightily to improve the document put before it. Many members from all parties immersed themselves heart and soul and ate, lived and breathed this Constitution for a good long time.

I would like to single out for particular praise the hon. member for Provencher (Mr. Epp), whose contribution to this entire process cannot be overestimated. The chairman of the

committee, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal), impressed everyone with his fair-minded, even-handed treatment of what sometimes evolved into raucous debate. The commitment and the enthusiasm of the hon. member for Burnaby (Mr. Robinson) were inspirational to many.

There were differences of ideology, but the way the committee functioned and the suggested amendments that were accepted serve to show us as Members of Parliament how a committee can and should function.

For example, all parties moved amendments to the resolution. We did not get all we wanted, but some of our efforts were successful. The people of Canada were able to watch the daily proceedings of the committee and were able to learn and understand better how Parliament works.

The Progressive Conservatives moved an amendment of which I am proud. That is the amendment which deals with denominational schools. In my riding, as in other ridings across Canada, there exist a number of Christian schools. Many of these schools expressed the fear that they would no longer be able to function in the way to which they had long been accustomed. They were afraid that their special status would be denied them, but we intervened and their rights were specifically outlined and protected in the proposed charter.

The Progressive Conservatives were equally successful in ensuring that those who suffer from mental or physical disability were granted equal protection and equal benefit under the law without discrimination. This is a major step forward, and it echoes my party's commitment to the handicapped in this Year of the Handicapped.

However, despite our successes, there were battles we fought in vain. Sometimes alone, and sometimes in conjunction with their friends in the NDP, government members saw fit to defeat amendments which could have gone further in protecting the rights of individual Canadians. Our amendment respecting the right to own property was one of those with which we could see no problem. After all, there are more than 30 countries in the world which include the right to own property as one of their fundamental constitutional rights. The government in the person of the Solicitor General (Mr. Kaplan), who was pinch-hitting for the Minister of Justice (Mr. Chrétien), agreed with us. Who are we to doubt the word of a cabinet minister? We soon found the answer to that. In a move which perfectly illustrated the lack of good faith typified by this government, the Prime Minister (Mr. Trudeau), after consulting with the leader of the NDP (Mr. Broadbent), coldbloodedly withdrew the support of the government for our amendment.

There was no principle involved in his decision; it was political expediency, pure and simple. It was a case of "scratch my back, and I'll scratch yours". The Solicitor General was tossed unceremoniously to the wolves, repudiated by his own leader in a cynical, dispassionate attempt to purchase Mr. Blakeney's support. Alas for the Prime Minister, his ploy did not work. Alas for Canadians, for they now have not the right under this resolution to own property.

• (2050)

This is not a red herring. This right to own property should be the cornerstone, the fundamental linchpin of a renewed Constitution. Shelter is one of the basic needs of humankind. The urge to build a nest is deeply engrained in our psyche. Our language is full of references to the ancient need. "A man's home is his castle." We have all heard that, and we all know what it means. It means security, privacy and freedom to be one's own self, away from the judgmental eyes of strangers.

The purchase of a home is the single biggest purchase most people make. To buy one's home is a basic ambition and, as such, plays a large part in our economy. People work, strive and save to buy that little corner of earth they can call their own. And now this government says, "No, you do not have that right any more. We can take this away from you any time we deem it expedient."

I ask you, Mr. Speaker, is this the kind of motivation that will send people out to work and encourage them to put their hard earned money into property? That is not likely, for why should people take the risk when that property can be taken away from them at the government's whim?

Our economy, which is already suffering from a severe drop in construction, will certainly not pick up and start booming under these circumstance. Perhaps this decision by the government will mean that even more people in the construction industry will be out of work.

The urge to own one's home is one of the factors that brought the settlers to Canada in the first place. I know that my own forefathers, who came from Pennsylvania in the year 1800 and settled on the shores of Lake Erie in what was then the township of Bertie, acquired land from the Crown and farmed. They came here because they wanted to have freedom of religion, because they wanted to farm on their own land, and they found that freedom here.

The homesteaders came and they developed this country. Their desires and the good of the country coincided. Now, with this right denied, where will the country go? Who will want to put their sweat into it when the government can snatch it away? No, Mr. Speaker, this denial of our amendment does not bode well for Canada, for its future, or for the future of its people.

Recently five members of our task force studying North-South relations were on a trip to Asia. We visited the Philippines, Bangladesh and Singapore. As I was travelling through the countryside in the Philippines I learned that many people are denied ownership of proprety, either for political reasons, because of poverty, or perhaps both. In Bangladesh also, to own property is an almost sacred right. Half the people in that country do not own land. If all the land in that country were evenly distributed, it would mean only three quarters of an acre per person. You see, Mr. Speaker, ownership of property is precious, so let us not take it for granted.

I should like to read into my speech a news release from the Ontario Real Estate Association under the dateline of January 27. It reads:

The 25,000 member Ontario Real Estate Association is appalled that the government has apparently reneged on its agreement to include property rights as part of the charter of rights in the constitutional process.

Maurice W. Park, president of the association, said in a telegram to Prime Minister Trudeau and other MPs that property rights are "basic to the freedoms of Canadians and are intrinsic to the freedom and growth of Canada."

[*Translation*]

The Acting Speaker (Mr. Corbin): Order, please. The hon. member for Gatineau (Mr. Cousineau) on a point of order.

Mr. Cousineau: I must rise once again, Mr. Speaker, to point out to the hon. member that he should respect the traditions and customs of the House by not referring to a member or a minister by his name, but rather by his title.

The Acting Speaker (Mr. Corbin): I understand the point raised by the hon. member for Gatineau. However, I was also listening carefully to the hon. member for Erie (Mr. Fretz), and I heard that he was quoting from a text which referred to the right hon. Prime Minister (Mr. Trudeau). The hon. member for Gatineau on a point of order.

Mr. Cousineau: I would not want to question your ruling, Mr. Speaker, but I would like to make a comment on a ruling made by the Chair last evening. I do not have before me the page to which I am referring, but the opinion was expressed that members should not quote from texts that contain unparliamentary expressions.

The Acting Speaker (Mr. Corbin): Order, please! I find it improper for a member to appeal a ruling of the Chair. It has been clearly established that the hon. member for Erie was quoting a text mentioning the person in question, and I must point out that this reference was quite proper. Obviously, a member who quotes a text associates himself with it in a way, and as he is taking for himself the text quoted, he must respect the spirit and the letter of our rules as much as possible. Having said this, I believe that the ruling I made earlier is in accordance with the tradition of the House, and I think that we should allow the hon. member for Erie to continue.

[*English*]

Mr. Beatty: Hear, hear, Mr. Speaker, let the hon. member not waste our time any further.

Mr. Fretz: Mr. Speaker, apparently the hon. member cannot stand the truth. I should like to continue reading the news release as follows:

"Our society was built on the premise that ownership of private property is a freedom inherent in our society. Refusing those rights is, in effect, refusing part of our freedom."

He added: "Throughout the years, people have worked and saved with a view to eventually owning property. For in ownership of property lay the concept of being free, of being master of your own fate, of having a measure of control over your own destiny."

To deny that right as one of the basic rights of being a Canadian is to deny all that Canada has stood for in the past 114 years and to deny all that our forefathers strived for, Park said.

"We in the real estate industry deal closely with the public and with the land. We are the ones who bring buyer and seller together. We assist in the private ownership dream and we increasingly see the erosion of the right of property ownership in this land.

It is imperative, he added, "that those who are concerned with property rights and with the maintenance of a fair and just balance between private property rights and the public interest stand up and be heard. But the maintenance of the balance must include the entrenchment of property rights within the charter of rights."

The Ontario Real Estate Association is the largest provincial real estate association in Canada and represents 48 local real estate boards in cities and town across Ontario.

Our forefathers came to this country to seek land, to seek wealth, and to seek a new way of life. We know that first came the French, then the British who began to explore, to chart and then to govern this vast and unknown land. Across the conference table they combined their strengths, and an equal welcome was extended to all who came. Millions came from many parts of the world, people of varied racial origins. Now we possess this land in common under the Maple Leaf, the symbol of the great forests we have hewn together.

Historically, Canada's story has been a troubled one. It was put together following the colonial wars between Britain and France, which left us a legacy of distrust between the French and the English cultures and made nationhood even more difficult to attain.

We are now a nation of varying cultures and ethnic groups, British, French, German, Ukrainian, Scandinavian, Dutch, Chinese, Japanese, Italian, Dukhobor, Indian and Eskimo. All of these, while loyal to our country, have different backgrounds, cultures and ways of life.

As we read the records of the pre-confederation years, we come to realize that Canada became a nation because the confederating fathers had come to a point of mutual agreement where they were willing to set aside those things that divided them in favour of standing together on the basic areas of mutual concern and conviction.

• (2100)

For at least seven years before 1864, George Brown, the leader of the Liberals, and John A. Macdonald, the leader of the Conservatives, were not even on speaking terms with one another. Yet, in 1864 they came to an understanding which resulted in working together to bring about confederation. The confederating fathers agreed that the most important minority of all was the individual who, as a human being created in the image of God, should have those freedoms which in the past 100 years have been the basis of the Canadian way of life. They were utterly convinced that government had no right to assume it could grant or take away those freedoms. They dedicated themselves to the premise that it was the responsibility of government to protect and to perpetuate those freedoms which belonged by right to every individual and to every group of individuals, minorities or majorities. It was determined that Canada, in its destiny, must be a nation under God.

It was on October 16, 1864, that the decision was made to go ahead with the drafting of the constitution. Sir Leonard Tilley, reading his morning devotions, was impressed with the

eighth verse of the seventy-second psalm. He became convinced that if they were to succeed in their objective, Canada would have to become a nation under God. When he arrived at the conference session that morning, he convinced his fellow politicians that the motto of this new nation should be: "He shall have dominion from sea to sea". Therefore, inscribed in the east arch of the Peace Tower of the Parliament Buildings were these words: "He shall have dominion from sea to sea", and over the west arch were these words: "Where there is no vision the people perish". This government needs a vision of what this country can become. The work that they accomplished has not perished, but the question we can ask ourselves tonight is: Will it survive?

I want to speak to another amendment which the Liberals saw fit to deny, the amendment whereby the Tories attempted to have the preamble to the Bill of Rights, written by Mr. Diefenbaker, included in the charter of rights of this resolution presently under discussion. I remind hon. members opposite of the wording passed by Mr. Diefenbaker's government in 1960. The following sentiments and thoughts were applicable then and, as far as I am concerned, they still are:

> Affirming that (a) the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person, and the position of the family in a society of free individuals and free institutions, and
>
> (b) individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law.

For some inexplicable reason hon. members opposite saw fit to defeat this amendment. What could their reasons be? Is it because these words are the words of a man who was their political foe? No, I really cannot believe hon. members opposite are so petty. Is it because hon. members opposite are irreligous and deny God's existence? No, that cannot be either. Is it because they do not believe in the dignity and worth of the human person? No, for surely they are dignified and worthy persons opposite.

This is a mystery, but could there not be a simple explanation? Could it be that the Right Hon. Prime Minister has delusions of grandeur and does not wish to acknowledge that there is someone who is superior to him? After all, the charter of rights was his idea. He was the one who pushed and manipulated to have it included with the patriation of the Constitution. He is the one who forgot to tell Mrs. Thatcher that he would include it. He is the one who forgot to tell the premiers last September that he would do it. It was his idea, and he will not let us forget it. We might think that our rights come from God, but we all know they come from the Right Hon. Prime Minister!

The people of Canada know better. Even those who call God by another name know rights flow from something greater than a mere man. The government cannot dispense rights; rights are an intrinsic part of a human being.

We have heard of the phrase "the spirit of the law". What does it mean? It means more than the mere words, the dry legalities. It means the spirit in all people, all of us who recognize that there is someone or something greater than ourselves, that there is a higher authority than government. It is that greater power which awes, instructs and inspires man to be greater himself. This is what we want recognized, and the people of Canada know it. All members on all sides of the House have received letters, cards and telephone calls. Today I received another stack of letters, all indicating the same thing: "Do not leave God out of the Constitution—all rights and privileges flow from him; how can the government deny that?" The people do not understand; neither do I. It seems such a basic, fundamental premise that the people are mystified by the government's reluctance to include it.

The Prime Minister said he is willing to listen to suggestions so that he can get broader support for his resolution. I know a lot of his opposition out there in Canada would have been silenced had he accepted the Progressive Conservative amendment. I urge him most strongly to listen, not just for his own sake, for the sake of all people.

The proposed charter provides that "everyone has the right to life." The effect of this clause will be to strengthen the hand of the pro-abortionist faction. Let me explain. To date the Canadian courts have determined that the words "person" and "human being" do not include the unborn child, with the result that a child must be born before it can assert rights. The proposed charter reaffirms this interpretation by not explicitly providing for the right to life of the unborn child. Because of this omission, the right to an abortion will virtually be entrenched in our Constitution. Once the charter is in place, Canadians will be locked into rights and relationships permanently, far beyond what may be fully understood today.

In light of this, it is better the charter be amended specifically to deal with the rights of the unborn and the assertion of those rights prior to birth, rather than leave it to the courts only to find later that a constitutional amendment is required. Therefore, clause 7 might be amended to read as follows:

> Everyone, including the unborn, has the right to life, which life begins at conception and which right is assertable from conception. Everyone has the right to liberty and security of the person and the right not to be deprived thereof, except in accordance with the principles of fundamental justice.

It has been "noised about" that the Tories are against a charter of rights. This is not the truth. We are in favour of a charter of rights. In fact, the members of my party on the special committee worked hard to improve the charter originally suggested by the Minister of Justice. No, there are two reasons we have misgivings about the charter. Those reasons relate not to content, but to the method of imposing the charter on the provinces, and the fact that Parliament will no longer be the final arbiter in questions of human rights. That responsibility will be taken over by the Supreme Court.

Many things have been said about the charter and the concept of the charter. It is a noble and laudable goal. The sentiments and hopes expressed in the wording of the charter are ones which exemplify the Canadian attitude of fairness and justice. We will be the envy of many nations if the charter is realized.

But, will it be realized? Will its genesis, its form of coming into being, militate against its acceptance? In many cases the charter is seen to infringe upon provincial rights. The prov-

inces will be less than ecstatic about implementing changes in their legislation, when those changes are perceived to have been imposed unilaterally by the federal government, against the will of the provinces and without prior consultation.

• (2110)

The atmosphere has been poisoned by the actions of the Prime Minister. Surely, if the charter is something he so very strongly believes in, it deserves the very best chance to be embraced by both levels of government. That chance could only be offered by both levels, had they the opportunity to fully discuss the charter, to make suggestions as to its improvement, to do a little horse trading or to do a bit of compromising.

I have said that the concept of the charter is a noble one. Indeed, it is a dream that has long sought reality. But, will that reality sully the dream? Will the hard feelings which have been engendered work to make the reality less than the dream? Will it be seen, like so many other things about this government, that the rhetoric far exceeds what eventually comes into being?

Although I have not been a member for long, sometimes it seems to me that discouragement could be the key note of the Hill. That discouragement, if it is real, is based on the disillusionment which comes with this place. So many wonderful causes have been espoused here in this place. So many people work so very hard, and in too many cases disappointment is the only crop harvested. The Prime Minister seems to have had a dream, but by his very own actions he has endangered that dream.

It is true, with his numerical strength, he can force the charter on the provinces. But I am sure if he does he will find it to be a hollow victory. If he truly wants to triumph, if he does not want to add to the long litany of failures and shattered hopes, it is up to him to change his course. It is up to him to choose the middle ground of conciliation, consultation and compromise. Surely, for something as important as the charter of rights, the Prime Minister can bend. Surely, he can try to work together with the premiers to achieve his own dream.

I would like to indulge in an hypothesis. Suppose that the Prime Minister goes ahead with the charter and imposes it on the provinces. Suppose that the people and the premiers soon forget the method of the charter's imposition, although I do not believe that could be true. What will happen then? Even if this turns out to be like the flag debate—all smoke and no fire—Canada will still be left with a charter of rights that can only be interpreted by the Supreme Court. The Supreme Court of Canada is an appointed body—appointed by the Prime Minister. I fear that if we let the Supreme Court be the final arbiter, we will be erasing some of the traditional separation between the legislature and the courts. The separation was devised for a purpose, and it will be blurred if the charter goes through as proposed.

The question we must ask ourselves is this: Do we, as Canadians, really want the court to play a significant role in policy-making? This is what the court will be doing if we leave the final interpretation of the charter to it. This is how matters have evolved in the American system. But, in the United States, appointments to the supreme court must be ratified by the members of the Senate. This is a safeguard which was built into the American constitution so that power would not be concentrated too much in the hands of one person—the person making the appointments. We have no such safeguard in our constitutional proposal. I think that we must consider very carefully just what we may be doing to the future of Canada, if we do not change the way that appointments are made to our Supreme Court, should this constitutional proposal go through.

Some of us in this House have come to Canada to escape despotism in other lands; and others of us have travelled enough throughout the world to see the ravages that unbridled power can bring to bear on a nation. What guarantees are there in this resolution which can allow us to relax and say, It cannot happen here? It has happened in other nations which were complacent, where democracy was wrenched from the people. Other people have said, We trust those we put in power to use that power wisely. They have our best interests at heart. To their grief, other people have learned that sometimes their interests and the interest of their rulers do not always overlap. But the rulers have had so much power invested in them, unchecked power, that the rulers were able to have their way over the wishes of the nation.

I cannot read the future, Mr. Speaker; none of us can, but I firmly believe that we, as the parliamentarians of Canada, have a great responsibility to the people of Canada, and we should consider the future realistically. Human nature is human nature, and where human nature is concerned we know that absolute power corrupts absolutely. Let us not look down the years with our vision obscured by wishful thinking. We would be abdicating our responsibility to the people who voted for us if we did not take a cold, hard look at the possible consequences of our actions on the lives of future generations. It is always better to be safe than sorry. That is why I would feel a lot better about this whole process if we could only go at it more slowly, before we commit ourselves to a regrettable and irreversible course.

I have used some words in my speech today that I would like to repeat. They are compromise, conciliation, and consultation. These words, for me, sum up what Canada is all about. We are a large, diverse nation, with conflicting goals and needs. Yet for over 113 years, these conflicts have been allayed by compromise, conciliation and consultation. Why, after all this time, when this approach has been successful, has the Prime Minister decided to go the unilateral route, with all the bitterness and hostility it will cause? The Prime Minister is well aware of the benefits which can accrue when parties with differing viewpoints get together to discuss their differences.

If this were not the case, why has he just agreed to have regular trilateral talks with the United States and Mexico? If he can see the wisdom of talking with our neighbours, why can he not see the wisdom of talking with his own people—

Canadians? Engaging in such a dialogue would surely be worth while, for the stakes are so high, and the cost of failure too abysmal to contemplate.

When 64 per cent of the population feels that the process is wrong, then that is the time to reconsider. The majority of the people are in favour of repatriating the Constitution, but the manner in which the Prime Minister is doing it sticks in their craw. It is unfortunate that an artificial, arbitrary deadline means more to the Prime Minister than the cries of outrage from the people of Canada. There is serious danger here, not only to Canada, but to the office of the Prime Minister. He has so upset the people that anything which emanates from the federal government, or which appears to have his approval, is viewed with a jaundiced eye. I am afraid the Prime Minister will find his actions ultimately counterproductive. Canadians will balk at anything he says. This reflects badly not only on the Prime Minister himself, but on the whole institution of government.

When the institution is scorned, where does that lead us?—to anarchy? People can be moved to take power into their own hands, or can become so apathetic they no longer take the responsibility to ensure that government is honest and truly representational. The pitfalls are numerous, yet the Prime Minister does not seem to care, or even to notice.

One of the items which outrages Canadians the most about this proposal is the insistence of the government on a referendum option, available only to the federal government. It would allow that government to unilaterally change the Constitution without the consent of the provincial governments. This is supposed to be applied only if there is a deadlock. Guess who decides if there is a deadlock? You guessed it—the federal government. This way it not only owns the ball, but it will make the rules, as well. It seems unfair to me, and that is exactly how the provincial governments view it as well. But the Prime Minister has an answer to that one, too.

● (2120)

An hon. Member: How about Bill Davis?

Mr. Fretz: Provincial intransigence is his excuse. Do hon. members not know that we have not been able to bring back our Constitution in 52 years of trying? Do they not remember how we could not sleep at night fretting over our Constitution being in Britain and not safe here in Ottawa? Do they not remember how many elections have been fought over the Constitution? Why, we could hardly hold our head up in the world community, so great was our shame!

I would like to point out to the Prime Minister that the matter of the Constitution has come up exactly 48 times in federal-provincial conferences. Forty-eight times in 53 years is less than once a year. That hardly seems to me like one long, unfulfilling and fruitless search for accommodation. However, if, in the Prime Minister's words, this is a record of failure, we all should know that the Prime Minister was the one who presided over the last 13 meetings.

One of the biggest bones of contention in this whole discussion centres around the amending formula suggested by the government. This is the so-called Victoria formula which, like so much else suggested by this government, is wildly inappropriate to the Canada of today. My party believes that the Vancouver consensus is more in tune with what Canadians want and need. However, before I go into that, I would like to point out the failings in the Victoria formula.

For one thing, and this is the most important, it is inequitable, unjust and unfair. Different provinces under this formula are treated differently. Different classes of provinces are created, because some will have a permanent veto over constitutional change, regardless of population, and the Atlantic provinces will be treated in a different manner than the western provinces.

The House and Senate are already set up as bodies that discriminate on the basis of the majority. Are we going to allow the amending formula to be set up this way too? My understanding was that a democracy was set up to protect the rights of the minority against the tyranny of the majority. This amending formula provides no protection for the minority. The formula will not work because it does not take into account the inevitable changes in population growth and distribution. It is a rigid formula which has not taken into account the inevitable provincehood of the Yukon and the Northwest Territories.

Let us examine the details of the Victoria formula. It will require the consent of the province of Quebec, the consent of the province of Ontario, the consent of any two provinces in Atlantic Canada and the consent of two provinces in western Canada enjoying at least 50 per cent of the population in that region. Let us suppose, for a moment, that the proposed Constitution of the Government of Canada had been in place when Canadians were discussing medicare, or the Canada Pension Plan. Under the Victoria formula, both of those initiatives would have been defeated, for they were both rejected by Quebec. Canadians would have been denied the social benefits that have helped many live through the difficult economic times we have undergone for the last ten years.

The proposal my party puts forward is known as the Vancouver formula. This formula is one which found favour with the provinces, it was agreed to in principle, and a consensus could have been reached had the Prime Minister so desired. But he did not want it. The premiers all agreed, but the Prime Minister did not, so the proposal was thrown out. The Prime Minister is always talking about the curse of unanimity, yet here is an example of his actions under the unanimity rule, killing an idea that ten other people had reached agreement on.

The Vancouver formula has the prerequisites I outlined just a moment ago, for it recognizes the equality of the provinces, and does not promote divisiveness and envy. No province will retain a veto over constitutional changes under the Vancouver proposal. It is not inflexible or rigid, but it will provide significant safeguards for the rights and powers essential to the nature of the country, and especially the provinces. It is a simple formula, and its very simplicity makes it adaptable to

the demographic changes that are inevitable in Canada. It is not a formula frozen at a moment in time, but an always evolving and responsive attempt to react to the reality of Canada today, and Canada in the future.

Canada, as has been said before, is a nation of diversity. We should recognize and appreciate the qualities that this diversity brings to this great nation of ours. We are not all the same; we do not want to be all the same. Our regions should be acknowledged for what they contribute to the greater good. The sum is greater than the whole of the parts. It is my belief that the Vancouver consensus protects us with a foundation that we can build and grow on as we move into the twenty-first century.

In my final words, I would like to leave a thought with the Prime Minister. We on this side of the House know, as do the people of Canada, that by sheer weight of numbers he can force his proposal through the House. But I would like to remind the Prime Minister what Edmund Burke said so long ago. His words were wise then, and they still have application now:

The use of force is temporary. It may subdue for a moment; but it does not remove the necessity of subduing again; and a nation is not governed which is perpetually to be conquered.

Some hon. Members: Hear, hear!

Mr. Jack Shields (Athabasca): Mr. Speaker, I rise tonight with a great deal of apprehension because I realize the very serious nature of the topic to be discussed. I would first like to take the opportunity to thank our leader, the Right Hon. Leader of the Opposition (Mr. Clark) for his very clear analysis of the present resolution before this House. I would also like to thank the hon. member for Provencher (Mr. Epp) and all the other members of the Constitution committee who worked so hard, long and diligently on behalf of their colleagues, but, more importantly, on behalf of all Canadians.

I want to discuss the fact that in the history of mankind, the occasion of reasonable people sitting down to draft their Constitution has been an occasion of adventure and joy, cause for pride and excitement, particularly for those involved directly in the drafting. I therefore find it difficult to understand why the recreating or the redrafting of the Canadian Constitution has not been done in a fashion to create, from coast to coast and from the border to the North Pole, a sense of celebration and a spirit of renewal at the rebirth of our nation under a new Constitution.

If the approach had been different, I wonder whether, on the day a repatriated Constitution physically arrived in Canada, we would put it on a train with flags flying and send it across Canada in a symbolic act of our unity and the shared excitement that we are one Canada with one Constitution. Instead, there is a sense of impending doom. People have the feeling that the Prime Minister (Mr. Trudeau) and the present government have broken faith with the Canadian people. This feeling has developed to such a point it has created division, hard feelings and animosity. Even as I stand in my place in this House of Commons I feel it has created animosity between hon. members on all sides. I find it incomprehensible that the Prime Minister and the Liberal Party have adopted an approach which creates distress and apprehension about building something so fundamental to the Canadian way of life as the Constitution. This animosity has reached the point that the patriotism and love of Canada of some members of the House has been questioned by other members. I hear that from all sides of the House, and I find it incomprehensible that reasonable men and women could allow it to happen.

● (2130)

Ortega once said, "True patriotism is criticizing the land of our fathers and constructing the land of our children". I will buy that, Mr. Speaker. The greatest expression of true love is the desire to help. We want to help. We want to create a better country for our children. Indeed, we want to create a better world for our children. I do not think anyone in this House would deny that. But are we creating a better world for our children or will we leave them a legacy of divisiveness? Is there such a lack of foresight in this country that it will eventually foster internal turmoil to such a degree that it will turn government against government—we see that happening already—turn neighbour against neighbour—and we see that happening now—will turn region against region, and we see that happening now as well? Are we creating a climate where hatreds, biases and prejudices will be nurtured instead of discouraged?

It is my feeling that before a Canadian Constitution can be built we must assess the foundation upon which it will be placed. If the foundation crumbles, so will the Constitution. If, for example, we agree that Canada will be a socialist state, then certain objectives must be stated in the Constitution; if we believe we want to build a totalitarian state, then clearly certain objectives should be stated in the Constitution as well. But it is my firm belief Canadians from coast to coast want a Constitution that recognizes the freedom of the individual, rewards the initiative of the individual, looks after those who cannot look after themselves, and a Constitution that prizes freedom of the individual above all else. We must begin the process by evaluating the foundation upon which such a Constitution will rest. It is my firm belief that the people of Canada believe, above all else, in the freedom of the individual, the supremacy of God, the sanctity of the family and the dignity of the individual.

Some may ask, what is a Canadian? We often hear that there is no particular concrete thing that identifies a Canadian. I take serious exception to that; I just do not agree. If we ask people who come to our shores from other countries what a Canadian is, they will tell us that a Canadian is tolerant, is friendly, is polite, respects individual freedoms, believes in justice, is unhurried, is thoughtful but, above all, is fair and co-operative.

The historian, Edgar McInnis, in defining the Canadian spirit which seeks moderation and co-operation to enable Canada to surmount each successive crisis said that it is "this sound sense of the possible".

All these things I have enumerated manifest themselves daily. If we line up for a movie we will notice that Canadians stand patiently and are friendly in the line. We do not see Canadians barging in and trying to get to the front of the line. In other countries when there is a lineup for an event, people will try to break in and get to the front. There is a certain fairness that runs through the Canadian character. If hon. members will remember the last time they went into a grocery store or a drugstore and waited in a line-up to be served, and perhaps the clerk came forward and offered to take someone out of turn, the person addressed likely said that someone else was there before him. That is what makes the Canadian character; that is something fundamental that runs through it, the sense of fairness. Every night I give thanks to God for that sense of fairness in the Canadian mentality.

How has this developed? It is my contention it developed because of the many and varied ethnic groups who came to our shores and became Canadians while, at the same time, they retained their culture. We see evidence of it every day in various activities and languages. They became Canadian but maintained their heritage and their culture.

Had we moved into this constitutional debate in the true and typical Canadian manner, we would be celebrating the participation of all our people from coast to coast in the repatriation of our Constitution. We would be negotiating, compromising, working out solutions as reasonable men and women, because the ingrained fairness of the Canadian mentality would have prevailed.

Another example of the fairness and moderation of the Canadian mentality is seen daily in this House of Commons during question period when the cut and thrust of debate and the heckling goes on. But no member may rise in his place and use unparliamentary language. Even though one member may have written proof that another has lied, he may not call the other a liar or he will be named, because that is not parliamentary. I have great pride in being a Canadian because I see this fairness and tolerance demonstrated every day.

In the book "A Guide to the Peaceable Kingdom" Douglas Le Pan, poet and essayist, in an essay entitled "In Frock Coat and Moccasins" wrote:

> Nor is it very difficult to understand why a Canadian passport should be so popular. Part of the explanation is that with it one can travel easily almost anywhere. Another reason for the popularity of the little blue booklet stamped in gold is that one can speak English or French or Ukrainian or Polish or Chinese and still be a Canadian. One can, in fact, be almost anyone and still be a Canadian; and to be a Canadian is to have a passport to the whole world.

Some hon. Members: Hear, hear!

● (2140)

Mr. Shields: When I read that, I get a lump in my throat. I have great pride in that statement. We should be focusing on that. This diversity is an advantage Canada has that no other country in the world enjoys.

A Toronto writer, Arnold Edinborough, said some time ago, "Canada has never been a melting pot; more like a tossed salad."

With respect to the resolution before this House of Commons, can any thinking man truly say that the Victoria charter amending formula proposed is fair to all Canadians when it makes central Canada senior or first-class provinces? The residents of central Canada become senior or first-class citizens, but in the hinterland provinces in the west and in the east, they become second-class citizens. They are second-class provinces, so it follows they are second-class citizens. That is not the Canadian way. That is not the Canadian mentality. That is not the fairness, the moderation, the co-operation or the tolerance of Canadians. That is not the Canadian way of doing things. It is as simple as that. It is absolutely unfair.

In section 46 we find the referendum proposal. The federal government can trigger and control a referendum which will pit region against region and Canadian against Canadian. This is not for a moment in keeping with the tradition of fairness and moderation. Minorities always suffer as a result of a referendum. It is absolutely unfair.

In Sections 36 to 44 we find the interim amending formula. It gives us the illusion that the government is prepared to be flexible when it is actually building toward the referendum option. That is not in the Canadian tradition. That is not moderation nor co-operation. Where is the fairness in that?

The government refuses to include a preamble to the Constitution, covering the principles which form the bases on which Canadians have lived, have been born, under which immigrants have entered the country, have built their homes and have become Canadians. These principles acknowledge the supremacy of God in every religion. These principles acknowledge there is a supreme architect of the universe. These principles acknowledge the dignity and rights of the human being, the equality of the sexes, the very importance of the family unit and the fundamental right to own property.

I have a letter which I think is most apt. In part, this letter, written to me, reads:

> The individual who does not have the right to own property becomes, himself, the property of the state.

That is fundamental. It is not the Canadian way to exclude the right to own property. It is not the just way, nor can that be described as co-operation. I submit that if every Canadian were asked if they wanted those things I have mentioned included in the Constitution there would be a resounding yes from coast to coast. People want those principles recognized in any Constitution, not excluded.

I would now like to direct hon. members' attention to the resolution, including the charter of rights. I believe this resolution has been drafted in haste. I am positive there are members besides myself who have not made up their minds about the propriety of a charter of rights as a safeguard to human freedoms which are already upheld and protected in our existing common law, in our statutes, in our legal decisions, the current BNA Act, the Magna Carta and the Statutes of Westminster. It is not the Canadian way to force the entrenchment of a bill of rights until Canadians have had a chance for cautious deliberation. Canadians are just and reasonable people. Canadians must have a chance to reflect on the

significance to our whole way of life of an entrenched charter of rights. There are arguments equally valid on either side. I cannot go on the record in this House of Commons at this time stating which would be the best. There are equally valid arguments on both sides. Forcing this Constitution through so it will be approved by Great Britain is not fair to the Canadian tradition. It negates all of the qualities I have been talking about which make up that Canadian character.

Is this fetish to entrench the charter of rights by the present Prime Minister truly a recognition of a need in Canada? I cannot remember a great hue and cry from across this country that people feared for their rights and were being treated unjustly or that their rights were in danger. Is there an underlying motive which the Prime Minister has in insisting on entrenchment? I submit to this chamber that there is an underlying motive. The Prime Minister of Canada is attempting to entrench language equality in the Canadian Constitution in such a way that future generations of Canadians will never be able to alter.

On page 37 of *Hansard* for October 12, 1978, the Prime Minister, referring to the Constitution, is reported as saying:

> It is vital to me that it does give protection to the kind of linguistic equality that this government has put into the statutes.

In other words, over two and a half years ago, the Prime Minister stated his very clear objective that he was going to entrench forever the concept of a Canada with two official languages. At least the Official Languages Act can be amended. This ability to amend gave the Canadian people the flexibility to change as the demography of our country changes, as it grows and progresses. But more important, it allows our children and our children's children if the need arises to change it 100 or 200 years from now when members of this House are nothing but a bad memory. The Prime Minister's objective is to protect his official language concept for all time. It is not fair. It is not fair to the people of Quebec either. It is not the Canadian way.

At the constitutional conference in September, 1980, Quebec firmly opposed the entrenchment of language rights. In its paper we read that the "very act of entrenching rights in the Constitution would freeze them for future generations." I submit to members of this House of Commons that the flexibility which has been so necessary for Canada to develop to the strong proud nation it is today will be gone forever.

● (2150)

Quebec's Bill 101 was very controversial but I did not hear a great hue and cry in my province that Bill 101 would destroy Canada because it declared that the business language in Quebec would be French. Why was Quebec allowed to pass that bill? I suggest it is because of the Canadian character to recognize, moderate and co-operate with French-speaking Canadians in Quebec who are a very strong majority in that province. Therefore, they have the right to insist that within their borders the language for business and institutions will be French. There was some flare-up, a little here and there. Some people discussed it and it was reported in the papers. However, in the end the Canadian character, fairness and justice prevailed. Canadians from coast to coast recognized that those in Quebec must protect the French language or it will die, because they are surrounded throughout the North American continent by English-speaking people.

The people of British Columbia, Alberta, Saskatchewan, Manitoba and Newfoundland are being forced in exactly the same way. We are undermining the province of Quebec by forcing equality of the English language in that province just as we are causing an injustice to the people of British Columbia and in other non-French-speaking areas by forcing the French language on them.

We are attempting to force entrenchment of the English language on Quebec. It will destroy that province. The Quebec government recognizes that French is a regional language. Statistics Canada confirms that. There is a small minority of French-speaking people in provinces other than Quebec and New Brunswick; 1½ per cent of the population in British Columbia and one-half of one per cent in Newfoundland.

It would be far better to allow the French language to flourish within Quebec and allow Bill 101 to stand. At the same time, those who desire can speak English. We must recognize that English is the unifying language of this country from Newfoundland to British Columbia. That does not show disrespect for the French language or for the rights of French-speaking people in Canada.

It is not in the Canadian personality to force two official languages on Canadians. Every reference to the two equal languages causes disunity in this country. There are two versions of the Constitution in two official languages. The Prime Minister says they have equal authority. Imagine all the problems of trying to decipher and compare the two.

Canada will be the only country in the world with two separate Constitutions. I find that unbelievable. We will build two countries with two differing peoples. We are dividing this country as sure as I am standing here. We will have two separate identities for all time, and that is not the Canadian way. We will be entrenching hyphenated Canadianism, the French-speaking Canadian with his Constitution and the English-speaking Canadian with his. We will be building into the Constitution a sense of division that hearkens back to the original struggle. Language was not the thing that made us Canadian. We must heed the clarion call of John Diefenbaker and eradicate hyphenated Canadianism. I quote from volume one of John Diefenbaker's memoires:

> I have always considered the official policy of separating our country into various racial groups to be a curse on the realization of a united Canada. One Canada, one nation, my Canada, your Canada, cannot be a hyphenated Canada.

If we want confirmation of this fact from another world statesman, let us look at the words of President Harry Truman, as they appeared in *People* magazine on February 16 of this year. These words came from his private papers. He said:

> I've no more use for Polish-Americans, Irish-Americans, Swedish-Americans or any other sort of hyphenate than I have for Communist-Americans. They all have some other loyalty than the one they should have.

One of the lasting curses on the unity of this nation has been the terminology of the B and B Commission that gave us "anglophone" and "francophone". The two terms attempt to define what is a Canadian, and that is wrong. Those words should be stricken from the Canadian vocabulary.

Prior to patriation, I urge that we sit down with the provinces in a Canadian, moderate, co-operative, tolerant way, work out an amending formula and then bring the Constitution home. Then in a reasonable way we can amend our Constitution as the need arises and the people of Canada could express their opinions. I plead with hon. members not to accept the dictatorial proposal of the Prime Minister and the Liberal government.

In conclusion, I want to quote from an open letter to the Prime Minister on the constitutional debate from J. Borowski. I quote:

> It is one thing to disregard the wishes, opinions or suggestions of your political opposition, but it is quite another matter when you arrogantly ignore the honestly and sincerely held views of a majority of your fellow Canadians.

Thank you, Mr. Speaker.

Some hon. Members: Hear, hear!

Mr. Bill McKnight (Kindersley-Lloydminster): Mr. Speaker, it gives me great pleasure to rise in my place to take part in the debate on this resolution and the amendment proposed by the hon. member for Provencher (Mr. Epp). May I call it ten o'clock?

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

FITNESS AND AMATEUR SPORT—TERMINATION OF NATIVE SPORT AND RECREATION PROGRAM

Hon. Steven E. Paproski (Edmonton North): Mr. Speaker, may I take the opportunity to congratulate Premier Bill Davis on his delightful victory in today's Ontario provincial election.

Some hon. Members: Hear, hear!

Mr. Paproski: This may be a lesson for the Liberal government which does not take its role towards native people programs very seriously, and that is exactly what I am going to talk about today. I refer to a question on February 13, page 7215 of *Hansard*.

The whole issue of programs for our native peoples, in my opinion, is one which requires immediate and serious consideration. It is time to stop shunting them from one department to another with programs that attempt to solve problems only after they occur.

In this particular instance, the cancellation of the Indian sport and recreation program by the Department of Fitness and Amateur Sport, and the transfer of funds which were allocated for this program in the estimates to the Department of Indian Affairs and Northern Development, is a classic example of insensitivity and the lack of foresight on the part of this government in dealing with the people of this country. As I understand it, the money will now be used for health care programs. Whatever happened to the premise that "an ounce of prevention is better than a pound of cure"?

How long will it take the government to realize that sport and recreation programs are essential to the well-being of all Canadians, and this includes our native people? This government, which is willing at great expense to find out statistically how badly we as Canadians measure up in fitness tests, is not willing to fund the kind of programs which will improve this level of fitness. We might as well have had a royal commission, for all the good the results of the fitness tests will do us.

With the soaring costs of medical care, why can the government not see how much more logical it would be to fund programs which would improve the physical fitness of individuals, and thus reduce the need for medical care? This is not a new theory. The government has no need to check out the equation that fitness equals health. This has been done repeatedly by many qualified individuals and groups, and has been accepted by all.

The private sector is beginning to move in the direction of offering fitness programs for employees. The benefits of course are obvious; less absence from work, higher production levels and better working relations between individuals. These benefits, though not directly financial, are obvious enough to companies whose main purpose is to show profits at the end of their fiscal year. Although the Government of Canada is not geared toward this goal of financial gains, it is supposed to work for gains in the well-being of its citizens.

One of the major problems facing the native people today is the high incidence of arrests for various reasons. The majority of these stem from a lack of purpose or frustration in achieving goals. This leads to family problems, school drop-outs, alcoholism, drug addiction and a high rate of suicides. One of the major methods of combating these problems is the sport and recreation programs which have been set up in many of the native communities across the country. The Band leaders have realized that these programs are of the utmost importance in helping to occupy the time of native citizens, and in providing them with a sense of purpose, a forum for expression and a means of self-improvement.

The staging of athletic events by the various native communities is beneficial not only in the training of athletes, but also for all those in related fields. Managers, coaches and game officials are trained and developed. Sporting sites are constructed with facilities which remain at the host site for future use by the host community. The other aspects involve security preparations and maintenance, the feeding and hous-

ing of outside participants and the preparation and operation of first aid and sanitation facilities. All these aspects, along with the very important fund-raising activities, may take up to two years prior to the actual events.

From all the details given above, it is clearly evident that such a program of sport and recreation within the native communities has far-reaching and long-lasting benefits, the most important being the improved mental and physical health of the native population. How is it possible then that the government can cancel such a program without any prior consultation with the native organizations about the results of such a cancellation?

It is time for the Government of Canada to accept its responsibilities with respect to the native population on a mature and proper level. Their treatment as responsible citizens of this country is long overdue. They can no longer be considered as some distant and unwanted relatives to be pushed around from one department to another in the hope that the resulting confusion will erase the mismanagement and lack of commitment to Canada's first citizens.

● (2205)

I strongly urge the government to consider its decisions and to reinstate the very worth-while Indian sports and recreation program immediately. That program was devised and studied and would have been implemented had the Clark government still been in power.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the native sport and recreation program was initiated in 1972 for a five-year experimental period. The program was subsequently extended on a year to year basis, and in the current year a total of $1,092,000 has been shared among some thirty-three Inuit, status Indian, and non-status and Métis associations across the country. These contributions enabled the associations to employ recreation co-ordinators and to implement modest programs of sport, fitness, physical recreation and leadership development.

The decision to terminate the program was taken only after consideration of several alternatives in consultation with many of the recipient groups and other government departments. The Fitness and Amateur Sport is a relatively small organization without an extensive network of field offices, and the programs, taking place as they did in many locations, were difficult to monitor and evaluate. The Fitness and Amateur Sport's mandate is limited to support of programs of sport and physical recreation, leading to increased levels of sport excellence and fitness. However, many of the groups served saw as their first priority projects that were more in the area of cultural and community development. Fitness and Amateur Sport lacks expertise in dealing with the special and somewhat unique needs of native people and, as a result, many frustrations and administrative problems were encountered.

Despite these problems however, the program also met with a measure of success at the local level, and I have no doubt that in the absence of any alternative it will be missed.

An amount of money comparable to that provided this year has been placed in the social development envelope, and an exploration is currently taking place as to how it might best be administered so as to provide the most effective support for programs in the general field of health and an enhanced lifestyle for native people. Discussions are ensuing with other government departments in this regard.

Mr. Paproski: Are you going to give them the money?

TRANSPORT—APPOINTMENT OF GRAIN TRANSPORTATION CO-ORDINATOR

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, I rise this evening to amplify some of the concerns I raised in a question on March 9 with respect to the future of the grain transportation authority in Winnipeg.

As some of us know, the Grain Transportation Authority has served a very valuable function in terms of increasing Canada's ability to export grain. We all know that we have unlimited capacity—or at least very large capacity—to produce grain. Our problem in the past number of years has been to get the grain, once it is produced, to the export position. This is why the Grain Transportation Authority was originally envisaged and set up by the previous government.

I point out, as I did in my question, that it took roughly five months from the time the previous government was elected until the terms of reference for the Grain Transportation Authority were established. This involved some elaborate and long negotiations. I see that my colleague, the hon. member for Kindersley-Lloydminster (Mr. McKnight), is in the House this evening. He was part of a group of members which took part in a study to bring about the formation of the Grain Transportation Authority. He, along with other hon. members, is well aware of some of the concerns and problems which were encountered in establishing the Grain Transportation Authority. It took roughly five months to get the Grain Transportation Authority guidelines negotiated with the Canadian Wheat Board and other parties concerned with grain transportation in western Canada. Once the guidelines were established a co-ordinator was appointed. That co-ordinator was Dr. Hugh Horner. I think his record speaks well of the choice made with respect to the grain transportation co-ordinator. It is a well recognized and applauded fact that in the crop year just concluded we increased exports of grain out of Canada by some 20 per cent, largely due to the catalyst that the Grain Transportation Authority provided to all parties involved with grain transportation in western Canada. In fact, not only did this appointment have the support of most of the industry in western Canada, it also had the support of some of the people who now sit on the government benches. I should like to quote the Minister of State for Trade (Mr. Lumley) when he appeared before the committee on transport. He said:

● (2210)

As you know, we heartily endorsed the appointment of Dr. Horner by the Minister of Transport and, as a matter of fact, we on this side would like to

assist the minister in any way possible to give him back the kinds of legislative powers he thinks he needs to do the important job of moving grain in Canada.

Clearly the minister supported the concept of the Grain Transportation Authority.

The hon. member for La Prairie (Mr. Deniger), who is now a parliamentary secretary, also supported it. He said in the committee:

Among all the problems our grain exporters have had to face in Canada, there are the labour conflicts that have occurred either in the port of Montreal or in the port of Vancouver . . . In your job description—

Here he was speaking to Dr. Horner.

—I do not see where you are responsible or where you have authority in the case of labour disputes—

Clearly he also supported the concept of the Grain Transportation Authority, and clearly he was advocating that the authority be given some jurisdiction over labour disputes. So obviously we have had support for the concept of the Grain Transportation Authority from government members.

As I said in my question, the concern which I and many members have is that without a co-ordinator, effective performance in grain transportation is in jeopardy. We know we have limited amounts of facilities available to move grain. We hear criticisms continually from the government side that we in the opposition are speaking from both sides of our mouths. The government says that we in the opposition at one time advocate increases in government expenditures and at the same time show concern over rising deficits. Clearly this is not the case, and if the government were serious in some of the criticisms they level at the opposition it would appoint a grain transportation co-ordinator for the authority, because the job the authority did in the past crop year made very good use of the limited amount of transportation facilities we have in western Canada. This has helped to increase Canada's export of grain, thereby adding to our ability to earn foreign exchange, helping to maintain the value of our dollar, and generally assisting the whole economy of the country.

The Grain Transportation Authority is not an expensive operation, and the appointment of a co-ordinator is needed to see that it stays as functional and efficient as it has in the past.

Back in October, Dr. Horner resigned. At that time he recommended that his second in command, Doug Radke be appointed co-ordinator. The minister at that time said he intended to travel to Winnipeg within ten days to discuss with the grain industry whom he would appoint as a permanent replacement, and at that time he named Mr. Radke as interim co-ordinator. That is the situation today. What has happened in the interim five months—roughly the same time it took our government, of which I was proud to be a part, to set up the office of grain co-ordinator—is that this valuable tool in grain transportation in western Canada has been without a permanent co-ordinator.

It is no secret to those of us who are involved in grain transportation in western Canada that the morale of the officials of the authority has been low. Recently they lost one valuable member, namely, Bob Martinelli, and Jim Mantz has announced he will resign in June. The minister said in his answer he was looking for that pearl to replace Dr. Horner so he could get the job done. I hope the parliamentary secretary will tonight announce some kind of time-frame in which a co-ordinator will be appointed, because if they delay much longer—

Mr. Deputy Speaker: I regret to interrupt the hon. member, but the time allotted to him has expired.

• (2215)

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the Minister of Transport (Mr. Pepin) informed the House on numerous occasions of his support for the continuation of the grain transportation co-ordinator's office.

With respect to the appointment of a new co-ordinator, I do not have to inform my hon. friend about the minister's interest in finding a respected and capable individual to fulfil this important role. The record speaks for itself. On the very day of the previous co-ordinator's resignation, the minister met personally with ten prominent members of the grain trade and spoke with several more by telephone for the sole purpose of determining their views respecting the role of the co-ordinator's office, desirable attributes of a successor, and any names which they could suggest.

In the interim, while a successor is being sought, Mr. Doug Radke has been named as acting co-ordinator and, I might add, has done a very respectable job. This year's experience in exporting grain has not been without its problems; with a labour dispute at Revelstoke last fall and flooding in the Vancouver area around the beginning of this year. Notwithstanding these difficulties, the various parties have shown admirable co-operation in the movement of grain. Exports to date this year are some 4 per cent to 5 per cent above the level a year earlier, a year in which a record was set.

This situation has allowed the Canadian Wheat Board to assure producers that they will be able to deliver all the wheat and barley they wish by the end of the crop year. The acting co-ordinator, the trade and, in particular, the railways deserve a great deal of credit for this situation.

That is not to say problems do not occur. Certain areas of the prairies have experienced congested elevators resulting from the slowdown at Revelstoke last fall and the fact that deliveries to Thunder Bay have not yet geared up for the new shipping season.

More recently, ship arrivals have been slow resulting in a backlog of cars to be unloaded. Empty cars are at a premium back in the country. This situation highlights the importance of having all available railway cars allocated by a central body so these cars can be allocated to those grains most urgently needed to meet export commitments.

In summary, the system is working well at the moment. The acting co-ordinator is doing an effective job. This provides the luxury of a little extra time for the Minister of Transport to find the best individual available for this important job.

ENERGY—FORECAST OF REDUCTION IN CASH FLOWS OF OIL COMPANIES

Mr. Bill McKnight (Kindersley-Lloydminster): Mr. Speaker, I am taking part in the adjournment debate this evening because of a question I asked the Minister of Energy, Mines and Resources (Mr. Lalonde) on February 5, 1981. I asked the minister if he agreed with the statement of Petro-Canada's vice-president of finance and planning, Mr. Joel Bell, as it was presented to the National Energy Board. Mr. Bell stated that cash flows of the oil companies this year would be reduced by 25 per cent from that of last year as a result of the government's National Energy Program. The minister answered my question by saying he had not read the statement, but that he would and get back to me.

That was six weeks ago, and I still have not heard from the minister of energy. I am quite confident that if I had not asked my question during the adjournment debate this evening, I would not have received a reply from the Minister of Energy. I hope I receive an adequate response from his parliamentary secretary.

The question deserves a reply because the vice-president of finance and planning for PetroCan said something very different than what the government indicated with respect to the effects of its National Energy Program. Specifically I refer to the Minister of Finance (Mr. MacEachen) and the supplementary question I directed to him with respect to Mr. Bell's statement.

Petro-Canada indicated that cash flows will be reduced by 25 per cent in 1981. I should like to quote from the brief presented to the National Energy Board as follows:

> Cash flow available for reinvestment has been reduced by about 25 per cent in 1981 as a result of the fiscal measures contained in the National Energy Program.

● (2220)

Those were the words of Mr. Joel Bell of Petro-Canada.

The point to be made is that on January 22, the Minister of Finance said:

> —despite the National Energy Program the cash flow to the industry as a whole is very substantial. It is growing, and when we add the incentive payments, growth in the cash flow to the industry in 1980 and 1981 will be very substantial indeed.

The Minister of Finance went on further and said:

> —the cash flow of this industry in 1981, even without the incentive payments which are provided, will be 28 per cent higher than it was in 1979.

I repeat, "in 1979". Why the finance minister, this master of economics, chose to compare the percentages from two years ago—1979—is a secret that I await the answer to from the parliamentary secretary. On February 5, when I asked the minister a supplementary question, he said he stood by his statement. The government and Petro-Canada are saying two different things. Which statement is a reflection of government policy? How long does it take the Minister of Energy, Mines and Resources and the Minister of Finance to read the statement of Petro-Canada, made more than six weeks ago, before they can tell the country what is going on? Before they do read it, I would like to ask that the two ministers get their act together. I believe they are very confused. One thing is sure, the oil industry certainly is not confused. The cash flow is definitely declining. Petro-Canada admitted this when it purchased Petrofina. It asked the government to provide the $1.4 billion to purchase Petrofina. This was due to the government not having the money. Its cash flow had been reduced. The people of Canada were asked to purchase the equity in Petrofina, since there was no money under the government's National Energy Program.

There are other companies cutting back. Chevron announced a cutback of some $330 million in its exploration program. Mobil Oil is cutting back by $164 million—a reduction of 46 per cent. At least 60 per cent of United Canso's exploration budget will now be moved to the United States, even if Joel Bell of Petro-Canada does not underestimate the attractions of the U.S., where oil netbacks are three times what they are in Canada.

I invite both ministers to come to western Canada to see the drilling and service rigs heading south due to the lack of cash flow. These are miniature factories leaving Canada and taking jobs with them. Everyone but this government recognizes that the National Energy Program has not worked.

This is what the chairman and chief executive officer of the Royal Bank of Canada said about the National Energy Program:

> We'll see more jobs lost, the Canadian dollar fall still further, the price we pay for imports increase. The notion that foreign ownership is bad ownership, and that we can penalize it retroactively, as contained in the federal government's National Energy Program, is living dangerously. It is damaging Canada's reputation abroad, and is fomenting wasteful bickering at home, just when we should be pulling together. It must be changed.

The chairman and chief executive officer of the Royal Bank of Canada made that statement on January 8, 1981.

But, how does this government react? It reacts in the same way whenever its policies are criticized. It bullies and it accuses the people making those statements of being disloyal. Out west the Prime Minister (Mr. Trudeau) said that if the oil companies and the banks criticized him then he must be doing something right. This government confronts and bullies, but it still refuses to consult and co-operate. It must show some good will if we are to get this country moving again.

I ask the government to clear up this anomaly with respect to government statements on cash flow. I urge ministers, when they meet with the Alberta government next month, to walk in with good will and flexibility for the benefit of the entire country.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, since the National Energy Program was announced, some representatives of the petroleum industry have speculated as to what cash flows under the old regime would have been in 1981 and the years beyond. Then, without any apparent assessment of the benefits and incentives available under the National Energy Program, they simply concluded that the new regime would be less favourable to the petroleum industry.

As set out in "The National Energy Program", the revenues available to the industry in 1981 will clearly be greater than in 1980. The program shows a 7 per cent increase in 1981 in estimated revenues in petroleum production. Since the announcement of the program, companies have indicated considerable interest in the petroleum incentives program, which will result in an increase in incentive funds made available to industry over and above those foreseen last October.

It now appears likely that revenues available to the industry from oil and gas production, having regard to increased incentive payments, will be in the order of 15 per cent above 1980 revenues. It is expected there will be new entrants into the industry, greater Canadianization, and increased exploration and development on Canada Lands. In total, these factors will result in increased benefits flowing to the oil and gas industry.

● (2225)

Mr. Speaker, since reference was made by the hon. member for Kindersley-Lloydminster (Mr. McKnight) to the statement of Petro-Canada to the National Energy Board in January, I would like to put on record what Mr. Bell then stated:

In 1981 our cash flow before income taxes will be reduced by approximately 12 per cent compared to our pre-NEP forecast—the main contributor to this reduction is the PGRT both on conventional production and on our share of Syncrude production. In terms of cash available for reinvestment after taking account of income taxes payable and before taking account of Petroleum Incentive Payments we anticipate a reduction of $115 million or 25 per cent from $470 million to $355 million.

That is the reference to the 25 per cent reduction in cash flow as referred to in the hon. member's previous statement. However, I shall quote further from Mr. Bell:

After Petroleum Incentive Payments, Petro-Canada's cash available for reinvestment in 1981 will increase by $103 million, from $470 million to $573 million; this is 22 per cent higher than our pre-NEP forecast compared to the 25 per cent reduction in cash available for reinvestment before consideration of PIP. Over the five-year period 1981-85, cash flow available for reinvestment before PIPs would be 13 per cent lower than our pre-NEP forecast but after PIPs would be 53 per cent higher.

[*Translation*]

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 11 a.m.

Motion agreed to and the House adjourned at 10.27 p.m.

HOUSE OF COMMONS

Friday, March 20, 1981

The House met at 11 a.m.

• (1105)

ROUTINE PROCEEDINGS

[*English*]

DISABLED AND THE HANDICAPPED

EXEMPTION FROM PROVISIONS OF POST OFFICE CROWN CORPORATION LEGISLATION—MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, I rise on a matter of urgent and pressing necessity. If Bill C-42 is passed without amendment to its monopoly provisions, serious harm will be done to organizations which provide meaningful and remunerative employment for the mentally retarded who have contracted with private business to hand deliver billings, an example of such organization being N-Tec in my riding. Therefore I move, seconded by the hon. member for Lisgar (Mr. Murta):

That this House urge the government to provide an example and a symbol to all Canadians, in the Year of the Handicapped, by excluding groups such as N-Tec from the monopoly provisions of the bill, thereby allowing members of such groups to have a sense of worth and dignity too often denied them.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDUSTRY

RATIONALIZATION OF PRODUCTION OF RUBBER MANUFACTURES—MOTION UNDER S.O. 43

Mr. Bill Kempling (Burlington): Madam Speaker, under the provisions of Standing Order 43, I move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That the government proceed immediately with discussions that will allow the Canadian rubber industry to rationalize production with all possible speed, so that markets can be secured in an increasingly competitive industry and the experienced labour force will not be dispersed by plant closures which are sure to follow if rationalization of production is not achieved.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

BUSINESS OF THE HOUSE

POSTPONEMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, having regard to the government's plans to impose closure once again with respect to the constitutional debate presently before the House, and considering the fundamental importance of this debate to the future of our country, I move, seconded by the hon. member for Cariboo-Chilcotin (Mr. Greenaway):

That, in order to provide an opportunity not only for members of the House but for every Canadian to reflect soberly upon what has so far been said in the debate leading to changes in our Constitution and to free up time for the House to consider other important matters dealing with the economy, any further debate on the Constitution be postponed until such time as to allow the people of the province of Quebec to choose a new government, and to allow all Canadians to become sufficiently acquainted with all the facts connected to the proposal for constitutional reform before we arrive at a final decision.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ROYAL CANADIAN MOUNTED POLICE

ADDITIONAL COST OF SERVICE TO PROVINCES AND MUNICIPALITIES—MOTION UNDER S.O. 43

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I rise on a matter of urgent and pressing necessity pursuant to the provisions of Standing Order 43. In view of the fact that the Liberal government proposed a massive increase in the provincial and municipal shares of the costs of RCMP contracts, an increase unanimously opposed by the eight attorneys general of the provinces involved, and that this increase, of over 100 per cent in some cases, represents an additional tax burden of over $2 million next year for the taxpayers of Burnaby alone, with no improved accountability, I move, seconded by the hon. member for Regina East (Mr. de Jong):

• (1110)

That this House condemn these massive additional costs for RCMP contract services being imposed upon eight provinces and hundreds of municipalities throughout Canada, and calls upon the government to reconsider this decision or, at the very least, to provide for a phasing in period to help the hard-pressed taxpayers of Burnaby and elsewhere absorb this further federal raid on their pocketbooks.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

NATIONAL PENSIONS CONFERENCE

ASSURANCE SOUGHT RESPECTING QUEBEC PARTICIPATION—MOTION UNDER S.O. 43

Mr. Raymond Savard (Verdun-Saint Paul): Madam Speaker, pursuant to the provisions of Standing Order 43, I ask the unanimous consent of the House to move a motion on an urgent matter of pressing necessity, that is, the refusal of the Quebec Premier, Mr. René Lévesque, to attend the national pensions conference which is designed to improve the lot of senior citizens and future pensioners.

In view of his thoughtlessness and his indifference toward Quebec pensioners, I move, seconded by the hon. member for Montreal-Sainte-Marie (Mr. Malépart):

That steps be taken immediately in order to appeal to the better feelings of the PQ premier, so that senior citizens and pensioners in Quebec will not be penalized as a result of their government's absence from that conference.

Madam Speaker: The presentation of such a motion requires unanimous consent. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*English*]

NEW HORIZONS PROGRAM

FUNDING FOR TOWN OF MOUNT ROYAL, P.Q., COUNTRY CLUB—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I rise on a matter of pressing necessity. Whereas the town of Mount Royal, Quebec, is one of the most wealthy communities in Canada and which has a country club open only in the summer; and whereas the town of Mount Royal Country Club was given money under the federal government's New Horizons program, bearing in mind this government's policy of having members distribute cheques when ridings are represented by Liberals, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the Minister of National Health and Welfare make a public statement on her policy in allocating grants under the New Horizons program to the town of Mount Royal Country Club, including clarification on the monitoring and supervision standards by her department to ensure proper use of the taxpayers' money; and why Mr. Ed. Byrne, chairman of the New Horizons project for the Mount Royal Country Club, and Jeanne Davies, Montreal head of the New Horizons projects, both seem to be so very sensitive about having the federal government grant publicized.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Madam Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Mr. McKnight: Madam Speaker,—

Madam Speaker: The hon. Minister of National Health and Welfare.

Some hon. Members: No!

Mr. Hnatyshyn: The mover of the motion has the right to speak.

Madam Speaker: I want to ascertain if there is a first right for the mover of the motion. I saw the hon. minister first; but I want to see if there is a first right for the mover of the motion.

The hon. Minister of National Health and Welfare.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I should like to thank the Progressive Conservative opposition for giving us the opportunity to clarify an accusation I find very serious, which was published in the Montreal *Gazette* of March 18, a few days ago, and about which the hon. member for Central Nova (Mr. MacKay), I think, told the press he would put questions in this House, but unfortunately he did not do so. Obviously, I feel this is serious because it gives rise to innuendos which are prejudicial to the program and make taxpayers wonder whether it is worth while to grant moneys to New Horizons projects. Hon. members will recall that the New Horizons program was established in August, 1972, before myself and many other hon. members were elected to the House of Commons.

• (1115)

[*English*]

New Horizons is a program which has been in existence for 11 years, and is a universal program—

Madam Speaker: Order, please. It now being 11.15 a.m., I must interrupt the debate.

ORAL QUESTION PERIOD

[*English*]

BUSINESS OF THE HOUSE

MOTION RESPECTING CONSIDERATION AND PASSAGE OF CONSTITUTIONAL RESOLUTION

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, my question is directed to the government House leader, and it relates to the motion which he tabled last night in the House, which reminded all of us, when we saw it, of something out of the Book of the Month Club. The minister is no doubt aware that there were no House leaders' meetings for two weeks until yesterday at 9.30 in the morning. There was a House business question at 3.15 in the afternoon, and during the period of that question he gave no indication of his intentions with respect to that matter.

Does the minister not have some reservations about his behaviour in this matter, in asking us to believe that this motion was prepared some time between 3.30 or 3.15 and the time it was tabled at six o'clock? Does the minister really believe that he is advancing his credibility as government House leader, and that that is a credible way to deal with the House of Commons? If he does believe that, would he tell the House about it?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I fail to understand why my learned colleague opposite is so upset. At the press conference last night I explained to the media the procedure we would be suggesting to hon. members, and both my colleague and the hon. member for Winnipeg North Centre were there. I clearly indicated to the public that I did not want to break the secrecy of parliamentary leaders' meetings. They appeared to approve that assertion.

In the preamble to his question the hon. member is suggesting that I refer to the meeting we held yesterday morning. Since he affords me that opportunity, I will refresh his memory. Yesterday morning I asked the House leader of the Progressive Conservative Party whether he had any kind of counterproposal to make on how to put an end to the third reading debate on the Constitution. I told him that since last October, we have been making suggestions to enable as many members as possible to join the debate. We have made suggestions so that the debate would be as democratic as possible, but never did the Progressive Conservative Party agree to yield one eighth or one sixteenth of an inch on any question whatsoever. I told him that every time the Progressive Conservative Party had made a request we had gone along with it all the way. Twice they asked that the committee be given more time, so we granted them the time extensions they were seeking. They asked that the debates be televised, and we agreed. So far we have been as flexible as we could be, and I told him I did not know what more I could offer him, "Please make me any kind of counterproposal, I am quite prepared to negotiate anything." I was told no, they were not in a position to make any suggestion whatsoever. That is the kind of debate you will have, Madam Speaker, that is the kind of approach which clearly shows that they are engaged in a filibuster and that they intend to force us to put an end to the debate.

[*English*]

QUERY RESPECTING GOVERNMENT COMMITMENTS

Hon. Walter Baker (Nepean-Carleton): The minister knows full well that they had to be dragged, kicking and screaming, to an extension of the period of time for the House to consider the first motion. They had to be dragged, kicking and screaming, to television. They breached the undertaking given by the Prime Minister that all hon. members of this House would have a chance to speak, by closure in the first place—

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): They are breaching that undertaking again. I say to the Prime Minister, and to the government House leader, that there is a breach of the undertaking.

Some hon. Members: Order, order.

Mr. Baker (Nepean-Carleton): Given this flagrant, absolutely flagrant disregard of the way in which this House should operate, is it now the posture of the government that the government House leader will be just as careless with respect to the facts and to commitments which have been given as the Prime Minister has been, who admitted he spoke to the press with his tongue in cheek, spoke to Margaret Thatcher with tongue in cheek, and has now brought another form of closure before the House of Commons? Is that the way in which this House should operate?

Some hon. Members: Hear, hear!

Madam Speaker: Order.

• (1120)

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I fail to understand why my hon. colleague is so upset this morning. It is very difficult for me to understand why he is frustrated when we are attempting to allow all members of this institution to be on the record. I fail to understand why the Tory party does not accept that we allow all of the members to speak until the end of the debate and, if it is not possible for them to speak because members who have already spoken want to speak again, the motion would allow members on all sides to be on the record by tabling a written speech. I fail to understand why they are so upset this morning. In reality I am tempted to believe that they are frustrated because we did not use closure yesterday.

An hon. Member: What do you call it?

Some hon. Members: Oh, oh!

Madam Speaker: Order, please! Would the hon. minister please complete his answer?

Mr. Pinard: That is what they wanted us to do. Failing to understand that, Madam Speaker, all I can say is that what we are trying to do is to suggest a means that would allow this debate, that has lasted for almost six months, to come to an end and allow as many members as possible to participate. I call on the parliamentary spirit of my colleagues on the other side and on their good faith to consider this motion seriously, to look into it, and to sit around the table and negotiate in good faith.

REQUEST FOR RECONSIDERATION

Hon. Walter Baker (Nepean-Carleton): Parliamentary spirit, indeed, Madam Speaker! The minister does not realize that with respect to this he has just shoved the knife into Parliament in terms of closure.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): And we are going to wait four more days to have it twisted! That is what the minister has done. This is the minister in charge of parliamentary reform—

Some hon. Members: Order, order.

Mr. Baker (Nepean-Carleton): Is it the intention of the minister to seek a pacified Parliament—a Parliament that will degrade now into tabling the speeches? Are we going to have tabled questions and tabled answers? Are we going to have planted questions? Is this the kind of parliamentary forum we are after? Would the minister—

Mr. Shields: That is—

Some hon. Members: Oh, oh!

Madam Speaker: Order. Order, please. Has the hon. member finished phrasing his question? He was interrupted by someone else who was speaking quite loudly. I would ask him to finish it now.

Mr. Baker (Nepean-Carleton): I am going to say, Madam Speaker, that this debate has just begun with respect to this gagging of Parliament.

Some hon. Members: Question!

Mr. Baker (Nepean-Carleton): I ask the minister right now if he will reconsider this, because I am telling him that what he is seeking here is unacceptable to any thoughtful person with respect to Parliament, and it ought to be unacceptable to him.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, before drawing the conclusion that the Progressive Conservative Party is rejecting outright the proposal we are making, I would still like to hear the views of the hon. member for Provencher. After all, it has been over five weeks now since we began debating the amendment moved by the member for Provencher, and I would like to have the opportunity to speak to him and ask him why he is letting his amendment stand in the way of amendments which other members might want to move on other important issues. He is not here to reply, but I do hope that early next week we will be able to get together and negotiate. Madam Speaker, he will understand why we on this side want to find ways to enable not only all members to participate in the business of the House, but some of them as well to move amendments other than this one on which the Progressive Conservative Party is stalling and which they are outrageously filibustering.

[*English*]

POSITION TAKEN BY PROVINCIAL LIBERAL PARTY LEADER IN QUEBEC

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, the fact is that there has been no constraint on any speech in this House of Commons. No member has been called to order. They spoke on the full ambit of every aspect of the debate and every amendment on this particular motion. That is a specious argument that the minister puts forward.

The government came forward with this voluminous proposal just after the government House leader spoke on the question of business of the House in the afternoon. At seven o'clock, conveniently after the Ontario polls closed, the government brought in this double closure proposal. This is the first time in the history of Parliament when the rules have been changed with respect to a single debate. In other words, when the government is losing a debate, as it is in this instance, it changes the rules.

● (1125)

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: When the government is losing, it changes the rules.

Madam Speaker: Order, please. I must ask hon. members to ask questions instead of debating. There will be time at some point to debate this matter. But right now is the time to ask questions. The hon. member for Saskatoon West.

Mr. Hnatyshyn: I apologize, Madam Speaker. I was carried away with the arrogance of the government.

I will ask my question now, and it is for the government House leader. The Prime Minister indicated that the matter of the constitutional debate had to be heard in response to the Quebec referendum. Now the leader of the No forces, the leader of the Quebec Liberal party, Claude Ryan, says he will be calling on the government following the provincial election to reopen discussions. Therefore, why is the government House

leader rushing this matter through in direct confrontation with the position taken by the Liberal leader in the province of Quebec?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the Prime Minister had an opportunity yesterday to reply to the Leader of the Opposition on that subject. My learned colleague is concerned about the fact that at seven o'clock last night we deemed it appropriate to provide explanations on the notice of motion which appears on this morning's Order Paper. Again I wonder why he is so dead set against changes. Granted, this motion features new proposals. It is not in keeping with tradition, but it is not by any means an affront to the parliamentary spirit. The proposed changes which would affect our proceedings respect the parliamentary spirit in every aspect and they are quite simply intended to allow more members to participate and enable us to dispose of more than a single amendment.

Now then, since my colleague is worried about the procedural form, I can tell him that I gave some explanations on this subject last night precisely because I wanted the public to be well informed. I had absolutely no intention in mind other than making the public aware of a procedure which is quite normal and which respects the parliamentary spirit on all counts.

[*English*]

PARTICIPATION OF PRIME MINISTER IN DEBATE

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, the government House leader will know that Parliament means to parley, that is, to have discussion, not to table documents. If that is his idea of debate, I am very sorry for the future of this Parliament.

The Leader of the New Democratic Party, the hon. member for Oshawa, indicated during the course of this debate that he would want to have a full and fair debate and not have closure imposed. The House leader for the New Democratic Party has indicated this proposed procedure in effect constitutes closure on this debate. A number of members have not had an opportunity to debate, including the four dissident members of the New Democratic Party. In fact the people of Canada are asking themselves why the person most interested in this whole debate, the Prime Minister, has not spoken in this debate.

Mr. Baker (Nepean-Carleton): Hold your breath.

Madam Speaker: Order, please.

Mr. Hnatyshyn: I ask the government House leader why, in view of the fact that the Prime Minister of this country has not seen fit to participate in this debate, is he proceeding with this double closure? Why does the government House leader not allow the Prime Minister to stand up in his place for a change, so that he can participate in a debate in the House of Commons?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, so far in this debate we have let several government members have their say. Everybody is free to do so, and I fully respect the freedom of the Prime Minister to join the debate whenever it suits him. Of course, in some instances, we want to accommodate certain members so we agree to let them have the floor at one time rather than at another. As for the Prime Minister, I must confess that I am fully aware of his constricting schedule, and I will be pleased to give serious consideration to his request should he want to enter the debate.

* * *

[*English*]

HEALTH AND WELFARE

INFORMATION ON HEALTH HAZARDS IN CHEMICALS AND PESTICIDES

Mr. Simon de Jong (Regina East): Madam Speaker, my question is addressed to the Minister of National Health and Welfare. In a letter dated February 4, 1981, the minister wrote to the provincial ministers of health, environment and agriculture. The minister said information on faulty and fraudulent tests done by Industrial Biotest Laboratories on many chemicals used in Canada could not be released.

How does the minister expect provincial health and environmental officials to carry out their responsibilities to safeguard the health of Canadians and to safeguard the environment if she refuses to provide technical information critical in determining the safety of products used?

• (1130)

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, according to the practices and responsibilities that I have under the act, I have made available, as I always do, to the relevant provincial ministers, including the health ministers and, according to the subject matter under discussion, provincial environmental and agricultural ministers, all the data I can release under the act. I met with some provincial ministers who wanted more technical information which, unfortunately, seemed to conflict with the protection of industrial data which we owe to the producers of some products. I sent my deputy minister and assistant deputy minister to discuss that very question this week. I expect to receive a report from them in the very near future on how we can best accommodate the request of the provinces.

ADDITIVES USED IN TOBACCO INDUSTRY

Mr. Simon de Jong (Regina East): Madam Speaker, my supplementary is to the same minister. A similar shroud of secrecy covers the tobacco industry. The government is not able to provide the public with information about the additives which cigarette companies put into their cigarettes. Will the minister comment on the position of her department regarding

the obvious conflict between public health and the so-called trade secrets of private industry, and how this conflict should be resolved?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, this matter was not brought to my attention. This is the first time I have heard of it. I would have appreciated receiving advance notice from the hon. member. I am therefore unable to comment at this time. I will have to discuss this with my department. I do not know on what problems the hon. member wants me to comment. I will comment later on the subject.

Mr. de Jong: Madam Speaker, my question essentially was with regard to the conflict between trade secrets and the right of the public to know. I was asking the minister the position of her department.

INVESTIGATION OF BIRTH DEFECTS IN BAY OF QUINTE, ONT.

Mr. Simon de Jong (Regina East): Madam Speaker, I have one last question concerning the public's right to know. I understand the minister's department is conducting a very important study in the Bay of Quinte in Ontario because of the high amount of dioxins found in the environment and natural life there. I understand the study is concerned about birth defects. Will the minister assure the House that when that study is completed it will be made public?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I will look into the matter and report to the House. I will judge whether it is appropriate to make it public.

* * *

BUSINESS OF THE HOUSE

PARTICIPATION OF PRIME MINISTER IN DEBATE ON CONSTITUTIONAL RESOLUTION

Mr. Jack Shields (Athabasca): Madam Speaker, my question is to the Prime Minister. Will the Prime Minister be contributing in the House to the constitutional debate, or will he be hiding behind his own direction for closure?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I did not know the opposition was so anxious the hear me speak. I will take it under consideration.

Some hon. Members: Hear, hear!

Mr. Shields: Madam Speaker, not only the opposition but I think all the people of Canada would like to hear what the Prime Minister has to say.

Some hon. Members: Hear, hear!

Mr. Shields: The people of Canada and we in the opposition would really like to hear what the Prime Minister has to say.

Some hon. Members: Hear, hear!

Mr. Shields: It would expose him for what he really is. When may we expect the Prime Minister to speak?

Mr. Trudeau: Madam Speaker, this debate has sometimes been termed, I believe not euphemistically, by the opposition as "Trudeau's project", "Trudeau's pet peeve," "Trudeau's private project", and so on. I thought I would give all members of this House time to express their views and not identify myself with the resolution. However, if the opposition insists on hearing my point of view, I repeat that I will take it under very serious consideration.

* * *

HEALTH CARE

PROVISION OF SERVICES TO CREE INDIAN PEOPLE OF JAMES BAY

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, my question is for the Minister of National Health and Welfare. Several weeks ago I rose in the House to ask her about the deplorable situation of the James Bay Cree, the health situation there, and the fact that ten small children died last summer due to gastroenteritis. Last week in Mistassini a village of some 2,000 people, a medical doctor discovered ten active cases of tuberculosis and said there are probably a lot more. In response to this, the minister has decided to suspend all health services to the Cree at the end of this month. Can she explain this action to the House?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, every fact and figure quoted by the hon. member in his question is wrong and untrue. I want to make that very clear. This is not a question that can be taken lightly. We are talking of the health and life of human beings. I would like the hon. member to be very serious and check his facts before talking about such a serious dossier.

The agreement with the James Bay Cree includes the transfer of federal health facilities and care to the Cree according to a calendar worked out with them which, by law, I must respect. According to that calendar, some transfers will be made in accordance with the continuity of the movement. They will take place before March 31. That is according to the agreement made by the Cree and I would like the hon. member to understand that. As to the health of the Cree, wherever we have the slightest responsibility, we fulfil it completely. I monitor that situation weekly.

Mr. Greenaway: Madam Speaker, I got these facts from the grand chief of the Cree, Billy Diamond. He will be here to appear next week before the standing committee. I will bring him to the minister's office to give her these facts. I remind the minister that these people are Canadians. I wonder what she would do if, in her riding, ten small children had died last summer and there were ten active cases of t.b. found. Is there a double standard for the people of this country?

Miss Bégin: Madam Speaker, I repeat that ten small children did not die last summer, as the hon. member indicated. That is completely untrue. I would like that made very clear in this House. Second, I would like hon. members to understand the difference between real health problems and situations that we are addressing in which I asked the minister in the province of Quebec, Dr. Denis Lazure, to do his job as well to ensure that everything is all right in terms of health for the Cree Indian. The legal fight which is going on does not have anything to do with health directly per se. By law I must transfer three communities, Great Whale, Waswanipi and Mistassini, by the end of this month. This will be done.

The lawyers for the Cree took out an injunction which was rejected. I can no longer comment on the legal procedures going on in which the federal government is playing a role. However, if the hon. member studies the case and talks with the chief, he will find that their main problem is with the government of Quebec.

* * *

ENERGY

ENVIRONMENTAL BAN ON WEST COAST EXPLORATION BY OIL COMPANIES

Mr. Jim Fulton (Skeena): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Yesterday the minister indicated that Petro-Canada will be spending tens of millions of dollars on offshore oil and gas exploration off the coast of British Columbia. That was further supplemented by statements yesterday by the Minister of Fisheries and Oceans. The minister also indicated that a decision to lift the environmental moratorium on the B.C. coast will be made in the next couple of months. Will he give this House a date regarding the lifting of the moratorium?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member was in committee yesterday. I took great pains to explain to him that I knew of no plans of Petro-Canada to spend tens of millions of dollars, that if Petro-Canada had any plans to explore offshore British Columbia in the foreseeable future, they would be minimal. I knew of no such plans yesterday and I know of none today. I indicated to the hon. member in committee that I would have to reach a decision in the next few months as to whether we would lift the current ban on offshore exploration.

I also indicated that until now plans are only in the nature of seismic exploration in that area. There are several months to go. I cannot give a date when the government will reach a conclusion in that regard.

• (1140)

NATIONAL ENERGY PROGRAM

CALLING OF WITNESSES BEFORE COMMITTEE

Mr. Jim Fulton (Skeena): Madam Speaker, my supplementary is to the Prime Minister. However, I would refer the Minister of Energy, Mines and Resources to yesterday's minutes of the Committee on National Resources and Public Works.

On January 12, 1981, the Deputy Prime Minister said with regard to the Canada lands legislation:

> Before the House today is the oil and gas energy legislation, which will go to committee where hon. members opposite may call all the witnesses they desire—

Is that still the position of the government?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I do not know what position is being discussed between the Deputy Prime Minister, the House leader, and the Minister of Energy, Mines and Resources.

* * *

[*Translation*]

LAW OF THE SEA

UNITED NATIONS CONFERENCE—QUERY RESPECTING ANTICIPATED RESULT

Mr. Alexandre Cyr (Gaspé): Madam Speaker, my question is for the hon. Secretary of State for External Affairs.

Since the new American administration has asked for a complete review of the treaty proposal submitted at the United Nations Conference on the Law of the Sea, can the hon. Minister tell this House whether he is confident in the success of the negotiations at this United Nations session on the Law of the Sea?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we have noted the staff changes maybe by the United States government as well as its position reversal. In view of the situation, we cannot be too confident and we shall have to wait for the results.

* * *

[*English*]

PENSIONS

INQUIRY RESPECTING LEGISLATION TO IMPLEMENT AGREEMENT WITH WEST GERMANY

Mr. F. Oberle (Prince George-Peace River): My question is for the Minister of State for Finance and it follows up on a question I have asked a couple of times, the last time June 3, 1980, when he responded to my question on the reciprocal arrangement with respect to double taxation of pensions which discriminates against citizens who have earned certain pension rights in other countries.

He said that the agreements had been signed and a bill would be introduced in the House almost immediately. Sufficient time has now expired. Will the minister advise me today as to his intentions regarding this matter, particularly concerning citizens who have earned pension rights with the Federal Republic of West Germany, as this agreement is ready to go and requires government action?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, the hon. member is associating two different things, on the one hand the agreements on double taxation, and on the other hand the agreements concerning pension funds. The first item comes directly under the responsibility of the Department of Finance, while the second comes within the jurisdiction of the Department of National Health and Welfare.

As for the question of double taxation, the hon. member is well aware that these negotiations are ongoing. He also knows that this Parliament has succeeded in approving about 15 taxation agreements. I would also like to remind him that another bill concerning two double taxation agreements is now under consideration in the Senate. The negotiations with the Federal Republic of Germany are not yet completed, and I hope that when another group of bills is introduced to ratify double taxation agreements they will include the agreement with the Federal Republic of Germany.

[*English*]

Mr. Oberle: Madam Speaker, it is known that the people dragging their feet with respect to this agreement are in the Department of Finance. I would ask, first of all, what is the difficulty with the West German agreement and when will he be ready to sign the agreement and place before the House the necessary bill for ratification, having regard to the fact that last June he figured it would be almost immediately and now he is more vague on this problem?

[*Translation*]

Mr. Bussières: Madam Speaker, I would like to point out to the hon. member that, as to foot dragging, he should consult some of his colleagues who, as I was able to see for myself during consideration of the bill to ratify double taxation agreements with about 15 countries, proved to be champions when it comes to foot dragging and who, unfortunately, allowed this bill to remain in the committee for weeks and weeks, which meant that the officials responsible for negotiating these treaties were busy replying to the same questions day after day. Unfortunately the members in question understood nothing about such treaties. This is one of the reasons why the negotiations have dragged on.

[*English*]

REGULATIONS AND OTHER STATUTORY INSTRUMENTS

INTRODUCTION OF LEGISLATION TO CUT RED TAPE

Hon. George Hees (Northumberland): Madam Speaker, my question is directed to the President of the Treasury Board. As he has been indicating for some time that he intends to introduce legislation cutting government regulations and red tape, which is vitally necessary for the improved health of the Canadian economy, when may we expect to see the introduction of such legislation which is now long overdue?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the question of de-regulation and regulatory reform is not only a matter of introducing the bill. I indicated earlier to the House that we would be preparing an omnibus bill to clean up existing legislation by removing obsolete provisions and statutes, basically cleaning up matters which are non-controversial and which should have been dealt with over a period of years. That bill is being prepared.

With respect to actual regulatory reform per se, we have introduced work programs across government, and I think it was several months ago I made a report to this House on the status of that program which is moving ahead across government. I can assure the hon. member that the commitment to regulatory reform is very firm indeed. We are also, of course, awaiting the final report of the Economic Council on economic reform, which I understand should be ready sometime this spring.

Mr. Hees: Madam Speaker, would the minister be good enough to give the House some sort of rough timetable so that business will know when to expect this matter to be cleared up and it may operate more effectively as a result?

Mr. Johnston: Madam Speaker, I am not sure what the hon. member means by "cleared up", because this is an ongoing process. What we are essentially trying to do is improve the regulatory process. We have looked very carefully at the Peterson report—the hon. member will recall the special committee of this House—and we have moved ahead and accepted the majority of those recommendations. I think we are moving on all fronts with respect to specific legislation which will, as I said, clean up the existing situation in the form of an omnibus bill. To do that, an inventory has to be made of obsolete statutes and provisions of law, which is currently under way.

* * *

GRAIN

RECOMMENDATION RESPECTING RAPESEED ACREAGE

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, my question is for the minister responsible for the Wheat Board this week. Not too long ago that minister made his annual statement which did not include the initial price for grain next year, but did contain a suggestion as to the amount of acreage

that farmers should plant, and specifically suggested they plant the same amount of rapeseed as last year. Sales of rapeseed are very slow, there is a large amount in the pipeline and on the farm, and there are transportation problems which the transportation agency is unable to handle. In those circumstances could the minister, or whoever speaks for him, justify why this recommendation was made?

Hon. Jean-Luc Pepin (Minister of Transport): I have a hard time relating "recommendation" to the three or four items mentioned. But Senator Argue gave an explanation the other day of why he did not give an indication of initial prices in his pre-seeding announcement. This is all recorded in the Senate *Hansard*. At the same time he indicated, as the member intimates, that world grain prices were good, that he was looking forward to an increase of 10 per cent for wheat and barley, and so forth. He explained that the reason why he did not give the initial prices at this time was that last year he was accused of giving them too early, so this year he wanted to avoid the same accusation.

• (1150)

ANNOUNCEMENT OF INITIAL PRICES

Mr. Stan J. Hovdebo (Prince Albert): That was not the question I asked, Madam Speaker, I asked why it was suggested that the planting level of the rapeseed this year was the same as last year. However, I appreciate the minister's answer. Following on it, as a supplementary question on the price of grain, I should like to ask the minister this. Since the senator did not state the initial price next year, most farmers are assuming that it will be the same as this year. My question is whether farmers can proceed with their planning for next year on that basis?

Hon. Jean-Luc Pepin (Minister of Transport): That is exactly what I tried to answer. I said the Minister of State for the Canadian Wheat Board did not give the initial prices. He said, however, that he expected the prices to be strong, to remain as they are now, which is an indication of his views on prices. Then, in two particular instances he said he was looking forward to an increase of 10 per cent in production. So obviously this is debatable but the minister gave a clear indication that he expects the situation to remain very solid indeed.

CHANGE IN POLICY ON TIMING OF ANNOUNCEMENT

Mr. Bill McKnight (Kindersley-Lloydminster): I have a supplementary question for the Minister of Transport related to his reply to the first question of the hon. member for Prince Albert when he said the minister in charge of the Canadian Wheat Board has been accused of making his announcement last year too soon. That was not the accusation. The accusation was that he made an inaccurate assumption. I should like to put the following question to the minister. In view of the statement, made in the House in 1971 by the minister's predecessor, Otto Lang, that he would announce the initial payments for the coming crop year so as to give the maximum amount of information to producers prior to seeding time, a practice which was carried out by the hon. member for Vegreville when he held that portfolio, why is there a change now in government policy?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I am trying to indicate that this is a debatable point. The senator said that last year he had been accused of having made the announcement too early, and that is why it was inaccurate. So this year he wants to be accurate by announcing it later than he did last year.

* * *

HEALTH CARE

EXTRA BILLING BY DOCTORS—CO-OPERATION OF ONTARIO IN BANNING PRACTICE

Mr. Maurice Foster (Algoma): Madam Speaker, my question is for the Minister of National Health and Welfare. In view of her indication that she wants to end extra billing under medicare, which costs Ontario residents $43 million a year, and in view of the strategic importance of Ontario in the whole national medicare program, can the minister say if she has any indication that the government of Ontario will be willing to co-operate in restoring medicare to its original concept of universality without any extra billing?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, in reaching a consensus across the country to ban extra billing under medicare, I think that Ontario, because of the size of its population, could take a positive lead, which I hope will happen. However, we have to wait for the appointment of the new Ontario cabinet. It is also a fact that, with its majority, the government of Ontario could do much to bring back integrity to medicare which is a very good program. They know now that the Ontario doctors have started opting back into the program, and I hope that will encourage them to ban extra billing.

* * *

AGRICULTURE

CANADIAN EGG MARKETING AGENCY—CONTROL OF SURPLUS PRODUCTION

Mr. Jack Murta (Lisgar): Madam Speaker, I should like to direct my question to the Minister of Agriculture, if I may get his attention. The Canadian Egg Marketing Agency is experiencing the largest build-up of surplus eggs since CEMA was formed in 1972. The surplus is building up at a rate of between 80,000 and 100,000 boxes of 15 dozen eggs a week. Since the formation of CEMA back in 1972, there has never been a prolonged time when supply and demand has been in balance. I should like to ask the minister whether CEMA is contemplating any changes to ensure that the boom and bust

cycles which have been characteristic of CEMA's operations over the past number of years will not keep occurring.

Hon. E. F. Whelan (Minister of Agriculture): I disagree with the hon. member's statement about boom and bust cycles because there has hardly been another product that has had more stable prices, either for the consumer or for the producer, than eggs or any of the poultry products that are under marketing boards.

I met with the new chairman of CEMA yesterday, who is also a farmer, and with the new manager of CEMA whom they have hired, and they told me they have control of the surplus products and they will have control of production. They have made up their mind that at no time will we be importing eggs, such as was done, for instance, at Christmas time when we need more eggs for baking. Just as soon as Canagrex becomes law, we will be exporting eggs to many, many countries which, for instance, pay double the price we do in Canada. We believe there is a market there, and to supply it we feel farmers can actually increase production.

The hon. member knows that we have become so efficient that the hens are laying, on the average, 30 eggs more a year than they did before; they are living longer and laying more.

Some hon. Members: Hear, hear!

Mr. Murta: I do not know what the Minister of Agriculture means when he says, "we have become so efficient."

The deputy minister of agriculture has indicated that CEMA is making mistakes by rushing into short-term deals "hatched in a hurry", he said, when surpluses are building to perilous levels. He said that one of the mistakes that was made was the recent shipment of eggs to Saudi Arabia with which some problems arose. Since this is a substantial surplus, I should like to ask the minister whether he can assure the House that there will not be any rotten eggs similar to what happened back in 1974 when CEMA had to deal with a surplus. Would he answer the question I asked in the first instance, that is, whether any changes are being contemplated to try to alleviate this kind of swing in egg marketing in Canada.

Mr. Whelan: Madam Speaker, the hon. member knows full well that the National Farm Products Marketing Council, under the chairmanship of Mrs. Menzies, reports to me about once a week on what is going on in egg marketing in Canada.

There are representatives on that council from the farming sector, the consumers' sector, and the processing sector, and they make recommendations. They are concerned, as we are, about the production. Consumption is fairly stable but there is a slight overproduction. However, they have also assured me that there would be no waste of the commodity, that the commodity is being sold on world markets. But—and I want to make this clear—it is being funded by the producers who are levied 1.5 cents to put this product on world markets where it can be sold at present, where it will be some good for people in need of this high protein, nutritious product, one of the world's cheapest forms of protein.

* * *

BUSINESS OF THE HOUSE

TIMING OF MOTION RESPECTING CONSIDERATION AND PASSAGE OF CONSTITUTIONAL RESOLUTION

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, my question is for the Prime Minister. In view of the fact that this Rube Goldberg closure device which has been put before Parliament is designed to cut off debate in the House of Commons just days before the Quebec election, does the Prime Minister not feel that he has an obligation to the people of Quebec to allow them to cast their votes first, particularly in light of the fact that Claude Ryan, leader of the No forces, has stated that, if elected premier, his very first act in office would be to call upon the Prime Minister to reopen negotiations on this very resolution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I want to remind the hon. member that the purpose of the motion is essentially, as the House leader said, to permit the House to debate other things. It is surely obvious, even to the hon. member, that the House has been debating one amendment for the past five weeks. We know there are other members who want to move amendments to improve the resolution before the House. It does not seem unreasonable to suggest to members of the party opposite that they vote on their own amendment so that we can get on to other ways of improving the debate.

● (1200)

Mr. Baker (Nepean-Carleton): Tell us about Claude Ryan.

Mr. Beatty: Of course, Madam Speaker, that is not what this resolution does; the Prime Minister knows that full well. He chose not to answer my question about Mr. Ryan.

CHANGE IN RULES OF PARLIAMENT

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, my supplementary question is directed to the government House leader. When was the last time in which the government introduced a special change to the rules of Parliament for one debate in order to cut the discussion short?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the procedure to allocate time periods for different debates is normal. We meet regularly at the House leaders' level, we come to an agreement on various pieces of legislation, various measures and, as a rule, I am happy to say this works well.

But in this case, as I mentioned earlier, from the start of the constitutional debate on October 6, 1980, it was clear the

Progressive Conservative Party would never give in on anything nor come to an agreement on the debate to allow a greater number of members to be heard, shorter speeches, and a greater number of hours allotted.

Therefore, this procedure is not new. We should not oppose changes. The changes admittedly are innovative, but they are constructive and this institution can use them to become more efficient, more relevant and better respected by the Canadian public.

* * *

[*English*]

GRAIN

MARKET ASSISTANCE PROGRAM—GOVERNMENT POSITION

Mr. Doug Neil (Moose Jaw): Madam Speaker, my question is directed to the Minister of Transport who answers in this House for the minister in charge of the Canadian Wheat Board in the other place. The minister is probably aware that for the last several weeks members of the Canadian Wheat Board advisory committee have been holding meetings throughout the prairies, flogging the so-called market assistance program which involves some fairly radical changes as far as grain handling and sales are concerned. Could the minister tell us whether or not it is the intention of the government to bring in legislation to cover MAP, or will it all be done under the regulations of the Canadian Wheat Board Act?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, my understanding of the subject of the market assistance program is that it is a discussion which is now being carried on in western Canada under the auspices of the Canadian Wheat Board. Following the consultation, a report will be made by the Wheat Board to the minister responsible for the Wheat Board, and action will be decided then. I think it must be seen in the context of being consultation with interested parties.

Mr. Neil: Madam Speaker, the announcement indicates that the program will be put into effect for the 1981-82 crop year, so there is not very much time. It is very serious and quite a change in the marketing and handling of grain.

Is it the intention of the minister to bring the program before members of the Standing Committee on Agriculture so that they can discuss the program with him, and invite representatives of the farming community to consider the program before it is put into place?

Mr. Pepin: Madam Speaker, I will have a discussion with my colleague in charge of that particular subject, and I will report accordingly. As far as I am involved in this matter, for the moment it is a consultative process and the decisions have not been made. It should be seen in that light.

Point of Order—Mr. W. Baker

POINT OF ORDER

MR. BAKER (NEPEAN-CARLETON)—S.O. 43 MOTION OF MR. McKNIGHT

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, with respect to a matter which occurred earlier, the government House leader indicated that his proposed reforms to rules of the House brought in by closure in 1969 were innovative and constructive. I just want him to know that anyone who is an observer of this place would not describe them as anything but sleazy and destructive of Parliament.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please.

Mr. Baker (Nepean-Carleton): He should know that. I am now coming to my point of order.

Madam Speaker: I do not feel this is a point of order. Is the hon. member seeking the floor on another point of order?

Mr. Baker (Nepean-Carleton): Madam Speaker, that comment was just by way of preamble to a very serious matter.

My point of order concerns the motion made under the provisions of Standing Order 43 by the hon. member for Kindersley-Lloydminster (Mr. McKnight) and what occurred thereafter. I want Madam Speaker to understand that I cannot question and I am not questioning—

[*Editor's note: At this point there was a disturbance in the public gallery.*]

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. The hon. member for Nepean-Carleton.

Mr. Baker (Nepean-Carleton): Thank you, Madam Speaker. I am not questioning Your Honour's ruling because I cannot, but I rise to clarify a matter which arose earlier. As long as any one of us can remember, the practice of the House has been that when a motion is made to introduce a bill, when a party introduces a motion on an allotted day, or when the government moves a motion to have a bill approved on second reading, the mover of the motion is allowed to speak first.

Perhaps that is a custom, and if so, I say with respect that we ought not to depart from it. This practice may well be found in the Standing Orders. But I raise this matter because I am concerned. If a member of the New Democratic Party, for example the hon. member for Winnipeg North Centre (Mr. Knowles), moved a motion in his name on an allotted day, and suddenly Your Honour recognized either a member of the government or a member of the official opposition as the first speaker, there would be no one to explain the motion.

I have not had an opportunity to look at the rules—Your Honour may have—but I wonder if there could be some clarification. I do not think there would be any objection to observing this custom, if it is only a custom.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I think my colleague should look up the rules. They are quite clear. I see you are ready to refer to it but the Chair recognizes the first member to rise. Allow me to point out that this is not a precedent. Not so long ago, when a member from this side proposed a motion under Standing Order 43, the Leader of the Official Opposition (Mr. Clark) was given the floor while we were waiting to be recognized. Unfortunately, your attention was caught more quickly by the Leader of the Opposition. And today it is the opposite. There has been a precedent. There is nothing improper in all of this. As regards the preamble made by my colleague, out of respect for this institution I will refrain from commenting on it.

[*English*]

Madam Speaker: I remind the hon. member of the following rule which he knows very well:

When two or more members rise to speak, Mr. Speaker calls upon the member who first rose in his place;—

The Minister of National Health and Welfare (Miss Bégin) attracted my attention first. I said that quite definitely before I checked on the ruling as to whether the member had priority if another member had risen to speak before that member.

It is a rule—it is not a custom—that the first member who rises on a motion under Standing Order 43 is allowed to speak. I remind the hon. member of a precedent during my time in the chair which I remember very well; a motion was moved under Standing Order 43 on the government side and the Right Hon. Leader of the Opposition (Mr. Clark) debated it. I saw him first and I gave him the floor.

I should like to read the rest of Standing Order 29:

—but a motion may be made that any member who has risen "be now heard", or "do now speak", which motion shall be forthwith put without debate.

Hon. members on my left did not afford themselves of that prerogative which was open to them; therefore, I gave the minister the floor. I think I did it in accordance with the rules and even in accordance with the customs and traditions of the House.

Mr. Baker (Nepean-Carleton): Thank you very much, Madam Speaker.

● (1210)

ROUTINE PROCEEDINGS

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,843, 1,862, 2,022, 2,047, and 2,078.

[*Text*]

CONSOLIDATED REVENUE FUND

Question No. 1,843—**Mr. Blenkarn:**

1. In (a) 1977 (b) 1978 (c) 1979, what amount was contributed to the Consolidated Revenue Fund by public servants through deductions from their wages at the source for their pension fund?

2. For the same years, what was the total amount paid from the fund to retired public servants?

Hon. Donald J. Johnston (President of the Treasury Board): 1. In the fiscal years 1976-77, 1977-78, 1978-79 and 1979-80, the following amounts were contributed to the Public Service Superannuation Account and to the Supplementary Retirement Benefits Account by public servants and employees of Crown corporations subject to the public service pension plan.

	Public Service Superannuation Account	Supplementary Retirement Benefits Account
1976-77	$247.5 million	$26.7 million
1977-78	$285.2 million	$49.2 million
1978-79	$296.1 million	$51.0 million
1979-80	$314.9 million	$55.7 million

2. (a) In the same fiscal years the amounts paid to retired public servants or their surviving dependents who were entitled to annuities were as follows:

	Public Service Superannuation Account	Supplementary Retirement Benefits Account and Indexation Payments Charged directly to the Consolidated Revenue Fund
1976-77	$218.0 million	$ 88.9 million
1977-78	$254.9 million	$113.1 million
1978-79	$297.2 million	$139.9 million
1979-80	$351.2 million	$178.7 million

(b) In the same fiscal years, the total amounts* paid to former public servants or their surviving dependents were as follows:

	Public Service Superannuation Account	Supplementary Retirement Benefits Account and Indexation Payments Charged directly to the Consolidated Revenue Fund
1976-77	$280.4 million	$ 91.4 million
1977-78	$287.3 million	$116.3 million
1978-79	$344.2 million	$145.3 million
1979-80	$422.8 million	$187.0 million

* The total payments listed in 2(b) include amounts paid by way of both annuities and lump sum payments such as cash termination allowances, residual amounts, returns of contributions and transfers to other pension funds, whereas the payments listed in 2(a) reflect annuity expenditures only.

REPRESENTATIONS ON BEHALF OF CANADIAN REGISTERED SHIPS

Question No. 1,862—**Mr. Forrestall:**

1. (a) In each of the past five years, how many representations were made by the Export Development Corporation, the Department of Industry, Trade and Commerce or any other department or agency, to secure for Canadian registered ships, all or a portion of the cargo to be moved specifically, coal, grain, lumber, northern ore concentrate and with respect to importations, oil, bauxite and liner conference cargoes (b) what were the results of such representations?

2. Will the Department of Industry, Trade and Commerce undertake a study to determine the net cost to Canadians for imports and exports, which Canada's dependency on foreign registered shipping has contributed towards, particularly in 1970 and 1975, as well as the best estimate for the current year and, if not, for what reason?

3. Will the government ascertain the tonnage by commodities, and the cost in dollars, of Canadian exports and imports through U.S. ports, as a result of Canada's dependency on foreign registered shipping?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Departments of Industry, Trade and Commerce and Transport as follows: 1. (a) The Department of Industry, Trade and Commerce advises that assistance is provided to Canadian-incorporated and based shipping companies without specifically requiring that companies utilize only Canadian registered vessels. Quite apart from referrals and the provision of market information, Industry, Trade and Commerce makes representations specifically at the request of, and in collaboration with, Canadian shipping companies and shippers. Requests for representations on behalf of Canadian registered ships exclusively are summarized:

	Commodity	Year	Requests for Government Representation	Representations Made
(i)	Grain, lumber, bauxite	1975-80	Nil	Nil
(ii)	Coal	1979	1	1
(iii)	Oil	1980	2	2
(iv)	Northern ore concentrate	1979	2	2
(v)	Liner conference cargo	1979	2	2
		1980	4	4

(b) The results of representations are:

(ii) Coal—coal sale did not materialize, consequently no opportunity for Canadian ships.

(iii) Oil—remains under commercial discussion and investigation with some prospect for participation by Canadian registered ship.

(iv) Northern ore concentrate: participation by Canadian registered ship.

(v) Liner conference cargo (1979): participation by Canadian registered ship.

Liner conference cargo (1980): in one instance participation by Canadian registered ship scheduled for early 1981; other three instances remain under commercial discussion and investigation with some prospect for participation by Canadian registered ship.

2. A study will be included in IT&C work program to estimate the net cost of using foreign registered shipping.

3. The routing of Canadian trade through U.S. ports and the converse routing of U.S. trade through Canadian ports result primarily from commercial and competitive forces other than dependency on foreign registered shipping. Some statistics are presently collected and made publicly available by Statistics Canada (Exports: Merchandise Trade 1979, Tables 9 and 10 Catalogue No. 65-202), and Revenue Canada through the Canadian ports and traffic development committee ("Trans-border Container Movements"). The Department of Industry, Trade and Commerce will approach the agencies producing these statistics to explore the possibilities for expanded and refined data concerning Canadian trade through the United States.

In so far as Export Development Corporation is concerned:

1. (a) None. (Such representations, if any, would be referred to IT&C.)

(b) N/A.

2 and 3. To be answered elsewhere.

In so far as Transport Canada is concerned:

1. (a) Transport Canada has taken every opportunity to promote Canadian flag participation in deep-sea shipping. In this regard, Transport Canada is assessing the possibilities for Canadian flag participation in the shipment from Canada of aid and commercial grain cargoes.

(b) N/A.

2 and 3. To be answered elsewhere.

RESEARCH STATION—ST-JEAN, QUE.

Question No. 2,022—**Mr. Herbert:**

1. Has construction started on the enlargement of the St-Jean, Quebec, Research Station as announced by the Minister of Agriculture on April 9, 1980?

2. What will be the total floor space at the facility?

3. Has a construction contract been awarded and, if so, to whom and in what amount?

4. What form of heating (a) is being used (b) will be used?

5. Are there similar research stations in other provinces and, if so (a) in which provinces (b) how many scientists work at each?

Hon. E. F. Whelan (Minister of Agriculture): 1. No. However, the preliminary design has been completed and a design consultant appointed. A revised t.b. program authority is required.

2. 6,318 m^2.

3. No.

4. (a) Oil;

(b) Electric for the whole station. It is being proposed as the best to meet environmental and energy requirements.

5. Yes.

Order Paper Questions

(a)

Newfoundland	Ontario
Nova Scotia	Manitoba
Prince Edward Island	Saskatchewan
New Brunswick	Alberta
Quebec	British Columbia

(b) See list below.

Scientists are employed at Research Institutes, Stations and Experimental Farms as follows:

Institutes—(Ottawa)		Number of Scientists
Research Program Services		3
Engineering and Statistical Research Institute		26
Land Resource Research Institute		64
Food Research Institute		26
Chemistry and Biology Research Institute		35
Biosystematics Research Institute		50
Research Stations		
Province	Location	
Newfoundland	St. John's	6
Prince Edward Island	Charlottetown	18
Nova Scotia	Kentville	28
New Brunswick	Fredericton	26
Quebec	St. Jean	20
	Lennoxville	14
	Ste-Foy	24
Ontario	Animal Research Centre (Ottawa)	46
	London Research Centre	26
	Ottawa	35
	Harrow	30
	Vineland	17
	Delhi	10
Manitoba	Winnipeg	43
	Brandon	15
	Morden	15
Saskatchewan	Saskatoon	35
	Melfort	9
	Swift Current	27
	Regina	14
Alberta	Lethbridge	68
	Lacombe	18
	Beaverlodge	11
British Columbia	Summerland	23
	Kamloops	6
	Agassiz	13
	Vancouver	20
	Sidney	6
Experimental Farms		
Province	Location	
Nova Scotia	Nappan	3
New Brunswick	Buctouche	1
Quebec	La Pocatière	4
	L'Assomption	5
	Normandin	2
Ontario	Kapuskasing	1
	Smithfield	2
	Thunder Bay	1
Saskatchewan	Indian Head	2
Alberta	Port Vermilion	1
British Columbia	Prince George	2

USE OF PRIVATE RAILWAY CAR

Question No. 2,047—**Mr. Cossitt:**

1. Is there a discrepancy in the answer to question No. 1,963 that the Minister of State for Science and Technology did not use a government-owned private railway car on or about September 2 or 3, 1980, and the information received in writing in the office of the hon. member for Leeds-Grenville in January, 1981, as follows: "Car no. 43. Roberts. September 2, 3. I have to inquire about where the trip went and will let you know." and, if so, what is the explanation for the discrepancy?

2. If the Minister of State for Science and Technology did not use the railway car, what minister did make use of the car and (a) on what dates in question (b) for what purpose (c) what were the names of all persons on board at any time (d) what was the point of departure and the point of termination of the car?

3. If the answer to question No. 1,963 is an error, will the Minister of Transport give a correct answer?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): 1. Yes. The Minister of State for Science and Technology advises that he had made tentative plans to use a government railway car during the period of August 30 to September 2 or 3, 1980, but decided not to make use of the car.

2. No other minister made use of the government railway cars on or about that period of time.

3. Not applicable.

FITNESS ASSESSMENT

Question No. 2,078—**Mr. Blenkarn:**

1. Are Canadians in western Canada considered to be more fit than Canadians residing in eastern Canada and, if so, is it the government's intention to do a study to find out the reasons?

2. What is the (a) anticipated cost (b) importance of the study?

3. In what way does the government propose to influence the fitness of Canadians in eastern Canada, if necessary, as a result of the findings?

4. How many persons will be employed under the study?

5. To the knowledge of the government, what are the political party affiliations of the persons that will be involved in the study?

Hon. Gerald Regan (Minister of Labour): 1. A study of the lifestyle and fitness habits among Canadian workers undertaken in 1977 by the Canadian Public Health Association, at the request of Fitness and Amateur Sport indicated that statistically, western Canadians could be considered more fit than their eastern counterparts. These small statistical differences, however, have little practical significance and the government will not be investigating these differences in any special studies.

2. At the present time, Fitness and Amateur Sport is sponsoring a general Canada fitness survey from its share of Provincial Lottery revenues. The anticipated cost is $2.9 million over three years. Because the Canada fitness survey is an in-depth study of the fitness levels and recreational patterns of Canadians, it will provide a benchmark on the fitness status of Canadians, including their interests, preferences and participation in recreational activities. The information obtained from the survey will help governments, professional associations, voluntary agencies and leisure-related companies to evaluate

existing programs and to better plan for future activities and facilities to ensure that future needs of Canadians are met.

3. Until the results of the Canada fitness survey for 1981 are available for analysis, it is premature to suggest any strategies which the Government of Canada will implement as a result of the findings. Preliminary results are expected by April, 1982.

4. One hundred and seventy-five persons have been employed with the Canada fitness survey. Except for national office staff (five), the term for 170 employees expires in July, 1981.

5. Political party affiliation was not a criterion in the hiring of individuals involved in this survey. Advertisements were placed with all major newspapers in each test centre and individuals hired after interviews were conducted.

[*English*]

Mr. Collenette: I ask that the remaining questions be allowed to stand.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

Hon. Allan B. McKinnon (Victoria): Madam Speaker, as you may recall, I have risen in my place two or three times with respect to question No. 1,851. I see that in *Hansard* for March 19, 1981, it is marked: "DND—Expenditure Differential on New Fighter Aircraft, question No. 1,851 (Revised)".

The question is not revised at all, Madam Speaker. The answer has been revised—and high time it was. I hope that the Department of National Defence will not eventually have to pass these things through for me to check out the answers to my own questions before they misprint them in *Hansard*. I hope there will be a future duplication of this question put on the order paper showing the answer has been revised and not the question.

Mr. Collenette: Madam Speaker, it is the custom of this House that when a correction is made to an answer already given, the reply is given in the House by the parliamentary secretary to the House leader stating the number of the question and using the word "revised". This in no way differs from any previous practice of this House. I am not sure the hon. member's point is well taken. Everyone knows that the question has not changed, that he was seeking a correction to the answer, which was done in conformity with the rules and procedures of this House.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House proceeded to the consideration of Bill C-59, an act to provide supplementary borrowing authority, as reported (without amendment) from the Standing Committee on Finance, Trade and Economic Affairs.

Mr. Don Blenkarn (Mississauga South) moved:

That Bill C-59, an act to provide supplementary borrowing authority, be amended in clause 2

(a) by striking out line 18 at page 1 and substituting therefor:

"eight billion dollars, as may be required"

(b) by striking out lines 25 to 27 at page 1 and substituting the following therefor:

"expire on March 31, 1982."

He said: Madam Speaker, my motion before the House today with respect to Bill C-59 really involves two amendments. I had only intended to introduce one amendment, which was the second one, in connection with removing the government's right to extend borrowing into the next calendar year, that is, the year commencing March 31, 1982, and the amount that it might require under its budget as borrowing authority for the next fiscal year, that is, the year commencing in March next.

Since Bill C-59 was first introduced into this House two or three things have happened. As you are aware, Mr. Speaker, the debate with respect to the bill was terminated by closure. I want to outline to the House why we in this party are not prepared to go for $14 billion in further borrowing. Nor are we prepared to allow the government the opportunity to carry $3 billion worth of the borrowing authority over into another fiscal year.

The debt management of this government is probably the most inept, incompetent and unconscionably stupid of any debt management program of any government for some very considerable period of time. Only last Friday the government, in desperation, increased the interest on Canada Savings Bonds from 11.5 per cent to 13.75 per cent to stem the tide of redemptions of those bonds. At that time the government should have known that interest rates were likely to fall off. The government could observe what was happening in the American market. Indeed, on Tuesday of last week the government had foreseen that interest rates were falling off and it was able to place a half billion dollar bond issue on the public market at 13.25 per cent.

Suddenly last Friday we saw a government, desperate, worried, upset and sick, increase the interest rate on Canada Savings Bonds from 11.5 per cent to 13.75 per cent to prevent further redemptions. On Tuesday last the government had no problem marketing a half billion dollars worth of bonds at 13.25 per cent. On Thursday, when the government sold its treasury bills, it did so at a 50 basis points reduction. Clearly, if it had worked a little harder it might have even brought the

interest rate on its debt down further. What we have seen is a government incompetent, inept and unable—demonstrably unable—to manage the public debt. If there was ever a reason for limiting the government's borrowing authority, then it is its inept performance.

The House will recall that early in January we suggested to the government that it raise the interest rate on Canada Savings Bonds to 12.5 per cent from 11.5 per cent. At that time we knew, and the government ought to have known, that it would be subject to massive redemptions of these bonds if something was not done. So what did the government do? Nothing. Since January 1 approximately $1.5 billion worth of Canada Savings Bonds were redeemed because the government chose to offer the savers of the country 11.5 per cent on their money. The government took a loss of $1.5 billion of money borrowed from the treasury which had cost a great deal to place. It cost more to place Canada Savings Bonds than any other form of borrowing.

The government watched the drain on its Canada Savings Bonds continue week after week. Finally, last Friday, in absolute desperation and shaking in their boots, the government increased the rate to 13.75 per cent. By Tuesday of this week the bond rate was 13.25 per cent. By Thursday interest rates had dropped on treasury bills even further. As a result, what has the government done? It has lost all sorts of investment in Canada by the small savers. They were not treated fairly. It is not hard to understand how frustrated anyone looking at the management of money must feel in view of the inept and incompetent debt efforts of this government.

In the committee we got into the question of the management of debt money. No less than the Minister of Finance (Mr. MacEachen) appeared before the committee. In talking about the government's total ineptness it would be improper of me if I did not read into the record an exchange between myself and the minister. I asked the minister:

MR. BLENKARN: How much new borrowing do you intend to place in March before your borrowing authority expires as of the end of the month?

MR. MACEACHEN: We have not determined any borrowing yet.

MR. BLENKARN: Mr. Minister, are you seriously telling me that on March 3 you do not know how much you are likely to want to borrow, or are going to borrow or intend to borrow by March 31?

MR. MACEACHEN: That has not been determined yet, Mr. Blenkarn.

● (1220)

I asked the minister when he determines it. I asked him if he determines it over coffee in the morning. He jokingly said, "Well, it is not champagne at night." I asked him one more question:

I am just wondering where the fiscal end of this country is going. You have requirements in your budget for money, you have some borrowing authority here, and you cannot tell me what you are going to borrow this month.

The minister replied:

No, we cannot tell you that today, how much and when. But do not feel that somehow things are not being attended to, because these proposals are made and approved quite quickly, very quickly.

The decisions of this government with respect to borrowing and the interest rate to be paid are made very quickly. I settle for coffee for breakfast. The minister denied that. He said it was not even over champagne. It was probably over martinis at lunch.

Here we have a government coming to us to get a blank cheque, the right to borrow $14 billion—fourteen thousand million dollars. This is more money than this government even contemplated spending in 1969 or 1970 when the Prime Minister (Mr. Trudeau) was made leader of the Liberal Party. The government wants a blank cheque. When it was asked on March 3 what borrowing it was going to place on the public markets or elsewhere during the month of March, it did not know. The minister could have said to me, "I am sorry, I am not going to expose that intimate financial knowledge to you; it might affect the markets." But he did not say that; he did not offer that as an excuse. The fact of the matter is that the minister was being very honest with me. He did not know; he had no idea. Yet this minister asks this House to approve the borrowing of $14 billion.

The Minister of State for Finance (Mr. Bussières) filed the report of the Bank of Canada earlier this week. Page 12 of that report reads:

From the point of view of dealing with inflation, this was an uncomfortably large deficit for the Government of Canada to have at a time when the level of economic activity relative to the economy's demonstrated capacity was as high as it then was. I am pleased that in the last budget the government recognized the need to reduce its over-all deficit in the years ahead.

We all remember the minister saying that he was going to reduce the over-all deficit in the years ahead, yet in this current fiscal year we have had supplemental estimates (A), (B) and (C). The spending estimates of the government were shot all to the devil; they did not mean a thing. It kept coming to the House for more and more money. Its final levy against the people of Canada for this current fiscal year will probably be rammed through on March 23 next. So where are we? Pious statements made by the minister to the Canadian Club and to this House will reduce the deficit and control expenditures?

It was very good that the government produced an outline of the new spending, its government expenditure plan, Part I. I looked at it and thought it was a sales program rather than a realistic outline of expenditures. I looked at some of the estimates of the government which it says will restrain expenditures. Look at what it did to the CBC, which had an estimate of $577.5 million for this fiscal year; and for next fiscal year it increases to $649.4 million, an increase of only $71.9 million. Probably this will finance CBC 2, despite the fact that Members of Parliament appeared before the CRTC to try to prevent that further expansion of government service. We can look at one department after another. Employment and immigration estimates are up $259 million. We can look at the increased spending on public archives and national museums, and all these very wonderful things, film development and the rest, which will restrain expenditures! I do not know what restraints are all about.

Last week the President of the United States spoke in this chamber and outlined a course of action he was going to take in his country. The President talked about a possible $80

billion deficit in a country ten times more profitable, on any economic base, than our country. He said that it was impossible for the American people to live with this situation any longer and he was going to slice expenses. Today the President has programs before his Congress which will slash expenses by cutting back on programs which are no longer important or absolutely necessary.

What does this government do? The minister mouths fine words, but he only gives us blue books and many spending estimates, with one supplemental after another, which demand more and more money. Eighty per cent of people surveyed by public opinion polls have described inflation as their number one problem. This week Statistics Canada says the new inflation level is 12.2 per cent, which is the highest level in years. It is much higher than it was when this government introduced wage and price controls. However, there is no effort being made by this government to come to grips with inflation. The Bank of Canada in its monetary policy, has legitimately tried to keep the growth of money supply down.

An hon. Member: Sabotaged by the Minister of Finance.

Mr. Blenkarn: My friend says sabotaged by the Minister of Finance. It has been more than sabotaged by the Minister of Finance; it has been destroyed by the Minister of Finance. We must know where we are going in Canada, and this government must get onside and do something to restrain its growth and cut back on some services and give-away programs. This must be done, whether the government likes it or not.

We may want to increase our foreign aid commitments; and that may be desirable. However, if you told Canadians that they could borrow money at 13 per cent, 14 per cent or 16 per cent, but future generations of Canadians would be saddled with the interest costs of carrying that gift, I suggest that Canadians would say, as the Americans are saying, that we should get our House in order. When we have our House in order we will be able to help the Third World and people who are less well off than we are. But if our money has lost purchasing value, if our economy is shaky because of massive inflation and if we are to suffer the unsettling effect of inflation, then we will not help anyone, least of all ourselves.

● (1230)

The government brought down a budget on October 28 last year but, Mr. Speaker, I could not call it anything but a fairy tale budget. That is what it was.

Mr. Evans: A fairy tale budget?

Mr. Blenkarn: The hon. member for Ottawa Centre (Mr. Evans) says it was not a fairy tale. It calculated that the exchange rate of the Canadian dollar against the U.S. dollar this year would be 87 cents but it has been 82 cents, 83 cents and is now 84 cents. Perhaps it will reach 87 cents toward the end of the year and perhaps not. The budget forecast that the inflation rate would reach 10.2 per cent but at present it stands at 12.2 per cent. The budget forecast that interest costs would remain approximately the same, even though the Department of Finance should have known that they were escalating. It was a fairy tale budget. It projected the increase in petroleum products at about 20 per cent, but the increase in the price of fuel oil alone has already reached 36 per cent for the year. It was a fairy tale budget—a budget of Snow White and the Seven Dwarfs. I do not know who the dwarfs are over there but they are not competent, capable dwarfs and they are certainly not large in the mind. They are great at spinning yarns, however, and this budget was a yarn, not a budget. It was an effort to grab oil revenues and we know that.

Now let us look at what has happened since October 28. Mr. Speaker, the budget has been panned by every economic agency in Canada, from the Economic Council of Canada, which is the creation of this government, the Hudson Institute, the C. D. Howe Institute, the Ontario Economic Council, every major bank, the Canadian Association of Independent Businessmen, to the little fellows and the big fellows such as the Canadian Manufacturers' Association. We could understand if it had only been panned by the oil companies lobby, but when everybody panned it, that was an indication that the projections were incompetent and wrong.

The Minister of Energy, Mines and Resources (Mr. Lalonde) speaks about going to Alberta—or maybe it is Winnipeg—for a new round of talks to see if he can do something with this pancake. It is not working and it will not work. It is no good and yet we are being asked to give the government the authority to borrow money to put the budget through. The budget is not right and it has never been right. The requirements set out in it are not right; the spending suggestions are not right; the inflation figures are not right; the interest figures are not right; the exchange figures are not right. There is nothing right about it.

The matter can only be handled properly if Parliament acts responsibly. Parliament is the place where the government, the Crown, must come to apply for the right to levy taxes and to borrow money. The one control that this Parliament has over the incompetence and ineptitude of this government is its control over the right of the Crown to borrow money. The amount of that borrowing must be restrained.

I am not totally against borrowing, Mr. Speaker. If the purpose were to establish solid, new capital acquisitions, that would be one thing; if the object were to issue a debenture in order to build a pipeline, to build more rail track or to enclose harbours, that would be all right; if the purpose were to issue a debenture in order to build better bridges, that would be an intelligent suggestion; if the purpose were to improve the environment by building new sewage plants and so on, that would be pretty important. Anything done to improve the economy of the country would be important. But to borrow in order to pay interest—in effect, to pay off the Chargex card expenditure of last year, which is what we are doing—is not good enough.

One has only to compare the budgetary figures to see what is being done. This government claims that it will have to borrow $10.98 billion for this fiscal year. The interest on this amount was calculated at the rate in effect last fall, not today,

and even at that it is calculated to cost $12.35 billion. Not all the interest has to be borrowed, but the interest is still in excess of the borrowing. The deficit which is forecast is $13.7 billion and the interest on that will be $12.35 billion. We are now spending more money than we receive in taxes. We must go again, and again and again, to the market to borrow the money just to pay the interest on what we have overspent in the past.

An hon. Member: And we compete against Third World countries.

Mr. Blenkarn: My hon. friend says that we compete against Third World countries for money. That is how we help them; that is our foreign aid program; that is how we borrow and hand out the money. We help to raise interest rates so that anyone else who borrows has to pay the higher rate. That is how we help the Third World improve conditions.

The government must bring in the new financial program called for by the Bank of Canada in its report. New policies must be introduced that will attack inflation. We must get things in balance. We simply cannot go on this way, Mr. Speaker.

The amendment would give the government $8 billion in borrowing authority. Even with the present spending plans, that amount would carry us through until the end of October. If the government has not changed its fiscal stance by the end of next October, it will have to come back to Parliament. But if it is sensible, it will be able to reorganize its affairs and get by on $12 billion next year. That means a cut of only $3 billion, Mr. Speaker, and I do not think it would take too much effort on the part of Parliament to slash $3 billion. We could do that and the government could get by on a great deal less money than it is asking for. It hopes to have that $3 billion as a carry-over, or, if you want to put it another way, it wants the right to have more slush in the 1981-82 fiscal year.

● (1240)

The government does not say the $3 billion has to be carried over; it says it may carry over the $3 billion. The real essence is that the government wants the right to borrow $14 billion in 1981-1982. If the government does not use the amount, it wants to be able to carry the $3 billion over so that it does not have to come back to Parliament until perhaps June or July, 1983. But if the government wants to come back to Parliament, it figures it can, and that it would be all right to do so.

What the government is asking us to do is give it the authority to borrow $14 billion. The government's own budget has been proven incompetent in all aspects. The fairy tale budget said the government would need $11 billion. We say the government could get along with $8 billion. The government could trim its cloth, change its spending plans, and cut down on some programs without doing any serious harm to anyone. We could get along on less. We would not have to borrow as much. By doing that, we could turn this country around. We could also come to grips with inflation. But to give the government $14 billion, $3 billion more than it says it needs for the next fiscal year with a fairy tale presentation proven wrong on every account, would be a disgrace. It is wrong. On this side we stand up and say it is wrong. We expect members on the other side to say it is wrong, but Liberal members may be embarrassed to do that on the floor of this House. They are under a terrible whip. Surely Liberals can get tough with their ministers or work something out in their caucus. Surely they have some respect for their children and their grandchildren. Surely they do not want to saddle Canada with impossible debt.

Mr. Thacker: There is no future with the Liberals.

Mr. Blenkarn: We were dealing with this borrowing bill in the finance committee the other day. We were pleased to have Michael Walker, director of the Fraser Institute, before us. He gave us some analysis of how borrowing affects us, our children and, indeed, our country.

The government likes saying that the borrowing is only a small percentage of GNP. The government says its borrowing is only 4.4 per cent of projected GNP, that it was 5 per cent last year and so on. If we add up the fours and the fives, we eventually get to 100 per cent. But that is not what I am talking about. When we increase borrowing, we ought to look at the increase in our GNP. If the GNP increases, then perhaps we can afford to increase our borrowing. That is another way of looking at it.

What was Canada's GNP last year? On a per person basis, our GNP slipped 3.3 per cent, perhaps 3.5 per cent. What will the GNP be this year? Will we possibly have a 1 per cent increase in our GNP? I doubt that; the forecasters doubt that. Most of them are talking of no increase in the GNP. Some say perhaps there will be a 0.1 per cent increase. We cannot justify, on the basis of increasing productivity in Canada, the increasing need to carry greater debt. That cannot be. Yet that is what this government is asking us to do.

Let us look at this in another way. How much of the real savings of Canadians is being absorbed by government debt? The Fraser Institute tells us that in the year 1970-1971 the percentage of real savings absorbed by government debt was 2.2 per cent. By comparison, in 1980-1981 real savings absorbed by government debt was 19.4 per cent. Next year it will be virtually the same. Imagine nearly 20 per cent of the savings of Canadians being absorbed by government debt. That is unconscionable.

Canada has had a great problem dealing with inflation. People are saying increased productivity is the only solution. The only way we can have increased productivity in a modern industrial society is to have more machinery and more equipment to do things more efficiently. We have to do things more efficiently to build and create. To do that one needs money. What we have with this government is massive borrowing. The Fraser Institute tells us that the government is taking very close to 50 per cent of all the debenture and bond money available in Canada. Where is the money for industry? Borrowings should not be used to pay old interest bills, nor should they be spent on current living expenses. Money should be

available for worth-while, new, hard-nosed, hard-surfaced development which will create and build on the productivity which Canadians are capable of.

This government's borrowing plans suck up the available savings of Canadians making it impossible for industry and business, and in particular small business, to borrow. These borrowing plans drive up interest rates. They drive up interest rates for home mortgages and for farmers. The government's plans are causing interest rates to be driven up right across the board, crowding out legitimate business and paying instead for bigger and bigger government. This practice must cease.

This bill must reduce the government's requirements to $8 billion this coming year. We should not allow the government to have a hangover on its borrowing authority.

Hon. Sinclair Stevens (York-Peel): Mr. Speaker, I hesitated to rise because I fully expected at least one representative from the government side to rise and attempt to defend the borrowing position on which the government is asking the House to vote.

My colleague, the hon. member for Mississauga South (Mr. Blenkarn), has suggested that the $14 billion request is unduly high. He suggested that there be a lowering of that figure to $8 billion, an amount he set out in his amendment. I hope before we go too far into the debate today that the Minister of State for Finance (Mr. Bussières) will give us some explanation why the government presumably wants to resist this amendment. Perhaps he would like to speak now?

[*Translation*]

Mr. Bussières: Mr. Speaker, I rise on a point of order. I always find amusing and amazing the lack of logic of some hon. members, in particular of the official opposition. They constantly complain about their being allotted too little time to speak in the House; yet, when they are given the opportunity of doing so, they would like to see us speak. The hon. member knows full well the bill was explained on second reading, and again, when the bill was studied in committee, the Minister of Finance (Mr. MacEachen) gave other explanations; he knows full well that I still have time to give more details. So, I see no cause for complaint: let him be patient.

[*English*]

Mr. Stevens: Mr. Speaker, I am quite sure the Minister of State for Finance knows that the minister never gave any explanation in committee. He now says there will be ample time to give an explanation. Frankly, this government is making no preparation that I can see to give us an explanation. To suggest, after the comments which have been made by various members of this caucus on this bill, that somehow or other it is wrong for us even to ask that the government try to justify this type of borrowing, I find most shocking.

● (1250)

What happens is that the government gets almost immune to what it is doing. It becomes insensitive. I do not believe it realizes the magnitude of what is $14 billion. The government can no longer borrow at 12 per cent. Only last week the official government rate on long-term bonds went over 14 per cent. I reminded hon. members that even at 12 per cent the debt doubles every six years. Therefore, we are not talking of $14 billion. With interest, that will amount to $28 billion in six years, in 12 years it will be $56 billion and six years after that $112 billion.

The reason I mention that figure is that I find the situation absolutely ludicrous when we are faced with 12.2 per cent inflation in this country. The government is aided and abetted by the little group to my left, which I hope will disintegrate completely. Up until now they have been exciting these fellows opposite, telling them to spend more, not to worry about debts or borrowing. On inflation day, they have the audacity to turn around and ask what is causing it.

The hon. member for Winnipeg North Centre (Mr. Knowles) speaks often in this House on behalf of the pensioners and senior citizens. I wish he would go hat in hand and apologize to them for the fact that his party has supported and propped up this government. In fact, they have almost encouraged the government to spend, spend, spend and run into greater and greater deficits, which are the very thing creating the inflationary forces in this country which are crippling to the very people the hon. member so often speaks on behalf of, the pensioners and those on fixed incomes.

It is easy for the minister to gloss over and flub off this $14 billion borrowing. Let us put a billion into perspective. When we talk about billions, I do not think any of us, certainly not myself, can relate to what is a billion dollars. A billion minutes ago Christ was walking on the earth. A billion hours ago our ancestors literally lived in caves. A billion dollars ago in Ottawa is last week, a billion dollars is being spent this week and there will be another billion dollars spent next week. In fact, for the total year spending will be up to $60 billion.

It is bad enough to have such a growth in spending. I remind hon. members once again that that $60 billion compares to a total spending budget, when the emperor first took control of this country, of $10 billion. He has run up our spending sixfold. As I say, that is bad enough, but what is totally unforgivable is that the government estimates the total revenue it will have to offset that spending is about $46 billion. That is what we are dealing with, a $14 billion deficit which the government is contemplating. It is asking for parliamentary authority to borrow that $14 billion.

We must bear in mind that that is not the whole story. There are supplementary estimates before this House that are getting short shrift in the committees, barely being reviewed. By a guillotine rule introduced by the emperor himself, those supplementary estimates are deemed to be passed next week.

The estimates include 34 $1 items which cover almost $800 million of borrowings, guarantees and expenditures of varying types. The government is pretending that because we passed 34 $1 items in the estimates, somehow that is sufficient authority for it to obligate Canadians through borrowings, guarantees and other types of expenditures to the tune of

almost $800 million. Talk about sleazy treatment of Parliament; that is the ultimate.

Mr. Kempling: Sewer politics.

Mr. Stevens: We learned this morning that under one $1 item alone the minister is proposing to guarantee loans to a wholly federal government-owned subsidiary called de Havilland. We also learn when we review the audited annual statement of that company that, contrary to what the government has been representing, they lost almost $9 million last year. We learn that, even on the government's own figures, in the coming year they are going to lose $5 million to $8 million.

I draw the attention of hon. members to this because over and above the $14 billion the government is requesting authority to borrow, it is going to whip through next week a $450 million guarantee to allow it to guarantee $450 million of de Havilland borrowing, a company that lost money last year and will lose money in the coming year. In fact, ever since the government has owned it, on a proper accounting basis it has done nothing but lose money.

When will this government come to its senses? For example, another $1 item contemplates the guaranteeing on behalf of Massey-Ferguson of $130 million, up $5 million since last February when the minister said he was proposing to lend $125 million. Another item gives back-up to Eldorado for approximately $150 million. Surely people should get a little excited.

That is not the whole story. We find that the government—and the President of the Treasury Board (Mr. Johnston) is telling us to expect more of this—is now resorting to the net-out principle where it takes revenue and instead of putting it into the Consolidated Revenue Fund, as is usual, it nets it against an expenditure. They say, "It is off the budget. We won't call it an expenditure. We won't call it a revenue." In short, the expenditures then look lower.

[*Translation*]

The Acting Speaker (Mr. Corbin): Order. It being one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1 p.m. the House took recess.

[*English*]

AFTER RECESS

The House resumed at 2 p.m.

Mr. Deputy Speaker: Order, please. When the House rose at one o'clock p.m., the hon. member for York-Peel (Mr. Stevens) had the floor.

Mr. Stevens: Mr. Speaker, hon. members will recall that in my introductory comments I was asking that some spokesperson for the government try to explain why they feel the amendment proposed by my colleague, the hon. member for Mississauga South (Mr. Blenkarn), is unacceptable. If we have agreement, if they are willing to knock down the borrowing level from $14 billion to $12 billion, fine, let us hear it. However, in support of what I am saying I was trying to emphasize the point that the government, in asking for the $14 billion, is not telling the whole story because, as I indicated, contained in the $1 items in supplementary estimates (C) there is something approaching $800 million of other guarantees it hopes to ram through Parliament under the normal guillotine provision that applies to supplementary estimates. I find that deplorable.

Hon. members will recall that I pointed out the government proposes a $1 item that would allow it to guarantee loans up to $450 million to de Havilland Aircraft of Canada Ltd. It does that after having doctored the de Havilland statements. The annual report of de Havilland showed there was an income before taxes of $288,000. That is what the government sort of ran around boasting about, totally ignoring the fact it has something like $40 million in sheer equity investment; but on the basis of all that it had a statement prepared showing the company made $288,000.

Then we read the qualified report of the auditors, and I would emphasize that such a report is very rare. I have certainly never seen even a qualified report on the part of auditors dealing with a Crown corporation or a wholly federal government-owned subsidiary before. But when we read the statement of Deloitte Haskins & Sells we find the following:

As more fully described in note 1 to the consolidated financial statements, certain Dash-7 program charges are deferred to be recovered from future sales.

● (1410)

And note this:

The recovery of these deferred charges is dependent upon receipt of future orders significantly in excess of those received to date.

When you check note 1 to which they referred, you find this startling revelation:

Estimated sales proceeds from undelivered aircraft of a 250 aircraft program exceed the production and tooling costs in inventory and deferred charges at May 31, 1980, plus estimated additional production and tooling costs to be incurred. However, if fewer than 250 aircraft are sold or if the sales proceeds are overestimated, or if the costs to complete the program are underestimated, substantial amounts of unrecoverable costs may be charged to expense in subsequent fiscal periods.

Then they go on to say:

In the fiscal years 1978 and 1979, as a matter of prudence and reflecting the early program circumstances, the company adopted the practice of amortizing deferred production and tooling costs rateably over the first 100 aircraft deliveries. In 1980, due to the increased level of orders and options received, the company revised the amortization base to 250 aircraft deliveries.

This should also be noted:

The change in the rate of amortization had the effect of increasing income before income taxes by $8,950,000 in the current year. Had this rate of amortization prevailed in 1978 and 1979, income before income taxes would have been increased by $560,000 and $1,400,000 respectively.

That is the end of the note in the de Havilland statement.

What is significant, as all members who have been following what I have read into the record know, is that they literally doctored the books between 1979 and 1980 to present what was going to be almost a $9 million loss in the case of de Havilland as a $288,000 profit. Surely this House should become alarmed when we are then asked in a $1 item to rubber stamp a guarantee of $450 million on behalf of that company, which has not been examined by any committee of the House. In fact, we requested the Minister of Industry, Trade and Commerce (Mr. Gray) to attend the finance committee twice, but he ducked out of the first meeting and today was there for only slightly over an hour, during which most of the time was taken up by planted questions asked by government members on that committee.

I cite this as an example only because, while we are asked for borrowing authority for $14 billion, we are not being consulted.

In those figures no account is taken of borrowings made by the Consolidated Computer Company, about which we are going to hear much more in the coming days and weeks, or by the Export Development Corporation, for which the government may borrow in the coming years hundreds of millions of dollars, thus binding the people of Canada. Eldorado's borrowings are not included, Canadair's borrowings are not included, and also the Post Office is not included because, as soon as it is made into a Crown corporation, the government intends to slough off to the side the $400 million loss sustained by that entity at present so that it will no longer be reflected in the government's accounts. Certainly there will be no reference to the money borrowed to sustain the corporation or to the operating loss.

Then the activities of the Enterprise Development Board have not been included in these figures. I think around $2 billion in total is to be granted to various people in the form of guaranteed loans, and this also is not included in the $14 billion requested. The CNR, of course, is not included. Then there is, of course, that real dandy, the one that our friends to the left love so much and for which they have taken credit for foisting on the Canadian public. I am referring to Petro-Canada. As we know, that entity alone is proposing to borrow $1.4 billion to pay for Petrofina. Not only will Petro-Canada borrow that amount, but it proposes to have what it calls the ownership tax put in place so that every time we go to buy a litre of gasoline we will have to pay as much as 4 cents per litre simply to cover the interest of the $1.4 billion and help retire some of the principal.

That is what is in the cards for us. Let every member who tends to go along with the government and acquiesce in what the government is asking us to do bear in mind that it is not just $14 billion but probably several billion dollars more of indirect guarantees or related amounts that the government is proposing to borrow for the coming fiscal year.

To suggest, Mr. Speaker, that this amendment should not be given serious consideration is an affront to the Canadian public. It is something on which every member in this House interested in the ongoing economy of Canada should speak and explain, if he chooses to vote against this amendment, why he wants to do so. But above all, I hope hon. members will stand up, including members on the government side, and point out to the government—

Mr. Deputy Speaker: Order. I regret to interrupt the hon. member but the time allotted to him has expired. He may continue with unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Mr. Stevens: I thank you, Mr. Speaker, and hon. members for giving me some additional time.

I was going to draw to the attention of the House how tremendously this borrowing authority has increased. What I think is often overlooked is that when we are asked for $14 billion worth of authority, the request is made totally out of context. We are never told in an open way what is the over-all borrowing authority of the federal government at present, the aggregate or ceiling. All we are told is that there are many separate authorities. In the United States, as hon. members know, the borrowing level is limited, and when the administration want it increased periodically they have to go through Congress; but there is always an over-all ceiling. They do not have our piecemeal system where the government is coming to the House constantly with requests.

Mr. Evans: We deal with it every year.

Mr. Stevens: I am always pleased when the Parliamentary Secretary to the Minister of Finance (Mr. Evans) speaks from his seat because he demonstrates the fact that he is ignorant on the subject.

Some hon. Members: Oh, oh!

Mr. Evans: If you deal with additions, you must deal with the total.

Mr. Stevens: That is the very point. I challenge the hon. member to stand in his place and tell us what is the total borrowing authority of the federal government as of this date.

Mr. Evans: It is whatever we pass in this bill.

Mr. Stevens: That is not right. What we pass in this bill is interim authority; it is $14 billion additional borrowing authority. The government cannot tell us exactly what authority it has before we pass this bill. We know that after we have passed the bill the government will have to use whatever amount it currently has on top of which it will have $14 billion. My point, and I think the parliamentary secretary has helped me make it—

Mr. Evans: So you put a ceiling on it.

Mr. Stevens: —is that the American approach is to have a ceiling. They do not deal with the incidental pieces. I think that would be a much more meaningful approach for the government to adopt. I believe that the reason they shy away

from it is that they know it is embarrassing. They do not like to talk about the 1956-57 $1 billion level. That is why it is very nice to be able to fudge it and say, "How about another $14 billion while we are running the show?", without making it clear that the gross debt right now is $137 billion and that the net debt will exceed $100 billion next year.

● (1420)

We must bear in mind that when the emperor took power, not that many years ago, the net debt was $20 billion. His legacy is $80 billion of added net debt on the shoulders of not only the present generation, but every generation to come. He has mortgaged the future to preserve himself in power.

I was pointing out that this has been done in a piecemeal fashion. For example, he came to us in the fiscal year 1971 and received authorization for a $3 billion borrowing authority. In 1972, it was another $3 billion; in 1973, it was $3 billion; in 1974, it was $3 billion; in 1975 it was $5.5 billion. We can see how greedy he became, how much more he started to crave and to request from Parliament. In fiscal 1976, it was up to $6 billion; in 1977, it was $6 billion; in 1977, 1978 and 1979, that jumbled-up period, it was another $28 billion; in fiscal 1980, it was $7 billion; in fiscal 1980 again, it was another $12 billion; and now it is $14 billion.

Surely the time has come for someone, hopefully on the government side, to become a little concerned. To put it another way, the government allowed the gross debt and the net debt to grow to the point that today 23 cents of every revenue dollar coming into Ottawa is spent to service previous debt. It is the fastest growing cost with which government lives; it is the cost of servicing the debt.

I do not know what value the government puts on $1 billion, but I would have thought that some minister could have stood up on this amendment and at least spoken for 14 minutes. That would be only $1 billion per minute! Surely some minister could afford that courtesy to the House, without expecting us to rubber stamp this bill without even a 14-minute speech.

Mr. Evans: You should have been here at second reading.

Mr. Stevens: The parliamentary secretary is helping me out again. He should remember the government's argument at second reading—"Let us not delay it now; let us get it before the committee for a thorough examination." Of course, the government used closure to get it there. It said there would be an opportunity for a thorough review in committee. But in committee we were told, "Well, of course, you will have time in the House to debate it at report stage and third reading", which is what we are doing. We were told to expedite it out of committee and, of course, that we could speak on it in Parliament.

I have referred to the tremendous increase in our debt. It is not by coincidence that that increase is reflected also in the spending levels of government. We must not forget that in 1975 the government increased spending by 22 per cent. In 1974, it was 28 per cent; in 1973, it was 11 per cent; in 1972, it was 15 per cent; in 1971, it was 13 per cent; in preceding years it was 10 per cent, 11 per cent, 12 per cent and 14 per cent. Those were the increases of the late 1960s and the early 1970s.

If we take a look at the current spending plans of the government, and somehow adjust the fudging of the government, as the President of the Treasury Board admitted in committee the other day, we will find the spending increase for this year is 16 per cent. That is the trouble we are living with. This is a government without discipline, a government without any sense of responsibility. Unfortunately, the price does not come out of the salaries of its members. They do not get a reduction for their inefficiency and their bungling. It comes out much in the form of a mortgage on this generation and future generations, who will have to live with tens of billions of dollars of needless borrowing for years to come.

Hopefully many other members plan to speak on this amendment. I will not take any longer; I hope to speak later on the bill itself. But the time has come when the House must start dealing more seriously with a government which has lost all sense of responsibility. It is a runaway government which has lost control of the Canadian economy. Let not any minister over there—certainly not the Prime Minister or the Deputy Prime Minister and Minister of Finance (Mr. MacEachen)—stand up and claim in the future that they do not understand why there is inflation in the country. They are the cause of inflation; they are manufacturing inflation. If there is any industry for which Ottawa should be known currently, it is the great manufacturer of inflation with which the country must live.

I should like to touch on another point; I hope the minister will respond and somehow try to clarify it. Bill C-59 authorizes the government to borrow $14 billion in fiscal year 1982. Last May, the government requested and received authority to borrow $12 billion for the current fiscal year which ends this month.

At page 19 of his printed budgetary statement on October 28, the Minister of Finance said the following about government borrowing:

> We have been able to raise the large amount of funds we need through the sales of marketable bonds and treasury bills without hampering the Bank of Canada's ability to keep money supply growth within the target band. I am conscious of the risks we have run, however, in such a heavy reliance on borrowed money and I have referred already to the burden which it creates in the form of rapidly rising interest costs. The planned reduction in our financial requirements will be beneficial on both counts.

He predicted that financial requirements would decline more rapidly than the budgetary deficit, going from $12.2 billion in fiscal 1980-81 to $11 billion in 1981-82, to $8.4 billion in 1982-83, and to $7.2 billion in 1983-84.

If the financial requirements were to follow the line he indicated, why are we being asked for $14 billion, for example, for fiscal 1982 when just last October the minister said that it would be $11 billion for fiscal 1982? There seems to be a $3 billion overrun. I know the government lives very comfortably with overruns, but that seems to be a very, very large one.

This is the reason I think my colleague's amendment to reduce the total borrowing authority is justified. Certainly it is

justified, unless we receive better evidence as to why the government needs these funds. If we take seriously the statement of the Minister of Finance, it appears that he does not need the $14 billion borrowing authority he is now requesting. Bear in mind, Mr. Speaker, that when you borrow amounts of the magnitude the government is proposing to borrow, it will have repercussions in the marketplace. This will be so if the government continues to print counterfeit money, if you like, to create the wherewithal that it in turn can borrow back. Clearly, the more borrowed the smaller the pie becomes for everyone else. This is what tends to drive up interest rates. This is what makes it so difficult for a person who is either having to live with a renegotiated interest structure on his home, or who wants to borrow money for his business. This is why he is finding it so costly to borrow money today. It is because of the government's greed. More and more the government is taking an undue portion of the total available funds which may be borrowed.

• (1430)

In short, I think my colleague's suggestion that this borrowing authority should be cut down is most appropriate. I hope the government will give consideration to reducing it or, at least, give us a more satisfactory explanation of why we are faced with a $14 billion request for funds, since the Minister of Finance told us last October that all he needed was $11 billion.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Mr. Speaker, I was aware that the hon. member for York-Peel (Mr. Stevens) is an expert juggler and again this afternoon he has given us a fascinating show when he juggled with figures the way a circus juggler does with balloons. It seems to me we ought to show more moderation because nothing is more alien to the House of Commons than a circus. Fortunately, the figures he was tossing around were not plates, otherwise we would be picking up the pieces because his balancing act was shaky enough to scare the daylights out of us.

We also knew the rhetorical talent of the hon. member and again he has given us an excellent demonstration. One thing I did not know, however, is that when the hon. member quotes from a document he does so only partially because he lacks patience. I thought he was a persistent man and that when he set out to read a document he would read it to the end. The last question he put proves to all hon. members that he failed to continue reading the budget documents tabled by the Minister of Finance (Mr. MacEachen). Indeed, Mr. Speaker, he queried the amount of $11 billion, but he forgot to read a little further on in the budget and the budget documents tabled by the Minister of Finance where he would have found the minister's explanation about the additional requirement for $3 billion to make up the total amount of $14 billion sought under the borrowing authority bill now before us.

Since the request to borrow $14 billion is justified in those budget documents, in the budget and in related documents, the government is opposed to the first part of the amendment moved by the hon. member for Mississauga South (Mr. Blenkarn) who wants to reduce the government's borrowing authority from $14 billion to $8 billion. Mr. Speaker, we are opposed as well to the second part of the amendment under which—

[*English*]

Mr. Stevens: Mr. Speaker, I rise on a point of order. The minister has stated that I did not fully read the quotation of the Minister of Finance in the budgetary document. I ask the indulgence of this House to allow the minister to read into the record what he thinks I did not refer to, or what he thinks I did not properly quote. I am making this request because I cannot see the reference on page 19.

[*Translation*]

Mr. Bussières: Mr. Speaker, I do not have the budget speech before me. The hon. member is urging me to read page 19. What I am suggesting to him is that he ought not to dwell on only one page but read the full text of the budget documents. For instance, he will find out that the $3 billion margin we are seeking matches the margins which have already been used; these are balance margins which can serve for other borrowing needs or for requirements concerning our exchange rate.

I should like to get back to the second part of the amendment of the hon. member who wants to eliminate the possibility that the remaining borrowing authority on March 31, 1982, be used after that date. Anyone reading the borrowing authority bill will realize that if on March 31, 1982, the unused portion of the $14 billion borrowing authority is in excess of $3 billion, that unused portion will automatically be cancelled. However, if the remaining over-all borrowing authority were to be less than $3 billion it might continue to apply to the period after March 31, 1982. The hon. member is against that provision.

[*English*]

Mr. Blenkarn: I rise on a point of order, Mr. Speaker. Would the minister accept a question so that we can better understand his explanation?

[*Translation*]

Mr. Deputy Speaker: Would the minister accept a question?

Mr. Bussières: Mr. Speaker, if the hon. member would allow me to make my statement, we will have a lot of time to answer questions later.

An hon. Member: He might have an answer.

Mr. Bussières: Yes, and since I intend to speak for 20 minutes, it is quite possible that he will get an answer.

Mr. Blenkarn: Agreed.

Mr. Bussières: I do not like the untimely behaviour of students who interrupt their teachers—and I am not referring to myself.

In the bill under consideration there is also the possibility of borrowing in foreign currencies. Now to sum up: a borrowing power of $14 billion which has been justified in the budget tabled by the Minister of Finance in October last, the possibility of extending part of that borrowing power beyond March 31, 1982, and using it in the next financial year on one condition, namely, that the borrowing power be lower than $3 billion. Finally, it also provides that the borrowing power would be automatically cancelled if the remainder of the borrowing power amounting to $14 billion exceeded $3 billion, a clause appearing in the bill or in the legislation on the borrowing power now in effect; also, as I indicated, the possibility of borrowing in foreign currencies. In their comments, the previous speakers have pointed out, Mr. Speaker, the huge deficit. It is obvious that a $14 billion deficit is quite substantial. Nobody denies it. We are not saying that it is negligible. But, Mr. Speaker, the relative aspect of that deficit must also be taken into account. One of my friends was telling me that the importance of loans or debts can be expressed in terms of one's capacity to repay them, whether it be an individual, a corporation or a country, on the basis of one's wealth. In other words, if one is poor, one cannot borrow. This is not to say that the richer one is, the deeper one must go into debt. It means that all figures are relative and that examination of figures taken in the abstract, or in absolute terms, can lead to misleading conclusions as compared with reality.

● (1440)

It would be easy for the government to use the approach—and I say approach when I should say, in fact, what seems to be the drastic approach—of the Progressive Conservative party to the deficit. If I say the seemingly drastic approach, Mr. Speaker, it is because hon. members of the official opposition say in the same breath that we must reduce the deficit while asking us to increase the funds allotted to the Department of Transport and to the Department of Regional Economic Expansion. We are asked, in the same breath, to increase the funds allotted to the Department of Energy, Mines and Resources. So, let us reduce drastically the deficit and government expenditures but, at the same time, let us give more money to transportation; at the same time let us allot more money to regional development; at the same time let us allot money to all sorts of activities, whether it be the Department of Manpower and Immigration, or any other government department.

So, I say that we are dealing only with what appears to be the will to slash government expenditures. The approach of the Minister of Finance was far more responsible since it is a liberal approach. It is a gradualist approach, Mr. Speaker; it is adapted to the needs of our society. Are the hon. members willing to see us do away with the indexing of the old age pensions? Are hon. members on the other side blaming us for having increased the guaranteed income supplement in order to help the less fortunate among us. Would hon. members on the other side want us to reduce drastically the amounts paid the provinces for health care? Would hon. members across the way want us to reduce drastically the enormous sums of money paid to the provinces for university education? Let us be serious: hon. members must tell us where their priorities really lie, and stop telling this government to increase its outlays in such and such a sector. That is why, Mr. Speaker, I say theirs is only an apparent will to reduce the deficit drastically, as members of the official opposition loudly claim.

The approach of the Minister of Finance will reduce the government deficit over a given period of time, according to a plan clearly explained in his budget papers, and will match the increase in government expenditures to that of the GNP. Those are the commitments made by the Minister of Finance in his budget speech. Of course, should the economic situation change, therefore allowing the government to change its approach, to lay greater stress on reducing the deficit, naturally the Minister of Finance will be the first to be happy, to rejoice about it. Mr. Speaker, it has also been said that the government borrowing was cluttering up, absorbing, wiping out or strangling the capital markets at the expense of the private sector in need of financing.

There is nothing to prove such an allegation to the effect that the federal borrowing has restricted the access to markets for other types of borrowers. In spite of higher borrowing by the Canadian government on the domestic market in 1980 than in 1979, provincial and corporate borrowing has also been significantly higher. This means that there was still room for increased borrowing on the capital markets. By checking these facts, we can therefore see quite clearly that there has been no congestion or cluttering up of these markets.

The new net borrowing on the domestic market by the provinces, excluding borrowing for the Canada Pension Plan, reached $5.7 billion in 1980, which is $3 billion more than in 1979. For their part, the companies borrowed $1.9 billion in bonds on the Canadian market in 1980, or $485 million more than in 1979. Moreover, companies borrowed $4.5 billion in the form of shares, or $500 million more than in 1979. Share financing has therefore progressed significantly these last few years, and an ever-increasing proportion of corporate financing was obtained on the stock markets in view of the very favourable terms obtained on these markets in the last few years.

Mr. Speaker, I would like to go on to another question raised by the hon. member for York-Peel, that of the fight against inflation. On several occasions, the Minister of Finance has clearly stated that the priority of this government was indeed to fight inflation, while protecting the most destitute in our society, who are the most vulnerable to inflationary pressures.

We are all aware of the repeated support given by the hon. Minister of Finance to the policy of the Bank of Canada to reduce progressively the money supply by reducing the M-1 bracket, an approach which will allow us in the long term to gain on inflationary pressures. The determination expressed in the budget papers to reduce the deficit and government spending over a certain period confirms and supports the monetary policy followed by the government bank by restraining government spending.

During a recent lecture, the Minister of Finance also mentioned an extremely important question, that is the need for a collective will to fight inflation. This will must be reflected in concrete efforts by every sector of the economy showing that they also want to reduce inflationary pressures and finally win the fight against inflation. There are many ways in which to show such a will. For instance, it is necessary to increase our productivity as a producing country, and this need does not concern only the workers. It also affects capital and investments. We need to make our business sector more productive in order to become more competitive, to set much lower prices and thus succeed in increasing our capacity not only on the domestic market, but also and mostly on foreign markets.

The budget speech of the Minister of Finance therefore outlined how the minister intended to fight against inflation, how he planned to reduce government expenditures, how he intended to reduce the government deficit over a certain period, and by setting out the financial requirements of the government, he outlined the need for borrowing authority, which resulted in the bill now under consideration that requests this $14 billion borrowing authority to balance the financial requirements of the government. During consideration of the budgetary estimates, the House had the opportunity to examine the use made of government expenditures, and I am convinced that it will now grant the government this $14 billion borrowing power.

● (1450)

[*English*]

Mr. Blenkarn: Mr. Speaker, I rise on a point of order. I wonder if the minister would be prepared to answer the question at this point. I see the minister is nodding his head.

Is it not true that this bill allows the government to borrow $14 billion in fiscal 1982, to spend the whole $14 billion in fiscal 1982 and that the hang-over provision of $3 billion is not necessary? Indeed, on the face of the bill the government could borrow the whole $14 billion in fiscal 1982 as suggested by my colleague, the hon. member for York-Peel (Mr. Stevens).

[*Translation*]

Mr. Bussières: I wonder if I understand the hon. member's question properly. Is he asking whether under the Borrowing Authority Act the government can borrow the full amount that it is entitled to for the fiscal year 1981-1982? Is that the hon. member's question? Yes, it can but it does not have to. So according to the provision, if there is a surplus of less than $3 billion it may be carried over to the fiscal year 1982-1983. If, for example, the House was in such a position that it could not deal with a bill to provide supplementary borrowing authority, in May or immediately after the end of the fiscal year the Minister of Finance could then avail himself of the opportunity to use the carry-over so that the Department of Finance would have more latitude concerning the borrowing authority and the House to deal with other matters.

[*English*]

Mr. Stevens: Mr. Speaker, I rise on a question of privilege which I think is a very serious one. In his remarks the minister indicated that I had misled the House in my reference to the statement made by the Minister of Finance when introducing the budget. He referred to the fact that I had read into the record that there would be a decline from $12.2 billion this year to $11 billion in 1981-82, in the fiscal requirements of the nation. I cannot remember his exact words, but he indicated that I had very cleverly fiddled the figures and had not referred to other tables, and that if I had put the whole record into proper perspective, the House would have understood the need for $14 billion.

I cannot allow the minister to say that I have misled the House in this way, without his backing up his statement. I have had a chance to go through the tables in the budget. On page 21 the financial requirement of the government in 1982 is shown as $10,980 million. On page 25 it is stated that for 1981-82 the financial requirement will be $11 billion. On page 39, under the heading "Fiscal Projections—National Accounts and Public Accounts Comparison", the financial requirements for 1981-82 are shown as $10,980 million. On page 41 in the table entitled "Summary, Extended National Accounts Presentation", total financial requirements for 1982 are also shown as $10,980 million. For fiscal 1981 on page—

Mr. Deputy Speaker: Order, please. The Chair has listened to the hon. member with some attention. This appears to be a matter of argument and debate. If the hon. member feels he has been misrepresented, let me just say that it is a complicated misrepresentation. The question of privilege should be stated clearly so it is understood. If the hon. member would care to restate his question, the Chair will listen.

Mr. Pepin: Oh, no, not a speech!

Mr. Stevens: The Minister of Transport (Mr. Pepin) says, "Oh, no!" That shows how little he has—

Mr. Deputy Speaker: Would the hon. member please state his question of privilege?

Mr. Stevens: My question of privilege is that as far as I know, I accurately reflected the statement of the Minister of Finance in this House that the financial requirements for fiscal year 1982 were to be $11 billion. The Minister of State for Finance (Mr. Bussières) has indicated that that was not accurate, that I had chosen to leave out certain items reflected in the budget, and that I had, in effect, misled the House. I

should like him either to explain his position or retract the statement.

[*Translation*]

Mr. Bussières: Mr. Speaker, if the hon. member thinks that I was hinting he tried to mislead the House, I apologize for not phrasing my intervention properly. This is not at all what I said. What I said, is that I agree with him that the financial requirements in the budget amount to about $11 billion. However, I told him that if he read a little further on he would see that we are asking for a supplement of $3 billion in order to borrow in foreign currencies if need be. That was the meaning of my presentation, and I never meant that the hon. member was misleading the House.

Mr. Deputy Speaker: After hearing the arguments on both sides, I rule it is not a question of privilege.

• (1500)

[*English*]

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, it would seem to me as we go along that the borrowing authority requirements go higher and higher. One reason is that there is a misleading impression given again and again in the presentation of the estimates that public spending by the Government of Canada is being kept within certain limits.

At the finance committee the other day I pointed out to the President of the Treasury Board (Mr. Johnston), to the deputy governor of the Bank of Canada, and my colleagues that, as responsible writers have indicated very clearly through newspapers, in the preparation of the estimates a practice has developed of presenting them on a selective net expenditure basis. Regardless of how much is to be spent, if there are moneys coming in from another source for these expenditures, the two sums are netted and that is all that is shown as the expenditure. A classic example is unemployment insurance. We know employees and employers make contributions to that fund. Those amounts are brought in on the one hand. Then the government, because of the level of unemployment, spends perhaps $5 billion or $6 billion more on unemployment insurance, but the contributions deducted from the government contribution appear in the estimates on a net basis.

As reported in *Hansard* for February 26, 1981, at page 7716, the President of the Treasury Board said:

> Total spending of $67.6 billion in 1981-1982 is 12.8 per cent higher than last year's level. This rate of growth, while somewhat higher than over the past few years, is below 1980-1981 growth. Total spending is forecast to increase by about 10 per cent in the two planning years beyond 1981-1982. I would stress that these increases meet the government's continuing commitment to expenditure restraint.

We know that part of the government's electoral campaign promises in 1979-1980 was to contain the growth of government expenditures to within the increase in the gross national product. This is an attempt to hide the fact that the government has failed miserably to do so. One of the principal reasons is that idiotic sort of "bread and circus furnished to the Roman mob" denial of an 18-cent increase in the price of a gallon of gasoline. On the other hand, to charge to national revenues an additional $3.5 billion to meet the increase in the price of offshore crude so as to pay a subsidy or to subsidize increasing consumption of petroleum products in Canada at a lower price, means in itself that we live in a fool's paradise.

The public of Canada was treated with contempt by the Liberals, and the New Democratic Party who went along with it, because anyone's intelligence is boggled by the absurdity of subsidizing increasing consumption of a non-renewable resource at much lower than world prices. This is a price even lower than 75 per cent of the world price which the producing provinces were prepared to accept. I say quite frankly in examining the estimates this year that they are not $67.625 billion, they are much closer to $80 billion.

Why do we want borrowing authority for $14 billion plus the carry-over of $3 billion from the previous year? The minister was quite candid and admitted this was the practice, and it is in this bill. There is a provision for a cushion to carry-over of $3 billion. Therefore, $17 billion is the size of that cushion, if it is all spent. There is a $3 billion carry-over and $14 billion in additional authority. The parliamentary secretary looks in amazement from behind the curtain. But I tell him that is so. The minister indicated that the $3 billion carry-over was a standard practice. In paragraph 2 of Clause 1, the explanation is only as to the excess over and above the $3 billion unused authority. The clauses are the same as they were in the previous year. In essence, this bill makes available to the government $17 billion in borrowing authority this year. Again, the parliamentary secretary is shaking his head, but I ask him to read Clause 2(1). I will read it into the record as follows:

> The Minister of Finance, with the approval of the governor in council, may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by any act of Parliament heretofore passed, borrow,—

That is up to $14 billion, in addition to that which remains unborrowed. If the practice is to have a carry-over of $3 billion, that makes $17 billion available to the government. It need not spend it all. The government hopes some miracle will happen.

Why does the government want to borrow that much? First, we are dealing with inflated figures, and second, there is the problem in respect of oil prices. The government does not know whether domestic supply is going to increase sufficiently this year, let alone overcome the cutbacks imposed by the province of Alberta. Nor does it know whether there will be other substantial increases by OPEC. If that is the case, then hang on to your hat, because the size of the compensation for offshore oil will require a great deal more money. The Government of Canada will have to borrow in order to pay for it.

• (1510)

The government fails to recognize that the Alberta and Saskatchewan oil producers are entitled to a far more substantial price than they are getting. The domestic price for energy is artificially depressed. As the foreign price goes up, so does

the quantum of the subsidy and the government requirements are that much higher.

I know the budget provided that there shall be a levy on gasoline for the compensation account, but that is not the figure in the estimates. All that money going offshore is not an expenditure to the extent that there is money in the compensation fund. What a fine way of accounting to the people of Canada! It is for that reason the minister justifies the sort of misleading statement he made on February 25.

The government's priorities are wrong. Since October we have been involved with the question of patriating the Constitution. The question of patriation of the Constitution could have been dealt with long ago but, as we have shown in the other debate, there is a fanatical obsession on the part of one man who wants to put the provinces in their place. By devious and dubious means, the Prime Minister (Mr. Trudeau) is trying to get the British Parliament to breach its responsibilities as a trustee, something not recognizable to our Prime Minister.

A much greater problem is that presented by inflation. The Bank of Canada is attempting to cope with it through its policy of high interest rates. However, it is powerless to cope with the inflation we face today; it is like a small boy trying to spit into the wind. There is far more involved in the setting of interest rates by the Bank of Canada to control the monetary supply than just the relation to that control of the interest rate. The bank cannot touch the worldwide level of increasing inflation. We have seen what it has been on the continent in the common market; 135 per cent in Israel, 300 per cent in Brazil, and equally as high in the Argentine. The Iron Curtain countries are facing this problem and we see re-evaluation of the ruble and other coinage. This is a world wide phenomena. That is one slice of inflation the Bank of Canada cannot do anything about. It cannot do anything about the increasing government expenditures, yet this is a fundamental domestic cause of inflation. The government is cheating at the federal level. Instead of $68 billion, the true expenditures amount to $80 billion. There is the same excessive spending at the provincial levels. They cover it in some ways, but it is there.

The Bank of Canada works on the M-1 factor or classification which is money in circulation, money in the hands of banks and bank accounts. What about credit cards? That credit card in the pocket of each member here is the same as a bank account on which a person may write a cheque in so far as the potential demand on goods and services is concerned. They must be taken into account in determining the state of the money supply.

Cartels also have an inflationary effect on prices. There are artificial restrictions on the market supply of any commodity or service, including marketing boards, supply management and artificial quotas. There are other reasons for marketing boards and quotas, whether in foods or goods. One must remember the price that has to be paid. If the producer is to be protected, the consumer has to pay more. Those are all things that go into the inflationary spiral. It is the old bugaboo of the low-cost unit productivity in Canada. This may be the result of improper training in the labour force, and this applies not only to the blue collar worker but the white collar worker and, ultimately, management through lost time at work and strikes. We have an inglorious reputation over the past few years as far as strikes are concerned. Strikes and loss of production must also include absenteeism at the management level, such as the stolen, afternoon for a game of golf or stolen time for curling. It is all time and comes down to the bottom line. The unit cost of production is high.

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member but his allotted time has expired. Is there unanimous consent for the hon. member to continue?

Mr. Lambert: I do not need it, Mr. Speaker. I just want to say I am opposed to the bill and will vote against it.

● (1520)

Mr. Bill McKnight (Kindersley-Lloydminster): Mr. Speaker, just so we have the facts straight before we start I should indicate that I will be voting against the bill and supporting these amendments.

In the dialogue that has taken place today between members of our party and the government, in the questions and the speeches I keep hearing the word "may"; we may borrow it; we may have $3 billion left; and if we do, we may use it in the fiscal year 1982 because there may be something that comes up that makes it awkward for the government to try to ram through another borrowing bill to carry on the governments business. That is not obstruction by the opposition parties. That is why, back when Parliament was first established, there were opposition parties to examine the King's purse and the expenditures which I am sure seemed very large to the people of the day, just as it seems unimaginable to myself and my constituents when we talk of $14 billion borrowing; not total expenditures, Mr. Speaker, but $14 billion in borrowing.

There is one point that has always bothered me since my election to this chamber, and that is with regard to financial planning, to estimates placed before committee by the government, particularly the $1 votes. When my accountant and I look at my books and we see $1 on the ledger we presume it means exactly that, the expenditure of a dollar. However, when we get into supplementary estimates, which are included, I am sure, in these "maybe" figures presented to us in the last few days, and when this bill was originally brought into the House, we also have $1 figures included in the $14 billion.

The use of $1 items by the government to accomplish a variety of things is not all bad, but some of them are outrageously bad. We have 34 $1 votes in the supplementary estimates (C) 1980-81. There are 12 votes which authorize the transfer of funds from one vote to another; five votes which authorize the payment of grants; eight votes which authorize the deletion of debts; four votes which authorize payments and guarantees; and there are five other votes for $1 which authorize reimbursement of a Wheat Board pool account, amend a previous appropriation act, increase borrowing authority and

authorize transfer of an asset, ratify payments made in previous fiscal years and authorize an increased pension.

These $1 votes, Mr. Speaker, are actually used to circumvent Parliament. The question is: How can Parliament control government expenditures when a $1 vote is presented which represents expenditures considerably higher than $1? It takes dollars from one department and one program in a department and transfers the money that is left to a program other than that which it was originally presented for. On the transfers between $1 votes Parliament is asked to authorize the relocation of funds; thus we do have some control over spending but Parliament may scrutinize the reallocation of the spending priorities only between these votes.

I would just like to give an example from Supplementary Estimates (B), 1980-81 where we had operating expenditures in the marine program to authorize the transfer of $3,989,999 from Public Works in the main estimates. We transferred that money by putting $1 in the figure when it came back to estimates.

The second way the $1 vote is used under the rules of this House is by modifications to existing appropriations, where a dollar vote is required to repeal the existing spending authority. You can see this in the 1979 supplementary estimates where a dollar was issued to cancel the authority to spend $1,350,340 in the Department of National Health and Welfare. Canadians are deceived when they look at estimates that are not a true reflection of how this government is spending taxpayers' money.

The third way of using the $1 vote is by grants and contingent spending authorities. In the case of a simple grant or contribution the $1 vote is used to specify a new recipient of funds, not the one mentioned in the previous estimates of the year. Although no new appropriation is required, the vote is needed to reallocate an unspecified purpose. In effect, the government receives a blank cheque for contingent spending authority because the vote in fact reads "not to exceed" a certain dollar value. Once we have approved a $1 vote there is no way of further examining the expenditures.

It seems to me that Parliament, having given up this authority, has lost some control over financial management and has not been able to get it back. I hear the hon. member on this side saying it is sloppy management procedures. I also heard him say some other things but I will not repeat them.

An hon. Member: They are unparliamentary.

Mr. McKnight: A particularly objectionable instance of this happened in the 1976-77 supplementary estimates (D) where a single $1 vote was used to write three blank cheques, and I would like to read them into the record. In the Department of Industry, Trade and Commerce, the trade-industrial program, $1 was used:

To authorize notwithstanding Section 5 of the National Design Council Act, the payment of remuneration to members of the National Design Council for their participation in committee meetings, planning sessions, and other related services in the course of the implementation of Design Canada programs to improve and promote design, beyond the three mandatory council meetings, the specific amount of such remuneration to be subject to Treasury Board approval,

They wanted money from the people of Canada but they could not even tell us at that time how much. In the same program the $1 vote was used in an:

—agreement with Bombardier/MLW to purchase at a cost not exceeding $9 million the two LRC trainsets leased to Amtrak—

I am not too sure why we needed $9 million to purchase a train that was leased to an American railroad.

Again, the same $1:

to indemnify and save harmless the Canadian National Railways, from any loss up to 30 million bolivars which it may incur under the terms of the bid bond guaranteed by it in support of the bid made by the Canadian consortium Canaven Limited to participate in a railroad project in Venezuela, notwithstanding that such loss may exceed the equivalent in Canadian dollars which is estimated as of January 1, 1977, at approximately $7,500,000.

By putting in $1, Mr. Speaker, the government of the day borrowed $83,386,000 for one department in one year.

An hon. Member: Shame!

Mr. McKnight: This is why I believe the people of Canada are concerned and would be appreciative of the amendments made in the bill by the hon. member for Mississauga South (Mr. Blenkarn) to eliminate expenditures made without scrutiny, explanation or input from the elected members who do not happen to sit on the government side.

This method is also used for amendments to non-money legislation and regulations. It is used to change the legal status of a government entity; to exempt a government entity from the application of a law; and to amend legislation without recourse to a bill. These methods are used to circumvent Parliament. These changes could be accomplished by bringing forward a bill for debate; but no, you can use a $1 item to circumvent the elected members of the House of Commons. By the use of the $1 vote in place of a bill, the government eliminates debate, it hides the workings of government from the people of Canada. In my opinion, this is probably one of the most repugnant uses of the $1 vote.

● (1530)

Now I should like to come to the other part of this amendment on non-money legislation and regulations. I am pleased to see the Minister of Transport (Mr. Pepin) in the House because the example which comes to my mind is the one of a Crown corporation which was set up for $1, and this concerns the minister. All it said was:

Supplementary Estimates (D), 1976-77
TRANSPORT
A—Department—Surface Transportation Program

Vote 52d—Surface Transportation—with respect to surface transportation:

(a) to deem VIA Rail Canada Inc., a railway company incorporated pursuant to Section 11 of the Railway Act,

I am not saying there is anything wrong with VIA Rail, and I know the minister understands this. We on this side have supported that program, although we would like to see it

operating a little more efficiently for the people of Canada and giving a little more service, as it was set up to do.

Already we have a proliferation of Crown corporations. Under this government, we continue to see more Crown corporations established. By establishing a Crown corporation for $1, as VIA Rail was established three years ago, the people of Canada, through their government, borrowed $854,111,698, or over three quarters of a billion dollars in three years. When a $1 item is used, we in the opposition find we have something over which in most instances we have no control. A $1 item is meant to circumvent elected members of Parliament. We find that although a form of parliamentary democracy has survived and can survive, the government's poor expenditure planning and changes in government policy can be effected by the use of $1 votes. There are no particular accounting practices; blank cheque expenditures or loan authorities continue to be hidden from the people of Canada in a devious way by the use of $1 votes.

When we come to the $14 billion borrowing authority, I wonder why it is necessary for the government to borrow that amount of money. It is something I do not understand. I cannot visualize that amount of money in my mind, nor can my constituents, I am sure. However, I should like to mention that while the government is asking for authority to borrow $14 billion, it is taking in revenues over the next three years under the National Energy Program about 49 per cent or $24 billion more than the government proposed to take in the budget of the hon. member for St. John's West (Mr. Crosbie).

When we see what the government will do with this money it is borrowing we find that, in its kindness and generosity, it has allocated $4 billion toward western development. I am sure the government will not have that cash on hand when it is needed, so it will have to be borrowed.

When we go through the budget papers, however, we find there only $2 billion. But I cannot find the $2 billion in new money. Most of the $2 billion over the next three years will come from already existing programs. We had the WEOP conference; the Western Economic Opportunities Conference in Calgary. All we had was the conference, and I am sure it did not cost $2 billion. We heard the Minister of Transport put forward the suggestion that perhaps we could use the economic development fund, however big or small it will be, to do away with the Crow rate and to make up for it through funds from the $2 billion. There are arguments about the figure, but I think most of us will agree that approximately $300 million a year accrues to western Canada from the Crow rate. When you take the $300 million which western Canada now has from the Crow rate, and you add the money allocated to the Prince Rupert project, toward which this government is contributing funds under western development, and you add a few other programs, you are not even left with $1 billion; the money is in the millions.

We keep hearing about the $4 billion. I would be very curious to see whether it is part of the funds we borrowed. We are told in the House that perhaps the $4 billion will not come from borrowed funds but from the National Energy Program. That money comes from western Canada, it is there now. I do not quite understand why we should be pleased that the government, in its generosity, will take $37.5 billion in three years and, as they say, leave $4 billion, although my figures say $2 billion. I really do not see why we should authorize this government to borrow $14 billion for the fiscal year 1981.

One of the reasons the government has to borrow money is for government expenditures. Part of the reason for having to borrow money to cover government expenditures is that the government has not expended its money in the proper fashion.

I should like to list briefly two or three items under government spending. Recently we discussed in the House the cost of government advertising. The government advertising budget is three times that of General Foods, which is only the second largest advertiser in the country. How does the government spend its money in advertising? The unity information office costs are about $15 million, and the energy advertising cost is about $10 million. The increase in the budget of the unity information office exceeds the total spending by the Government of Canada in the first year of confederation. That is when we did have unity in our country. The cost of last summer's campaign was $4 million. I am sure the constitutional ad campaign cost was covered by borrowed money. The original budget of that campaign was $6 million, but the final cost will probably only be $5 million.

The Acting Speaker (Mr. Corbin): I regret to interrupt the hon. member but the time allotted to him has expired. He may continue with unanimous consent. Is there unanimous consent?

Some hon. Members: Agreed.

• (1540)

Mr. McKnight: Mr. Speaker, I will be very brief in my closing remarks. There is another reason the government is requesting $14 billion when it could just as well survive on $8 billion. It is requesting a $3 billion slush fund to go into fiscal 1982. This could well represent the cost overruns incurred in government departments.

The President of the Treasury Board released a list of 471 projects with cost overruns of $823 million. This list was prepared by Treasury Board at the request of the Conservative government which fell in December, 1979. Virtually every overrun occurred under the administration of the current government prior to 1979. The worst department was the Department of the Environment in which 153 out of 223 projects had cost overruns totalling $238 million. The cost overruns in this department were equal to 35 per cent of the original budget. Budgets do not mean much if departments can overrun them by 35 per cent. The list indicated that 66 projects experienced overruns. The Lachine canal project was for $45.9 million; its overrun was 90.4 per cent of budget. The Department of Indian Affairs and Northern Development had overruns on 42 of 76 projects, or 55 per cent. There were 14 overruns in excess of $10 million and 19 overruns which exceeded 100 per cent of the original budget. Some other large

overruns were $43 million for VIA Rail contracts and $26.4 million for a major postal facility in Montreal.

These are some of the reasons those of us on this side of the House feel the government should be held in check and should not be granted carte blanche to borrow more money than is needed at any time. This is why I will certainly support the amendments.

Some hon. Members: Hear, hear!

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, it is a pleasure to speak on report stage of the borrowing authority bill. I will try to answer some of the questions, as did the Minister of State for Finance (Mr. Bussières) previously, and try to expand on some of the areas which hon. members opposite have indicated they still do not understand.

The hon. member for Edmonton West (Mr. Lambert) made a comment relating to the size of the borrowing authority. He indicated it was not $14 billion, but that in fact the government would have $17 billion at its disposal should this borrowing authority bill pass. That is incorrect, as I indicated during second reading debate. In fact, the Minister of State for Finance and the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) indicated that as well.

The confusion arises from a belief that borrowing authority will be carried forward from previous years into fiscal year 1981-82, and when that is added to the $14 billion we are now requesting it will result in a substantially larger amount. The fact of the matter is that there is no remaining borrowing authority that could be carried forward into the coming fiscal year; there will be no non-lapsing borrowing authority available as of March 31, 1981. All previous non-lapsing borrowing authority was used up by July, 1980, when we approved the previous borrowing authority bill. The borrowing authority obtained at that point was designed to lapse as of March 31, 1981. As a result, there is no borrowing authority to carry forward into the fiscal year 1981-82. The only borrowing authority which will be available to the government is the borrowing authority now being discussed in Parliament. I urge the hon. member for Edmonton West to listen more carefully when we explain that this $14 billion is the borrowing authority which will be available to the government in 1981-82. There is no more; that is all there is. I hope we get that point across this time.

The difference between the $11 billion financial requirements of the government shown in the budget papers and the $14 billion we are requesting in this borrowing authority was well explained by the Minister of State for Finance earlier today. The reason we are requesting that additional $3 billion is for contingency purposes. As the hon. member for Edmonton West indicated, if world prices were to suddenly rise by 50 per cent, the impact on the oil import compensation program would be substantial. This would have to be funded, so that possibility is being included in the $3 billion for contingency purposes. In addition, part of the borrowing authority, as has been the practice—not in the last two years but in the prior years—is designed not to lapse. It can be carried forward into coming fiscal years.

When the government came into power in February of 1980, it was faced with a problem. Parliament was called, but we could not get a borrowing authority bill through the House by the end of March, 1980. Had it not been for the fact that at that time we had some available non-lapsing borrowing authority, the government would have been effectively in a position where it could not borrow or it could not finance itself during the period between the end of March, 1980, and the time when the borrowing authority bill was passed in June or July.

We are asking for that same flexibility for our government and governments in the future. Normally we would intend to bring in a borrowing authority bill in January or February, as we have done this time, to be debated in the House for the fiscal year 1982-83, and to have this non-lapsing borrowing authority carry on as a flexible, contingent emergency measure, not to be used as is indicated by the financial requirements in the budget.

The estimates which were brought down clearly indicate the financial requirements. They will be approved by Parliament. Those are the spending authorities for the government. The borrowing authority is being requested to finance the difference between the revenues of the government and the expenditure plan, which is the financial requirement. It is quite proper and right; it is the way things have been done for many years. I expect it to be that way in the future.

The hon. member for Mississauga South (Mr. Blenkarn) indicated earlier that because of the government's borrowing, it is crowding the private sector out of capital markets. All the evidence I have seen indicates that crowding out is not taking place. First, crowding out is not a very relevant concept. It assumes that the amount of available money for lending and borrowing in the economy is static, that it does not grow, that it does not expand and, as a result, if the government takes more there must be less for the business community and the business community must do with less. That is not the way in which the market system works.

In the market system there is the real rate of interest, which is the rate of interest paid, minus the inflation rate; it is the real gain people obtain from saving. If the real rate of interest goes up, then people will be induced to consume less today and save more. That expands the quantity of loanable funds. So, as the real rate of return goes up the supply of loanable funds increases. Therefore, there is a very clear test to see whether or not the federal government borrowing is crowding out—to use that phrase again, albeit improperly—or squeezing the private sector. The simple test is to look at whether or not the real rate of interest in the economy has been going up over time.

● (1550)

It just so happens that in the latest annual report of the Bank of Canada for 1980, which was tabled just a few days ago, we see on page 18 a diagram of the real rate of interest from the period 1970 to 1980. We find that the real rate of

interest all during that time-frame has stayed below the average real rate of interest in the period 1956 to 1970. In fact, there is no trend, as shown by this document, which would indicate an increase in the real rate of interest. If there is no increase in the real rate of interest, that implies that the volume of loanable funds in the economy is sufficient to meet the demands of both the private sector and the public sector, without putting undue pressure on that supply. As a result, the crowding out theory put forward by the hon. member for Mississauga South is totally fallacious. I would suggest he go back and do his homework again.

Mr. Malone: I rise on a point of order, Mr. Speaker. I have noted with great interest the points just made by the parliamentary secretary. I wonder if he would entertain a question?

Mr. Deputy Speaker: Will the parliamentary secretary entertain a question?

Mr. Evans: Yes, Mr. Speaker, as a matter of fact I will.

Mr. Malone: Mr. Speaker, I have heard the description the parliamentary secretary is using to explain how interest rates might be quite different by using his calculations of averaging. As a Liberal Member of Parliament, would the hon. member say that if a person had his head on a block of ice and his feet in the firebox that, on the average, he would feel pretty good?

Mr. Evans: Given that most of the members opposite have their heads not on a block of ice but elsewhere, I would suggest that, on the average, that is not the case.

The document I have here from the Bank of Canada indicates the average annual rate. I would not want to mislead the hon. member. The figure is there, as is the diagram, for the hon. member to see. I suggest he look at the document. I know the hon. member for Mississauga South has a copy of it because when the deputy governor of the Bank of Canada appeared before the finance committee these documents were distributed at that time.

I would like to deal with another point, Mr. Speaker. We heard earlier with regard to the borrowing authority that the government was spending massively and that the government's forecasting abilities in the October 28 budget were very bad, according to members opposite. I would like to indicate that we have dealt with this subject before. Apparently, hon. members opposite are trying to leave the impression that their ability to forecast is much better than the forecasting ability on this side of the House. The figures given in the 1979 budget of the hon. member for St. John's West (Mr. Crosbie) were drastically different from the figures showing what actually happened in that fiscal year. The increases in world oil prices, which took place subsequent to the submission of that budget, and the increases in interest rates, which were not anticipated by the hon. member for St. John's West, and the recession which was worse than he had anticipated, have all been admitted to by the hon. member for St. John's West. I see hon. members opposite are shaking their heads, Mr. Speaker.

Mr. Malone: That is right, because the recession took place after the Liberals came back.

Mr. Evans: As a result of those three factors, the deficit and financial requirements of the hon. member for St. John's West were understated in his budget by anywhere from $2.5 billion to $3 billion. This notion of fiscal responsibility and the ability to forecast so well is a total ruse being put forward by hon. members opposite.

Mr. Stevens: I rise on a point of order, Mr. Speaker. For the record, I think we must clear the misimpression that the parliamentary secretary has left. When he says there is any overstatement, what he is totally ignoring is the restraint program we had put in place with respect to spending. The truth is the government has ignored that restraint program and the trend line that we are now on for expenditures is exactly the same line that we knew we had to face, but had the courage to do something about.

Some hon. Members: Right on!

Mr. Deputy Speaker: This appears to be a matter of argument.

Mr. Evans: Mr. Speaker, I agree with you, it is argument, and not a very good one.

The fact of the matter is that the budget of the hon. member for St. John's West reflected that wonderful restraint program which the hon. member for York-Peel (Mr. Stevens) was about to bring into play. What I am saying is that even with that restraint program, changes in world events would have increased the financial requirements of that government to an amount that is higher than our forecast financial requirements for the fiscal year 1980-81. I will show the figures to the hon. member for York-Peel if he would care to see them.

Mr. McKnight: Table them!

Mr. Evans: If the hon. member will look back to the debate on the borrowing authority at the second reading stage he will find that those figures are tabled.

There have been some discussions by the hon. member for Edmonton West with regard to oil prices. I think we all agree that the oil import compensation program is costing the government, and the taxpayers, a substantial amount of money and, in fact, oil prices will have to go up. I want to clarify my understanding of what the hon. member is saying, which is that he would like to see oil prices increase much faster. If I am incorrect I hope the hon. member will correct me. I see he is nodding his head in agreement.

Mr. Lambert: They should have gone up a long time ago.

Mr. Evans: He wants to see the prices increase faster than would have been the case under the program of the hon. member for St. John's West. I just thought I should put that on the record, Mr. Speaker.

With regard to spending control, Mr. Speaker, we have talked about the ceiling on our borrowing authority. It is a case of six of one and half a dozen of the other. If you put a ceiling on the total amount you can borrow, and if you put a ceiling on the amount of increment that you can add to your total borrowing, you are controlling. We come before Parliament every year with that kind of control figure.

Some hon. Members: Hear, hear!

Mr. Scott Fennell (Ontario): Mr. Speaker, thanks to the parliamentary secretary I am left with only a minute to speak. It does not give me much of an opportunity other than to throw out a few lines. I would just like to mention the minister's—

Mr. Pinard: I rise on a point of order, Mr. Speaker. With the hon. gentleman agreeing that one minute is a short time, maybe he would agree that we deal with the report stage now and third reading?

Some hon. Members: No!

Mr. Pinard: I just wanted it to be clear, Mr. Speaker.

Mr. Fennell: Mr. Speaker, I just want to get my one line in. The Minister of State for Finance (Mr. Bussières) talked about circus jugglers. I would like to congratulate his government for being the greatest among circus jugglers. It is amazing that they are able to accomplish this with the number of clowns they have on their benches.

Some hon. Members: Hear, hear!

• (1600)

Mr. Deputy Speaker: It being 4 p.m. the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, notices of motions, public bills, private bills.

PRIVATE MEMBERS' MOTIONS

[*English*]

Mr. Deputy Speaker: Shall all orders preceding No. 42 stand?

Some hon. Members: Agreed.

PARLIAMENTARY AND SENIOR PUBLIC SERVANTS' SALARIES AND ALLOWANCES

PROPOSED ESTABLISHMENT OF REMUNERATION TRIBUNAL

Hon. Marcel Lambert (Edmonton West) moved:

That, in the opinion of this House, the government should consider the advisability of establishing a Remuneration Tribunal composed of at least three full time members who shall occupy their posts during good behaviour, and whose duties shall include the annual review and report to Parliament on remuneration, allowances of all natures, entitlements and pensions payable to ministers, senators, members of Parliament, office-holders of the Parliament, holders of office at the executive level of the public service and the equivalent holders of public offices.

He said: Mr. Speaker, I sometimes feel that there are days when the fortunes do smile upon us. Rarely can an hon. member put forward an idea contained in a notice of motion four times within the period of one year, but such has been the case. I am grateful to the fates that have allowed me to do this. Today I want to speak about something to which I adverted at length during the second reading on Bill C-34, an act to amend the salaries of judges. We looked at this in some considerable detail in the Standing Committee on Justice and Legal Affairs, I was able to speak about it on another occasion earlier this year, as well as at the time of the adjournment debate last year. It is singularly apposite that we are discussing it today.

In April there were changes in some of the salaries of senior public servants. Judges have just received increased salaries as provided in Bill C-34. I accepted the level of pay with some reluctance. There did not seem to be principles contained in that bill upon which the salaries related to those of other persons in senior public service. We should be able to bring these together on some sort of rational basis.

As I have indicated before, the salaries and entitlements of deputy ministers at the executive level of the public service are based on what the cabinet considers to be acceptable as a result of the report of an advisory committee which has been known, for the past few years, as the Lambert commission, named after its chairman. There are those who hold privy council appointments through the office of the Prime Minister (Mr. Trudeau). I fail to discern any real and objective principle for determining their scale of pay and benefits. I suppose, as a rough rule of thumb, it may have some bearing on their senior executive level in the public service.

There are those people who are most underpaid in the country, starting with the Prime Minister, cabinet ministers, Members of Parliament, and senators! People may say some are overpaid, but that is a global criticism. Those who raise this question are usually jealous. That is from where the chief criticism comes. It is natural, and we expect it.

During the nearly 25 years I have been in the House of Commons, I have seen scores of cabinet ministers leave here with their health burned out due to excessive pressures of office. Not only must they do a terrific job of administration, but they must also relate to other Members of Parliament, and they must always proceed at full bore. They must also be politicians, looking at their constituencies; they are always

under the constant microscope of the people. The classic example of underpay and non-reward in this country is found in the office of the Prime Minister.

Some hon. Members: Hear, hear!

Mr. Lambert: It is a great honour to be Prime Minister, but, when we consider that presidents of corporations receive up to $300,000 in salary and benefits and that presidents of Crown corporations can make well in excess of $100,000, why is it that the Prime Minister gets a measly $80,000-odd? This is just a total reversal of the scale of values. That is the toughest job in the country. The amount of abuse which has to be taken by the occupant of the office is something to behold. Regardless of that, if you cannot stand the heat, get out of the kitchen. But on the other hand, he or she who levels that undeserved criticism or that blasphemous language, or what have you, is not thinking of that relationship in terms of the man who occupies that office.

Some people say, "Well, look, judges got $70,000 as of April 1, 1980, or $67,000 if they were in the county court." However, that is their sole source of income. As a lawyer, I would be the first to admit, that a corporate lawyer who earns maybe $125,000 or $150,000 before taxes might be the worst judge in the world. On the other hand, the man who makes only $45,000 or $50,000 from a small town practice could be one of the better judges because he may combine common sense with a sense of justice. He may learn how to be a good judge.

In justifying high rates of pay for lawyers, leaders of the Canadian Bar Association and other administrators of justice all too often ask how we will get the quarter million dollar man down into a court. Again, I would say that the quarter million dollar man is not necessarily the man who will be the good judge.

I was part of a large law firm, the senior earning partner of which said he would make the world's worst judge. He was the first to admit that. He would refuse to hear certain kinds of cases. He could not abide going into court to listen to what he called "domestic squabbles." He never felt comfortable with a case which involved personal injury. So the presumption cannot be made that a man who earns a big salary as a lawyer is qualified to be a judge.

● (1610)

I think we should compare the relative positions of these people. More than 20 years ago when I came to this House, a parliamentary secretary earned the same salary as a county court judge. Perhaps in total the judge earned more because he was given a surrogate allowance for handling the chancery side of the court, but the basic salary was the same. As of last April, that judge would be earning $67,000 per year and in a number of provinces would be receiving surrogate fees as well. This is particularly so in Alberta where there is only one level of court and the judge's salary is $70,000. On top of that, those who do surrogate work are paid the relevant fees.

The question is, what determines that level and the size of the increase that should be given? At the moment, there is built into the Judges Act a provision for a 7 per cent per annum increase or an increase equivalent to that which pertains to industrial wages. With all due respect, industrial wages have as much relevance to the salaries of lawyers and professional people as cheese has to oranges. It is not an appropriate scale to use for comparison, nor is it appropriate that it be applied to Members of Parliament.

As my studies indicated, with a 7 per cent increase for 15 years, by 1995 the salary would be $194,000. That is mind-boggling. If we all have to face inflation on that scale, then senior citizens will draw about $500 per month in old age security, by 1995! That will not mean they will be any better off, of course.

Not long ago the hon. member for Edmonton-Strathcona (Mr. Kilgour) produced a 20 billion mark note from the old Weimar Republic, issued before the balloon went up in 1923. Imagine, a little piece of paper being worth 20 billion marks. The government does not even use that kind of figure in its inflated budgets. All these things must be brought together.

I propose that we should follow the Australian example and adapt it where need be. We should establish a remuneration review tribunal composed of three persons. In Australia such people are appointed for five years but I would suggest that in this country they be appointed "on good behaviour."

In Australia the persons involved must not be connected in any way with government; must not have served elective office for seven years; must not be part of the public service and the chairman must be a judge of a state court or one who is entitled to be appointed to a state court. The equivalent in Canada would be a provincial judge. The review board places annual announcements in the national press that it will receive representations with regard to a number of stated offices. It then hears representations and the government must appear before the board as a party. The board examines all the relevant data and in some instances representations may be passed over. The judges may appear before the board but not seek an increase for a particular year, or the government may rule that as the industrial increase in a certain year was 4 per cent the judges are entitled to the same increase. The government may also hold that certain categories should receive an increase. In any event, everything is out in the open.

The review tribunal makes its findings with regard to all the categories of persons upon whose salaries it must adjudicate. The report is tabled in Parliament and within 15 days the recommendation goes into effect unless more than 50 per cent of members of the House of Representatives and the Senate sign a motion to oppose it. When I was in Australia in 1975, that is precisely what happened. All the salary increases were deferred for one year.

In addition to salaries, the tribunal sets emoluments; for instance, such privileges as transportation for the wife or children of a Member of Parliament or a senator. Overseas travel is ruled upon by the tribunal but, strangely enough, pensions are not. In some states, the remuneration of the premier and cabinet ministers are also ruled upon.

In this country this thankless task could be removed from Parliament and the public would feel that not only had justice been done for this whole category of people but that it would appear to have been done. I think that is one of the difficulties with the present system. I do not subscribe to the argument that it is morally wrong for Members of Parliament to set their own salaries. That happens all the time in the business world. In many instances, people adjudicate upon matters where one might think there would be a conflict of interest. For instance, in this House members who are farmers assist in setting the level of subsidy to be paid on a particular crop or set the price of wheat or cattle. There are other things to be determined by members as groups. We see that at all levels, the school board, the city council, the county council level or what have you. It is the nature of the beast that it has to be done. Sometimes it is a difficult thing, but I hope this proposal I have made will be accepted.

● (1620)

I hope a House committee will take up this matter and carry it further to see whether or not it is practical. It is practical enough for the Australians. Since 1973, when the system was implemented there, it has worked well and it has been copied in New Zealand. New Zealand now has a body dealing with high level salaries. New Zealand pretty well deals with salaries all the way through to its tribunals. New Zealand has this higher level, and I am told by parliamentarians and diplomats that the system seems to be working well and has a degree of acceptability by the population.

I commend this resolution to hon. members for further consideration. I hope that rather than just talking it out, we might be able to handle it in some way so it could be given further consideration. Maybe we can get around to doing it now. The Senate and House of Commons Act, as it provides for the salaries of members of this House—

Mr. Deputy Speaker: I must interrupt the hon. member because he has exceeded his allotted time. The hon. member for Northumberland-Miramichi (Mr. Dionne).

Mr. Maurice A. Dionne (Northumberland-Miramichi): Mr. Speaker, I am pleased to have the opportunity to participate in this debate this afternoon. First, I want to congratulate the hon. member for Edmonton West (Mr. Lambert) for putting this motion on the Order Paper for debate. I think it is a very worth-while motion. It is something on which we should focus as Members of Parliament. However, I have a few questions which I will outline. I am not questioning this in any critical sense, only in a positive way. The motion says, in referring to the duties of the tribunal, the following:

—shall include the annual review and report to Parliament—

But the motion does not say that Parliament would have authority to alter the motion or whether it would simply have to accept or reject it, as is the case in Australia.

The motion also lists several groups whose salaries the tribunal would review. They are as follows:

—ministers, senators, Members of Parliament, office-holders of the Parliament, holders of office at the executive level of the public service and the equivalent holders of Public Offices.

I wonder whether the hon. member would wish to include in that category judges for whom, as he noted, this Parliament had recently granted increases in salary? He did not mention what qualifications he would like to see for members of this tribunal. For instance, would he want a member of that tribunal to be a judge? Would he want a former Member of this Parliament to sit on that tribunal? Would he ask a former member of a provincial legislature to be a member of the tribunal? Those are the kinds of questions I would like him to address. I realize, of course, those questions can be addressed in committee. I am not criticizing the motion, I am simply pointing out some of the questions I have about it.

I agree with the hon. member in his assessment that the Prime Minister (Mr. Trudeau), ministers of the Crown, members of this House, and I believe of provincial Houses—in some cases at least—are not being adequately paid for the time they put in. I know it is a difficult matter for members to talk about. Personally, I do not have a lot of difficulty with the argument of some people that we should not be increasing our own salaries. The major argument I have, which I suppose could be a bit embarrassing, is that this matter is dealt with so unexpeditiously by this Parliament. When it is dealt with, usually a fairly significant increase is granted. This makes it look as though all of a sudden Members of Parliament have become very greedy. If this matter were reviewed on an annual basis, and maybe if we had not tampered with the formula which was enacted in 1975, we might not be in a position today where we are discussing this kind of motion.

As the hon. member for Edmonton West pointed out, it would be useful to look at some of the methods used in other countries. He referred to Australia and New Zealand. As I understand it, the situation in Australia is pretty much the way the hon. member described it. However, I want to add to what he said, that the act in Australia contains provision for Parliament to accept or reject the actions of the commission, but not to modify them. On the other hand, in New Zealand, there is a higher salaries commission. It has declaratory powers with respect to the compensation of senior public servants, heads of Crown corporations and Members of Parliament. It also acts in an advisory capacity for judicial salaries. There is no provision for review of its actions by Parliament. In other words, it is supreme in its recommendations. Whether we would want that in Canada is something which would require a considerable amount of reflection and debate.

In the United Kingdom there is a top salaries review body which is advisory in nature to the prime minister. I would judge from that that the prime minister or the government of the day would still have to bring before parliament a bill to implement the decisions of the top salaries review body. It consists of various panels and it deals with the compensation of the senior public service, the heads of nationalized industries, the judiciary, senior military ranks, Members of Parliament—and hon. members will note that Members of Parliament are in the list of priorities—doctors and dentists of the national

health service and other ranks of the armed forces. Those are three examples of what is done in other systems with the British parliamentary system of democracy.

It might be useful for us as well to take a detailed look at what some of the provincial legislatures in the country do. I will not go into that in detail, except to say it is my understanding that in some of the provinces members of provincial legislatures are earning more in salaries and benefits than Members of Parliament at the national level. That tells us something regarding our position, vis-à-vis other levels of government in Canada. Even at the municipal level, some mayors are being paid, if not more, at least on a level equivalent to cabinet ministers and, in some cases I believe, equivalent to the Prime Minister. That situation raises some questions in my mind.

The hon. member for Edmonton West spoke also of the comparability between salaries of Members of Parliament and county court judges. He recounted that when he came here the salary of a parliamentary secretary was comparable to a county court judge. That is no longer the case. However, what I would be more concerned about is the disparity in salaries between Members of Parliament and members of the public service. I do not say that in any way to begrudge civil servants their salaries.

● (1630)

It strikes me as rather odd that some deputy ministers earn more than their ministers. If the figures I have are correct, the Clerk of the Privy Council earns more than the Prime Minister, as do the heads of Crown corporations. If we are to have good people to head our Crown corporations, obviously we must pay them good salaries. If we are to have good deputy ministers, the managers of our public service, we must pay them comparable to what they would earn in the private sector, or that is where they would go.

I do not suggest that a Member of Parliament should earn as much as a deputy minister. It is not that I do not think a Member of Parliament is not worth as much, but if we are to have good deputy ministers, the major managers of our public service, the business of the country, they must be well paid. If they are not well paid, they will go to private industry. We are lucky to have the calibre of people we do at the senior management level of our public service.

I believe it says something for our system when information officers in departments of government earn the equivalent salary of a Member of Parliament. That seems to be getting down fairly well in the pecking order of the various departments. If a position is at the level at which a Member of Parliament is paid, that is the level of importance that will be attached to the role of a Member of Parliament.

It is often forgotten by those who write facile commentaries about the salaries and benefits Members of Parliament receive and the role they play what the workload is and the number of hours actually worked. We constantly hear the charge that there are very few members here in the House. There are not many here right now. I am not critical of that situation on most occasions. While there may only be a relatively small number in the chamber, 80 or 100 members may be required for committees. On a Friday afternoon most members head back to their constituencies where they have to work the other two days of the week. For most members, their work week is seven days, almost every day of the year. If members were to determine the hourly rate for the number of hours they work, some would be receiving only the minimum wage. Long before I was elected, I believed that Members of Parliament should be paid a reasonable salary and that all expenses incurred in the performance of their duties should be covered from public funds. I would apply that principle to members of provincial legislatures and those serving on municipal councils.

I would object to Members of Parliament, members of legislatures and municipal councils being paid exorbitant salaries. I do not believe anyone should become wealthy by serving in public life, but neither should he be poverty stricken. Their children should not be denied a good education and as good a life as their contemporaries. That has happened with some Members of Parliament in the past and is happening now.

In some cases widows of former Members of Parliament have suffered grievously from financial instability. There are cases of members being defeated before accumulating significant pension benefits. In fact, some accumulate no benefits at all. Some have been unable to find other employment quickly. There are employers who consider service in the Parliament of Canada a detriment to employment. That situation should not pertain because someone has served in public life.

There are numerous ways in which the problem can be resolved. It should not be left to Parliament. In the past six and a half years Parliament has been reluctant to deal with the issue of members' salaries and services. While I do not have that reluctance, I can understand it. We owe the public an explanation of what we are doing and some justification for the level of our salary. I repeat it should be a salary that is defensible but not exorbitant.

We recently gave final approval to a bill which provides for a triennial review of judicial compensation by an advisory panel which will report to the Minister of Justice. Perhaps we should have a similar arrangement for Members of Parliament. In his motion, the hon. member suggests a tribunal of three. I feel there should be more members, but that may not be necessary if they are full time. It would be interesting to see the level of remuneration paid to that tribunal.

Mr. Lambert: The same level as judges.

Mr. Dionne (Northumberland-Miramichi): The hon. member says the same level as judges. That would seem to be a reasonable level for that kind of important position. They would have to be in a comparable range with others doing the same kind of work. They should not be overpaid. The public must respect their judgment and not call them into question every time they bring in a report. I would like to know whether their report would have to be judged in Parliament, imposed, or whether it could be rejected.

Those are my basic views on the motion. I compliment the hon. member for bringing the motion before the House for debate. I hope it will go to committee for detailed study and a report back to the House.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I suspect there is nothing more predictable in this place than the view I shall express with regard to the matter being discussed during this private members' hour. The matter before us in the motion presented by the hon. member for Edmonton West (Mr. Lambert) has to do with the appointment of a tribunal to review salaries of Members of Parliament and various other categories. But I think it is fair to say that most of the discussion by the two members who have spoken thus far has been in defence of higher salaries for Members of Parliament. As I say, I imagine that my view on this is thoroughly predictable, in fact I hope it is. I also know it is not exactly a popular view in this place, but I have said many times and still feel that one of the ways we can demonstrate to Canadians that we have come here to serve them is to be much more careful about what we think should be our emoluments, benefits and pensions.

● (1640)

It is easy for us to say that those who criticize our salaries, benefits and pensions are just people who like to criticize or they are jealous, but the fact is that this institution exists to serve the people of Canada and that phrase "the people of Canada" includes millions who are having a tough time; not just the pensioners, widows and veterans on whose behalf I speak most often, but many working families, including those where both parents work, and I think in some way we need to demonstrate that we are concerned about them first.

Perhaps, Mr. Speaker, there is something wrong with me, but that is why I came here. It is a story I have told on occasion and I may have occasion to tell it again, but not today. I came because I was concerned about what was happening to people. I know that I speak about the 1930s and early 1940s when I came here, but I have the feeling that every time we get up and defend higher salaries and better benefits for ourselves we widen the gulf between ourselves and the people out there.

As the two hon. members, I am not advocating that we should be at the poverty level or that our salaries should be much lower than they are now, but I do not think it would hurt us to try and establish the proposition that we come here to be of service. I would hate to see the day when the salaries paid here are so attractive that men and women would be encouraged to come here just because it is a good paying job. It would be far better for us to emphasize the proposition that what this place needs is men and women dedicated to the service of their fellow creatures and the well-being of their country, those who are prepared to sacrifice a little bit to render that service.

I find it difficult to use that word because it is not a sacrifice at the level of pay we receive even now, and it goes up by 7 per cent every year. It is not, as one member said, a case of waiting a long while before there is an adjustment. That used to be so, but for the last several years it has been 7 per cent each January, and to use the comparison made by the hon. member for Edmonton West at that rate our pay will be way up in the stratosphere before long. I plead that we establish the principle that you come to Parliament to be of service, and prepared to work for a little less than you might be able to get somewhere out there.

Mind you, I think that is a bit of a myth. It is so often said that people are working here for a lot less than they could make elsewhere. Well, maybe that applies to some of the lawyers and doctors who are here. I certainly never said that. I have had more pay in this place than I ever had in the jobs I had before coming here, and you can laugh at that because the salaries at that time were nothing compared to salaries today.

I thought it was touching for the hon. member for Edmonton West to be concerned about the Prime Minister (Mr. Trudeau). I respect that office and its occupant but we are paying him something in excess of $80,000 a year, we provide him with a very nice house, everything found, and he makes lots of trips. If the day comes when he retires, and there are people in this country who hope that day is not far away—

An hon. Member: Not too many.

Mr. Knowles: —he will have—Well, my hon. friend says "a small pension." Having been a member for at least six years, he has his parliamentary pension; having been Prime Minister for more than four years he will have a prime minister's pension, equivalent to a judge's pension. He will also have his old age security pension and Canada Pension Plan, and all of these pensions will be indexed. Say all you want about that not being much compared to what Ian Sinclair of the CPR can get, or even some of the benefits that may accrue to public servants, but to the Canadians who vote for us that is pretty good.

As for ourselves, some members complain about the level of salaries and so on. However, we should take into consideration all the other things that come our way. I suppose I am more conscious of them because when I came here I could not get something mimeographed unless I got Arthur Beauchesne's signature on it. Telephone calls and the like were not even on the list, and as for travel we had a railway pass good at any time, but we got our out of pocket travelling expenses only twice a year. So we have come a long way. Then there is the help we get with constituency offices, the literature we can send out and one of the best pensions in the country. I know it takes awhile to get it up very far, but as long as you have six years you get the pension for life, no matter what your age may be.

I suppose this is a debate we may have on some other occasion if a certain proposal comes in, and I do not expect members to agree, they never do, but I want to put the damper on this notion that Members of Parliament are hard done by. Quite frankly, Mr. Speaker, I was a little surprised the debate took this turn. When I looked at the motion of the hon. member I assumed we would be debating the creation of a

remuneration tribunal in strictly relevant terms. I said to myself: I wonder if I can veer a little bit from that and start talking about our salaries. I did not have to; the whole debate has been on that subject. I just want to say, if you will, it is the same old view I have always had. Maybe you can pick holes in it, but I want to put a damper on the idea of higher pay. I would like at least one voice in this place to say to the people out there that I think it is a privilege to serve in this place. You cannot pay us for it.

My hon. friend is quite right in talking about the hours, 14 hours a day, seven days a week, 52 weeks a year. You cannot pay for that. All of us know, too, that there is another price we pay, and that is the difficulties of family life, being away from one's wife and children and so on. The sacrifices made in that area around this place are tremendous. Even if you raise the salary to $100,000 or $200,000 a year, you cannot pay for that.

• (1650)

This brings me back to my feeling that the main purpose in coming here should be to serve the country. I do not want it to be established that you try to get here because it is a good job with good pay, good benefits, and all the rest. Rather, this is the place where people are needed because they are dedicated.

Having used all this time to talk about what is not in the motion, having been prompted to do so by the last two speakers, I should like to say a word about the motion itself. I think the idea of an independent tribunal which would look at all these salaries has merit. However, I attach two conditions to it. First, the recommendations of the tribunal should be subject to parliamentary approval. One or perhaps both hon. members said what they would like to do is get away from raising our own salaries. Mr. Speaker, we cannot divest ourselves of that responsibility. Even if we merely set up a tribunal and never have to pronounce on what it has done, the fact is that we set it up and give it the authority. We will not be able to say in the future, as the children of Israel said to Moses—my knowledge of the Scriptures is becoming somewhat rusty—

An hon. Member: Shame.

An hon. Member: Just when they have become important.

Mr. Knowles: That is right. Moses had been away and the children of Israel produced the golden calf so they could worship it. He chided them for it, and they said to him, "It is not our fault; we just put in the gold and out came the calf". We cannot divest ourselves of that responsibility. We can say that we passed it to someone else, but it does not work that way.

The second condition I would attach to this committee is that the terms of reference for that tribunal should be drawn up very carefully. I do not want it manned or womaned by high-priced judges, high-priced lawyers or high-priced corporate executives, as we have done in the past. I can think of some who have brought down reports that were tremendous. I think there would have to be, on any such tribunal, some pretty good representative Canadians like workers, farmers, school teachers, and maybe even a pensioner or two. On that score I would want more than three members. I think somewhere, in whatever legislation there might be to set up such a tribunal, there have to be words, even if they are words that are in the nature of a preamble, which would remind the tribunal that its purpose is to keep in mind why people come to Parliament, why they become cabinet ministers or judges. The answer to that is that they come to these positions, not to get oodles of money, but to serve the country. I think the rewards for that service, even though it may be tough and you may have to stay at it for years and years, are tremendous; you cannot match that with pay.

I expected just to say I support the idea of a tribunal with the two provisos, one that Parliament should be responsible, and two, that it should have the necessary terms of reference, but I am grateful to my colleagues for having made the speeches they did in order that I could express once again the views every member in this House knows I hold.

Hon. Bud Cullen (Sarnia-Lambton): Mr. Speaker, like the hon. member for Winnipeg North Centre (Mr. Knowles) I had anticipated we would be speaking about the splendid recommendation of the hon. member for Edmonton West (Mr. Lambert). The problem we have faced around here is not only in dealing with our own salaries but, as the hon. member has indicated, in coming up with some principle that will guide governments, the tribunal or us in our deliberations about comparability and what is appropriate in the circumstances with respect to salaries.

I have not been here as long as the hon. member for Edmonton West or the hon. member for Winnipeg North Centre, though a little longer than the hon. member for Northumberland-Miramichi (Mr. Dionne), but it seems to me in the 12 or 13 years I have been around here it has been like trying to grab a handful of fog when trying to determine what would be the appropriate compensation for a Member of Parliament. I know it has been said there are too many lawyers in Parliament, the fact is that the kind of work to be done here requires, in many cases, a certain degree of education or ability to do a specific job. Everyone who comes to the House brings necessary talent or a skill. But if there are so many lawyers and if they form a nucleus, it seems to me that compensation somewhat comparable to that of the legal profession might not be too far out of line.

The hon. member for Winnipeg North Centre says he came here to serve. I think every Member of Parliament can stand in his or her place and say exactly the same. The hon. member said that the cut in pay he took was not really all that great; that, as a matter of fact, he is doing very nicely, thank you. I believe at one stage he was a United Church minister. I know how hard my father fought to increase the salaries of United Church ministers because, like everyone else, United Church ministers not only have the opportunity to serve, they also have families to look after and children to put through university. There may be a vicarious thrill for the spouse and children in

the fact that their husband and father is in the United Church ministry or in the House of Commons, but that does not pay the bills when it comes time for university education or some other kind of necessary training.

We did make financial sacrifices to come here. That is true of many of us who came to this chamber. To try to determine the degree of financial sacrifice we were asked to make or the degree of compensation to be paid to someone who never made that much money before in their life, is extremely difficult. Do we measure it in terms of hours spent, in terms of our dedication, or in terms of the length of time spent here?

One of the great things about the House of Commons and the pay scale here is the fact that all Members of Parliament are paid the same. By that I mean backbench members are all paid the same. We recognize the importance a member on the government side brings to his portfolio or to his job. We say it is equally important that we have a strong and effective opposition. So, very clearly, those particular tasks are the same and should receive comparable compensation.

I like the idea of a tribunal and I think all the questions asked by both the hon. member for Winnipeg North Centre and the hon. member for Northumberland-Miramichi should be dealt with at committee stage. They were both very careful not to say an MP should get "X" number of dollars a year. The hon. member for Winnipeg North Centre said the compensation should not be too high, and the hon. member for Northumberland-Miramichi said it should not be exorbitant, beyond that which is reasonable. Neither of them put a figure on it, but somebody has to do that. The responsibility is ours. Surely when a tribunal such as this has to make a decision, it has to go into the background of MPs and what we are required to do. Only in that way can its members come up with a figure which, as the hon. member for Winnipeg North Centre said, not only is just but is seen to be just.

I do not wish to talk this out, Mr. Speaker, because I believe it has considerable merit. The questions which have been asked here are questions which should be asked in the committee, if the recommendation is referred to the committee.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, unlike my friend, the hon. member for Sarnia-Lambton (Mr. Cullen), I am prepared to talk out this motion for one good reason. The fact is that the hon. member for Edmonton West (Mr. Lambert) is, through his motion, embarking on an unprecedented course of action which could cause a great many problems. The motion would set up a commission which would deal not only with MPs' salaries but with public service salaries. So far as I am concerned, there is a dangerous link—

[*Translation*]

Mr. Deputy Speaker: Order, please. The hour provided for the consideration of private members' business has now expired.

It being five o'clock, the House stands adjourned until Monday at 2 p.m., pursuant to Standing Order 2(1).

At 5 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, March 23, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

NATIONAL ENERGY PROGRAM

CALL FOR WITHDRAWAL—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas in a unanimous decision last Friday the Alberta Court of Appeal ruled that the federal government does not have the authority to tax exports of gas owned by a province, therefore I move, seconded by the hon. member for Hamilton-Wentworth (Mr. Scott):

That the Minister of Justice be obliged to apologize for the ill advice he has tendered to the Crown, and that the Minister of Energy, Mines and Resources now withdraw his destructive national energy policy and replace it with a system which is both equitable and constitutional.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ECONOMY

GOVERNMENT SPENDING PRACTICES—MOTION UNDER S.O. 43

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, price increases are averaging above 12 per cent this year. A continuation of inflation at even 10 per cent a year will mean that a 30-year-old Canadian earning $10,000 today will need an income of fully $255,000 a year to stay even in purchasing power at age 65. Full indexation for inflation of the Canada Pension Plan at a 10 per cent inflation rate will, in 35 years from now, require $92,000 per year for such an individual, and fully $68,000 per year for old age security pensions. I therefore move, seconded by the hon. member for Vancouver Centre (Miss Carney):

That this House condemns the grossly irresponsible spending and money printing practices of this government which are the major cause of rampant inflation and, thus, the real threat to decent retirement incomes for present and future Canadians.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL ENERGY PROGRAM

CALL FOR RE-EXAMINATION OF GOVERNMENT APPROACH—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise under the provisions of Standing Order 43. This week just past underlined further the negative effects the Lalonde—

Some hon. Members: Order!

Mr. Towers: —energy policies are having on the Canadian oil and gas industry when the one hundredth Canadian oil drilling rig left the country for the United States. Therefore I move, seconded by the hon. member for Central Nova (Mr. MacKay):

That the government re-examine its entire approach to energy questions so that we might have an orderly program of exploration and development with security of supply and fair and equitable prices. Otherwise, Canadians, as losers, will pay.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EMPLOYMENT

APPLICATION OF HEIGHT AND WEIGHT STANDARDS TO JOB APPLICANTS—MOTION UNDER S.O. 43

Mr. Lyle S. Kristiansen (Kootenay West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

I recently had the pleasure of meeting with over 100 of my new constituents of Vietnamese and Laotian origin—the boat

people, of whom there are close to 200 in my riding—and listened to their pleas for assistance and fair treatment in three languages. They are, of course, thankful for the generous help they have received, but they still have many problems. One serious problem relates to improper and unfair obstacles to employment, namely, arbitrary broad standards of height and weight restrictions quoted by industrial employers.

I therefore move, seconded by the hon. member for Beaches (Mr. Young):

That this House declare that arbitrary standards of height and weight being quoted to industrial employment applicants of Indo-Chinese and other origins are discriminatory, unfair and unCanadian; and, further, that this House, in recognition of basic human rights and of the historical contribution which Canadians of oriental and Asian origin have made to the Canadian economy, particularly in western Canada with respect to the original building and supplying of the CPR, demands that all Canadian employers give equal consideration to all employment applicants with landed immigrant status and/or Canadian citizenship in order that these new Canadians may be accorded a full and equal opportunity to contribute to their new homeland.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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HOUSE OF COMMONS

SUGGESTED TABLING OF PRIME MINISTER'S SPEECH ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, the government House leader has suggested that speeches by members on the Constitution be printed in *Hansard* rather than delivered in this House. I move, seconded by the hon. member for Elgin (Mr. Wise):

That the Prime Minister dispense with oral delivery of his speech today and instead submit it for printing to appear in the back of *Hansard*—

Some hon. Members: Right on!

Some hon. Members: Hear, hear!

Mr. Domm:

—thereby demonstrating to the House the government's sincerity on their claim that there is nothing new to be said and, thus, allow the opposition ample time to expound on the dangers in the proposed constitutional package.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity, prior to the Prime Minister's speech this afternoon, whether it is appended to *Hansard* or not.

In view of reports that the Prime Minister's close friend, the Hon. Gérard Pelletier, is to become Canada's ambassador to the United Nations, and in view of persistent speculation that the Prime Minister's push for constitutional reform is directly linked to his own personal timetable on the world stage, I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

● (1410)

That the Prime Minister use the occasion of his second farewell speech later this day to tell the Canadian people whether he has his eye on a senior role at the United Nations, thereby putting personal ambition ahead of the interests of this nation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE ECONOMY

CALL FOR RESIGNATION OF MINISTER OF FINANCE—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. The former auditor general, James Macdonell, has warned that soon the Canadian dollar will not be worth five cents. If the Grit government does not get its act together to get the 12.2 per cent inflation rate reduced, Canadian workers will continue to be robbed of billions of dollars a year by inflation. I move, seconded by the hon. member for Red Deer (Mr. Towers):

That this House call for the resignation of the Minister of Finance as he has proven he is incapable of managing the finances of this nation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

POLITICAL PARTIES

LEADERSHIP OF PROVINCIAL LIBERAL PARTIES—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, I have a motion under Standing Order 43. In light of the fact that the 2½ year vacancy for the Liberal leadership of Manitoba has been filled by a former Liberal candidate from Calgary who was brought to Manitoba at public expense only last May to be a special assistant to the Minister of Employment and Immigration (Mr. Axworthy), at a salary of over $36,000 a year, and since this "Albertan" may be ineligible to run for election until 1982 because he does not meet Manitoba's residency requirements, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That the federal government be instructed not to use the "mobility of labour" clause in the constitutional package to override provincial election laws, and that in future government employees brought into a province to aid dying or dead Liberal parties be asked to read provincial laws.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AID

SUGGESTED EXPEDITING OF DONATION TO ZIMBABWE—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, I rise under Standing Order 43. Today marks the commencement, in Salisbury, of the Zimbabwe Donors Conference, known as "Zimcord". It is taking place on the eve of Zimbabwe's first anniversary, an achievement which symbolizes the success of the democratic process, and an averted racial blood bath. The only post-war reconstruction funding which Canada has given amounts to $3 million. Therefore I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House urge the government to authorize its regrettably low level delegation to the donors conference to scale its announced $50 million—over five years—aid package to Zimbabwe, so that most of the money is available now, at the time of most urgent need, and so that the United States and other governments will be encouraged, by our Canadian leadership, to honour earlier pledges to Zimbabwe.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

PETROFINA CANADA

USE OF GOVERNMENT CREDIT CARDS—MOTION UNDER S.O. 43

Mr. Howard Crosby (Halifax West): Madam Speaker, I rise under the provisions of Standing Order 43. The Government of Canada claims it will provide good services and cheap gas to individual Canadian motorists by establishing Petro-Canada service stations and by purchasing Petrofina Canada Incorporated. I move, seconded by the hon. member for Fundy-Royal (Mr. Corbett):

That the Minister of Energy, Mines and Resources provide similar services to users of Government of Canada credit cards by directing Petrofina Canada Incorporated to abandon its practice of refusing government credit cards.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE ENVIRONMENT

ALICE ARM, B.C.—DUMPING OF TOXIC WASTE BY AMAX MINE—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas Amax of Canada plans to dump 200 tons of uranium in their mine tailings into Alice Arm in northern British Columbia, and such an act is governed by the London convention, of which Canada is a signatory, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the federal government immediately file with the OECD an environmental impact statement regarding the Amax mine, and that the government call for a moratorium on the project until the OECD has had a chance to investigate the proposed dumping.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

HOUSING

SHELTER ALLOWANCE PROGRAM

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is directed to the Minister of Public Works who is responsible for CMHC. I should like the minis-

ter to stand in his place and tell us why he broke his promise to introduce a housing shelter allowance this year.

An hon. Member: Because the Ontario election is over.

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, there was a representative of the party of the Right Hon. Leader of the Opposition at the All-Sector Housing Conference which was held three weeks ago. I am sure that if he inquired of the critic for housing in his party about the speech I gave at that conference, to which I believe the right hon. gentleman is referring, he would learn the context in which discussion was introduced to the country at large on the issue of shelter support. I am sure that he would then join with many other people who have indicated that the subject is worthy of serious consideration. If the right hon. gentleman checks the speech he will find that was the context in which the subject was raised.

Mr. Clark: Madam Speaker, I have checked the speech and I know the context was that the promise was made as an attempt to bribe the electorate of Ontario.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Clark: By the way, Madam Speaker, it is an electorate that they are more interested in attracting to the Liberal party in Ontario than they are in attracting to the Liberal party in the province of Quebec. I know also that in interviews given after that speech the minister said that the program would be introduced this year. I want the minister to stand in his place now and tell this House of Commons why he broke his promise to provide a housing shelter allowance program this year. Why did he make it? Why did he break it?

Mr. Cosgrove: Madam Speaker, the groups which would benefit most by such a program, apart from those people who are presently benefiting from such programs in four provinces, other than the province of Ontario, are groups that will be supported with the combination of the MURB provision in the budget of last year in this House and with the initiatives taken by the Conservative government of the province of Ontario both prior to the most recent election and during that election, with add-ons, with what they call the super-MURB program. I am sure that group of people and that income group will be addressed by the combination of those programs. So, in answer to the right hon. gentleman, I must say that I think he is misdirected if he thinks that the province of Ontario is the province or an area that would benefit the most or, indeed, is a target area.

ASSISTANCE FOR HOUSEHOLDS AFFECTED BY INFLATION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the minister has twice refused to answer why he broke, within a month, this solemn promise to introduce a housing shelter allowance this year. He broke that promise the day after the provincial election was lost, the outcome of which he was trying to influence.

In the publication issued by CMHC, his own department, there was a clear indication that, in 1979, 567,000 households in this country were not able to afford adequate and suitable shelter. The situation would be worse now. The minister has broken the promise he made less than a month ago. Let me ask the minister what he intends to do this year to help those 567,000 households which are caught by inflation, caught by unemployment, and which are now caught by a broken promise made by this minister?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, as I indicated in my opening remarks to the All-Sector Housing Conference, it is the intention of this government, as I indicated in this House on other occasions, to study seriously the question of shelter allowance and to ask for provincial response to it. Unlike the government of the former right hon. gentleman—

Some hon. Members: Oh, oh!

Mr. Cosgrove: —who asked for a report, who got a recommendation to study a shelter allowance in October, 1979, and then sat on that report during the last federal election because he was embarrassed by it, we are actually doing something about it.

Some hon. Members: Hear, hear!

• (1420)

ANNOUNCEMENT OF PROGRAM CANCELLATION

Mr. Doug Lewis (Simcoe North): Madam Speaker, my question is for the minister responsible for CMHC. The community services contribution program was cancelled last fall two days after the Ontario municipal elections. After building up the public's expectations that a shelter allowance would be introduced to alleviate the hardships faced by Canadians trying to find adequate shelter, in a speech made in early March which I heard, the minister has further delayed consideration of the program, announcing the delay the day after the Ontario provincial election.

An hon. Member: Question.

Mr. Lewis: Through you, Madam Speaker, my question to the minister is this: is this not another broken promise made for cynical political purposes and cancelled with cynical political timing?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I would remind the hon. member that in the Matthews report to which I just referred in my last answer, the recommendation was made to the previous government, of which the hon. member was a part, to terminate the same program, a recommendation incidentally which did not see the light of day until four days after I became the minister responsible for that portfolio in this government.

Mr. Malone: Yes, or no?

Miss MacDonald: At least you don't pull it out and cancel it the day after the election.

PREDICTED NUMBER OF HOUSING STARTS

Mr. Doug Lewis (Simcoe North): Madam Speaker, my supplementary question is also for the minister responsible for housing. Last week the minister was predicting an additional 10,000 housing starts directed toward low and middle-income people. Despite the introduction of the MURB provision in the October budget, multiple unit dwelling starts are down 32 per cent over the same period last year. Why is the minister suggesting an increase of 10,000 starts when, in fact, there has been a decrease of 9,000 starts?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, when I last mentioned the matter of the 10,000 starts in the House, I am quite sure that I referred to a report which appeared in the *Toronto Star* approximately two weeks ago. In that report, the company experts and those actually involved in multiple construction and starts in metropolitan Toronto recorded that there had been, through the combination of the MURB and the provincial super-MURB program, those actual starts coming on stream. I was merely recording the facts. If the hon. gentleman has some facts to the contrary or wishes to contradict these, I would be happy to hear from him. I am confident that in metropolitan Toronto there will be an increase in starts in the multiple areas as a result of those two programs.

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IMMIGRATION

FUNDING OF SETTLEMENT SERVICES

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, my question is for the Minister of Employment and Immigration. It concerns the weekend conference on immigrant women held in Toronto. First, I wish to register a formal complaint that members on this side of the house were barred from attending this conference.

Some hon. Members: Shame!

Mrs. Mitchell: The minister is aware that I hosted a non-partisan settlement meeting in Vancouver recently to which all politicians, representatives of schools, settlement agencies and government officials were invited. Since the prime concern of participants at this meeting, and certainly of people in all provinces, is that the federal government, which is responsible for immigration policy, must shoulder responsibility for the cost of its policies rather than leaving it as a burden for local government—

Some hon. Members: Order.

An hon. Member: Question.

Mrs. Mitchell: What action has the minister taken to do away with the three-year limit he has for funding of settlement services, a policy which discriminates against immigrant women in particular, and will he replace this policy with a funding formula which will be—

Madam Speaker: Order, please.

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, it is too bad that the hon. member has seen fit to provide some negative comments about what was a very useful and very effective conference. This conference brought people from right across Canada to discuss one of the most important issues affecting immigration and women in general. I think the results of the conference and the kind of discussions which ensued have been most helpful to those involved as well as to those in government.

I think that if the hon. member had followed the proceedings of the conference more carefully, she would have recognized that we announced a number of new initiatives at that conference—

An hon. Member: Come on, Lloyd.

Mr. Axworthy: —including a commitment to undertake a serious integrated approach to language training, which is unquestionably the most critical concern in the integration of women and of immigrants into the work force. The Minister of State for Multiculturalism and I undertook to provide the fulfilment of that commitment at the conference, and I think it was well received by all those attending. The only person who seems to be complaining is the hon. member.

● (1425)

POLICY RESPECTING LANDED IMMIGRANT STATUS FOR DOMESTIC WORKERS

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, I can appreciate that the minister wants and needs to make political points, but the fact is we were not invited to this conference. I certainly hope that he also has approved funding for multicultural—

Madam Speaker: Order, please. The hon. member must stick to the question.

Mrs. Mitchell: The minister has indicated that he may ease procedures to allow domestic workers to come to Canada as landed immigrants. Therefore, will he implement this policy immediately? Will it be retroactive, and will it contain amnesty for such people as Daphne Williams who is facing deportation and, if deported, will be unable to support her aging parents and five children in Jamaica?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I would question who is trying to gain political points in this particular period. The objective of those of us at the conference was to establish new initiatives to ensure that immigrant women get a more fair deal and to correct some of the inequities of the past. That was the point

of the announcements that we made. The commitments we made in terms of domestic service workers were to ensure that they would have full opportunity at jobs if they lost their first place of employment, and to review the point system to give them greater opportunity to come here as landed immigrants as opposed to transit workers. We will bring about those changes after we consult with the provinces.

In the meantime, we are releasing a major discussion paper by Mary Eberts, an expert in the field, so we can get a full reaction and response from provincial governments and leaders of various minority groups. We are going to proceed in a responsible and proper way and not be pushed into it by the kinds of comments made by the hon. member.

FUNDING FOR ENGLISH LANGUAGE LIFE SKILLS PROGRAM

Mr. Lyle S. Kristiansen (Kootenay West): Madam Speaker, my question is also to the Minister of Employment and Immigration. It is with regard to the pending March 31 cut-off of funds for the special English language life skills programs designed to assist in the settlement and integration of the some 60,000 Indo-Chinese refugees here in Canada.

Will the minister take immediate action to extend the funding for these vital and necessary basic programs, plus including provision for child care while attending classes, to ensure that Canada will fulfil its commitment to these new Canadians, who surely have suffered enough, in order that they may have a fair opportunity in seeking employment and have a chance to make their contributions to their new homeland?

My question to the minister is this: will we love them in 1981 as we loved them in 1979 and 1980?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I would point out to the hon. member that when we tabled in this House the report on immigration last October, we indicated, as a government, that the major thrust of our efforts in the forthcoming year will be to provide additional resources and support to the settlement of immigrants and refugees in Canada. We have already introduced additional programs to provide for that support. We announced others this weekend. We will continue the funding of the ISAP program.

Furthermore, we are now negotiating and developing a brand new settlement program that will provide for a much broader degree of involvement of the private sector and the voluntary sector in helping us out with this very important problem. Our thesis is not like that of the group in the corner, which is to have government do everything by government. We want to recruit and enlist the tremendous energies and enthusiasm of the volunteer and private people in this country, which they demonstrated in bringing people over, and they are prepared to do the same in helping people settle in here. That is the philosophy over here.

ENERGY

EFFECT OF ALBERTA COURT OF APPEAL DECISION RESPECTING NATURAL GAS—GOVERNMENT POSITION

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is to the Minister of Energy, Mines and Resources. The minister and his officials will have had the weekend to study the Alberta court of appeal decision on the natural gas tax reference. In view of the potential significance of that decision I would ask the minister whether his advisers have had an opportunity to study it and whether the government has yet decided to seek leave to appeal to the Supreme Court of Canada. Also, has the decision prompted the government to rethink its tax regime with respect to western resources in particular?

• (1430)

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the Minister of Justice has received a copy of the court of appeal judgment and his officials are examining it. No recommendation has been made to the government yet, but I am sure that the minister will want to advise his colleagues in the next few days as to what steps he is considering.

Mr. Hnatyshyn: Well, notwithstanding that, Madam Speaker, I would ask the minister whether or not this decision has in fact caused the government to reconsider its own tax regime as brought down in the budget by his colleague, the Minister of Finance? In fact, Mr. Leitch, and the producing provinces are now considering the merits of a plan whereby those provinces would take their royalties in the form of gas production I would ask the minister, in view of that and the fact there are upcoming discussions with Mr. Leitch and his counterparts in the producing provinces, whether or not he is prepared to look at alternative methods of raising revenue because the present tax regime is under serious attack and questioned by the courts of this land.

Mr. Lalonde: Madam Speaker, I would advise my hon. friend that matters of taxation are more properly relevant to the Minister of Finance and that is to whom the question should be addressed. As far as the court case is concerned, it is a matter of decision whether or not an appeal should be made and in due course the House will be advised.

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[*Translation*]

CANADIAN BROADCASTING CORPORATION

DISPUTE BETWEEN CORPORATION AND JOURNALISTS' UNION IN QUEBEC—GOVERNMENT POSITION

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, my question is directed to the Minister of Labour. Is it true that the latest offer of the CBC French network to its 180 journalists in Montreal, Quebec City and Rimouski is final

and that no further negotiations are possible, as Mr. Paul Mousseau of the CBC declared to the Montreal *Gazette*? In addition, can we expect return to work legislation in the near future, thus withdrawing the right to negotiate?

[*English*]

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the offer made by Radio-Canada was described by management as their final offer, their final position, and that offer is presently before the union to be voted on. That vote is now under way with the results expected, I believe, tomorrow evening. Obviously any future discussion between the parties is dependent upon the outcome of that vote.

[*Translation*]

Mr. Kilgour: I have a supplementary for the same minister, Madam Speaker. What does the minister intend to do to avoid another strike of the 1,100 employees of the CBC French network? Is he going to let the conflict drag on so that the French-speaking population will have even less of the information to which it is entitled and for which it will pay taxes just like all other Canadians?

[*English*]

Mr. Regan: Madam Speaker, I am not sure about the hon. member, but most hon. members are fully aware of the Department of Labour's role, and it is not within our power to order parties to agree. We provide probably the most able mediation service of any government in the country with a very, very high level of settlements. It is strange that when strikes are settled or avoided, there are never any questions. It is only in relation to the odd or unusual one, where the parties take a particularly difficult position, that a question comes forward. However, I am sure the hon. members on that side of the House would be able to explain to him the limitations on the power of the Department of Labour and what our actual role is.

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EXTERNAL AFFAIRS

ESTABLISHMENT OF CANADA WORLD CENTRE—QUERY RESPECTING ROLE AND FUNDING

Mr. Bob Ogle (Saskatoon East): My question is for the Secretary of State for External Affairs and relates to the proposed futures secretariat for which draft incorporation papers were signed some days ago. I understand it is being set up as a non-governmental organization under the name Canada World Centre, with an application for a substantial initial grant from CIDA. He is aware, no doubt, that the setting up of a new government-sponsored NGO to publicize international development issues has been strenuously opposed by the existing NGO community. Many NGOs are seeing their matching grants from CIDA lag far behind the increase in private sector funding. Can the Minister give us the assurance that the Canada World Centre will not parallel or undercut the activities of established NGOs in the field of public education?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I share the hon. member's concern, but he has his facts a little wrong. The organization being set up is not a government-sponsored NGO. That would probably be a contradiction in terms. It is an NGO setting itself up and applying to the government for operational funding, which we will consider in due course. Of course, in funding NGOs we are concerned whether or not their functions overlap, and so we will look at all these questions in the allocation of funds. I might say, by the way, that NGO funding is again being generously increased this coming year.

Mr. Ogle: In the North-South report we had indicated there should be increased funding for public awareness programs, but not through the forum of a non-government organization. Does the minister not agree that the centre must be seen as something more than a public relations exercise to sell foreign aid to the Canadian people and not fulfil the whole question of education?

Mr. MacGuigan: Madam Speaker, I am not sure if I understand what the hon. member is referring to now. Is he referring to the North-South Institute or to the futures secretariat? I cannot answer the question because I am not aware of what he is referring to in his question.

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PUBLIC SERVICE

CLASSIFICATION OF IMMIGRATION OFFICERS WORKING AT VANCOUVER INTERNATIONAL AIRPORT

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, my question is to the Minister of Employment and Immigration. In view of the fact that immigration officers at Vancouver airport have, on average, a 63 per cent heavier workload than those at Toronto airport, and a 125 per cent heavier workload than those at Dorval, would he please clarify to this House why the immigration officers at Vancouver are classified as level 1, PM1, while their counterparts at Toronto and Dorval are classified as level 2, PM 2, and would he please tell this House what steps he has taken to regulate this discrepancy?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, the hon. member's question points out the serious workload all immigration officers have in performing a very important duty. I can tell him that the matter of wage and position levels has been examined and reviewed, documents have gone to Treasury Board, and it is now a subject of negotiations between my officials and those of the union. We hope they will be completed in a very short period of time and those inequities will then be overcome.

Oral Questions

EXTERNAL AFFAIRS

POLAND—REQUEST FOR CONVENING OF NATO MINISTERIAL MEETING

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is for the Secretary of State for External Affairs, concerning the deteriorating situation in Poland which Lech Walesa, the Solidarity leader, described on the weekend as being far more serious now than it was last fall. The minister will recall that when he returned from the NATO ministerial meeting last December he stated in this House that the NATO foreign ministers would be called together immediately upon an intensification of the crisis.

Given Walesa's statement and the fact there are now some 25,000 Warsaw Pact troops on manoeuvres in and around Poland, and given the increasing fear of Soviet intervention to resolve domestic tension, will the minister say whether or not such a meeting has been called and, if not, will he undertake to suggest that to his NATO counterparts so that they can deal forthwith with the increasing threat of Soviet intervention in Poland?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, the Polish situation is indeed such as to give us cause for some concern at the present time. However, no meeting of NATO foreign ministers has been called because it is not believed that this is the kind of intensification for which such a meeting would be useful. Indeed, I would hesitate to suggest such a meeting to my colleagues at the present time because of fear that it might intensify the already serious difficulties there.

• (1440)

The Soviet troops are not present at this time because of any disposition relating to the present problem—or at least not to any apparent one—but because of their normal manoeuvres at this time of the year. For us to intensify the situation even further by calling a NATO meeting, in these circumstances, would not help the situation.

GOVERNMENT RESPONSE TO REQUEST FOR AID

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, on this issue the government has continually failed to show any leadership, and I am sure that the Canadian people are not satisfied with the role which has been taken by the Prime Minister of simply sending a friendly letter to Mr. Brezhnev to tell him what the Canadian attitude is.

I would like to ask the Secretary of State for External Affairs another supplementary question which has to do with the statement by foreign minister Genscher of West Germany on his return from Poland last week. At that time he stated that West Germany would be prepared to offer economic assistance to Poland, and he called on other western countries to make a specific commitment to aid Poland economically so as to try to alleviate some of the tensions which exist there. What has been Canada's response to that particular and specific request?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, the request which has come to us is not from the government of West Germany but from the government of Poland. Of course we have taken that very seriously. It has both bilateral and multilateral dimensions. On the bilateral side we have given an extension of credit for the immediate future. On the multilateral side we are working with our other allies to work out a general program for the relief of Polish debts. In other words, we are doing exactly the same thing West Germany and the other countries involved are doing.

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CANADA MORTGAGE AND HOUSING CORPORATION

MORTGAGE INSURANCE FUND—GOVERNMENT CONTINGENCY PLANS

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I have a question for the minister responsible for housing. It is prompted in part by his answers to my colleagues. I want to ask the minister about the actuarial soundness of the mortgage insurance fund, which has over $20 billion worth of potential liability outstanding and practically no cash reserves. Since the minister has had the benefit of the Peat, Marwick study, the assessment of the controller general, as well as the Matthews report, to which he referred and has had ample time to study—unlike our government—what is he going to do? Is he setting up any contingency funds to guard against the contingencies implicit in AHOP and other recent mortgages which are liable to go bad, unlike the earlier mortgages which were taken out years ago and are financed at a lower rate of interest?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, the corporation, through its aggressive sales program over the last 18 months, has been able to repay the loan taken from the last government to assist it in meeting claims under the mortgage insurance fund. My understanding is that, of $250 million drawn, approximately $175 million has been returned thus far, and as I indicated in response to an earlier question this year by the hon. gentleman, with the improved and strengthening markets the prices are, of course, improving. That has improved the sales position of the corporation, with the result that it is anticipated that the money borrowed to bolster the fund will be returned and, in fact, the corporation is in a much better position vis-à-vis recouping some of its losses.

REPORTED LOSS IN MORTGAGE PORTFOLIO

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I understand that while the sales program may have been a success—and I am happy it was—more units have come into the MIF than have gone out of it.

Let me ask the minister whether he was correctly quoted recently by a Halifax columnist to the effect that while the ostensible market value of the mortgage portfolio of CMHC stands at about $11 billion, the real market value is only about $3 billion. If that is true and if that is the case, does the minister intend to elaborate on this and tell the House and the country a bit more about this multibillion loss?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I have no recollection today of the figures the hon. member mentions or of the information he has quoted from a newspaper. Without having specific numbers in front of me, all I can do is comment, as I did generally, and say that with the strengthening market I do not think that the proportions used by the hon. member are accurate at all.

* * *

NATIONAL DEFENCE

QUERY RESPECTING SOVIET MILITARY EXERCISES CONDUCTED IN AREAS ADJACENT TO POLAND

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my question is supplementary to those asked by the hon. member for Kingston and the Islands, except that I would like to direct them to the Minister of National Defence.

My question concerns the troop exercises in and around Poland which are going on at the present time. Would the minister tell the House if Canada was invited to send observers to watch these exercises and, if so, in what manner did we respond?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I assure the hon. gentleman that there have been no requests for us to participate in these exercises.

Mr. McKinnon: Madam Speaker, I thought that the minister might be aware of the provisions of the Helsinki Final Act respecting observers at exercises. If he is not, could he tell us if he has been briefed by our NATO allies as to the number of troops involved in these exercises and what types of divisions they are using during these exercises?

Mr. Lamontagne: Madam Speaker, I would explain to the hon. gentleman that when there are NATO exercises we participate in them as requested by NATO headquarters or commands. As a NATO member we are always glad to participate in any exercises NATO would undertake.

* * *

HOUSING

PROGRAMS TO MEET NEEDS OF NATIVE PEOPLES

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the minister responsible for housing. At a public meeting in Moose Lake, Manitoba, on the weekend I heard complaints about the deplorable state of housing in the native community. I subsequently saw some of those terrible conditions. Just over two weeks ago in Ottawa the minister acknowledged that more than 100,000 units of new housing would be required to meet the minimum needs in our northern areas, and particularly on Indian reserves. What specific programs does the minister have in order to meet those needs soon?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, the issue of Indian housing needs and the lack of the adequate programs to serve the many thousands of native families to which the Leader of the New Democratic Party refers are quite apparent and have been apparent to all hon. members having anything to do with the provision of housing through the federal agency. It was to that end that approximately a year ago—before I became minister responsible for the portfolio—a review was undertaken.

However, in addition to identifying the need specifically and narrowly for housing, there is also a very strong feeling that the native people should be part of that review and, indeed, they have been part of the review over the last 12 months.

In addition to that, as soon as we start studying housing needs and looking at remedies to respond to the lack of services, we immediately come to realize that in the provision of new housing or in providing services, the natives should also be part of that response, so I am happy to say that the native organizations, together with the Department of Indian Affairs and Northern Development and officials of the corporation, have completed that review. They have completed drafting a program. That program has been submitted to the two ministers involved and, when we have made a submission to our cabinet colleagues, the program will be presented once again to both native bands and off-native bands, and we will be addressing those needs in the near future.

REQUEST FOR ACCELERATED PROGRAM

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have been in the House for 13 years, and every other year there has been a review of housing needs of native people which has not met those needs. It is time for some action.

Some hon. Members: Hear, hear!

Mr. Broadbent: Considering that at the 1981 rate of housing starts the minimum needs, as described by the minister himself, will not be met for 60 years, and since he has now told us he has another report at which he is looking, will he make a commitment today that the minimum needs of the native people of Canada will be met, not ten years or 15 years down the road, but completely within a maximum of five years?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, the hon. member has an advantage over me. I have had only one year's experience in this House. I have used that year to inform myself of the housing needs of Canadians generally. I agree with the hon. member that the most pressing need and demand for housing and improved housing standards in the country are those with respect to native Canadians. I

hope my cabinet colleagues and members of the parties opposite will join with the government when we bring that program forward, because I think it is urgent.

* * *

● (1450)

THE CONSTITUTION

EFFECT OF CHARTER OF RIGHTS ON ABORTION PROVISIONS IN CRIMINAL CODE

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, my question is directed to the Minister of Justice and Minister of State for Social Development. It is my understanding that the government interprets the charter of rights in the proposed constitutional resolution as it pertains to the question of abortion as being neutral.

What assurance can the minister give that Section 7 of the charter of rights will not be construed so as to make abortion, in the early phase of pregnancy, essentially a matter of privacy and thus protected from the sanction of the Criminal Code?

The Supreme Court of the United States, in dealing with a constitutional provision guaranteeing individual liberty, inferred that the concept of liberty included the concept of privacy and that the concept of privacy makes abortion, in the early phase of pregnancy, essentially a private matter, not a matter upon which the state should enact a penal sanction.

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, the question has been debated at length in the committee. I have stated the position of the government in this matter, that the question of abortion is dealt with in the Criminal Code and in no way can the charter be used to interfere with the actions of this Parliament in relation to the Criminal Code and abortion.

Mr. Hawkes: Wrong!

* * *

GRAIN

CONGESTION AT PORT OF VANCOUVER—GOVERNMENT MEASURES TO ALLEVIATE

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is directed to the Minister of Transport. It arises out of the congestion in grain terminals in the port of Vancouver, resulting in the lowest level of space in the terminals in several years, some 49,000 tonnes. There is a scarcity of ocean vessels arriving at the port of Vancouver. Over the last two shipping weeks only four shipping berths were utilized during that time. Also there is a record number of cars en route and in terminal position, and the unloads are declining. In view of these facts, could the Minister of Transport tell the House why this lack of co-ordination is occurring and what he is prepared to do about it?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, the hon. member gave a very adequate description of the complexity of the rapeseed situation.

Mr. Mazankowski: Not rapeseed, grain.

Mr. Pepin: Grain in general, but particularly applicable to the rapeseed situation.

Mr. Mazankowski: No.

Mr. Pepin: If it is the entire grain situation, I am sorry to say that my hon. friend is wrong. The delivery at Winnipeg—the delivery at Vancouver has been extremely good in recent weeks.

Miss MacDonald: Or somewhere!

Mr. Pepin: I have the figures here which I can share with the hon. member. The rapeseed situation has been a difficult one. In that particular instance the acting grain co-ordinator met with the industry. There were problems with respect to inland elevators and producer cars. They have agreed now on the sharing, the percentage in each instance, and it is my information that the situation will continue improving.

Mr. Mazankowski: Madam Speaker, my information is more up to date than that of the Minister of Transport. I should like to quote the latest Alberta agricultural statement on west coast traffic. They described the situation as "becoming critical". The fact of the matter is that ships have not been arriving on time. There are over 9,000 cars loaded with grain, waiting to be unloaded. There is only room for 49,000 tonnes.

What is the minister doing to ensure better co-ordination for the arrival of grain to terminal position and the arrival of ships? Is he not aware of it? If not, will he look into it immediately?

Mr. Pepin: I also have the kind of information my hon. friend used to have.

Mr. Mazankowski: You had better read it.

Mr. Pepin: Indeed the situation is difficult in the port of Vancouver, but my information is that, generally speaking, the situation has been quite good up until now, with an increase of 4 per cent to 5 per cent in unloading at the port of Vancouver. The present situation is a temporary one which will be rectified.

* * *

HEALTH AND SAFETY

MEASURES TO ELIMINATE HAZARD OF INFANT CRIB DEATHS

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. It concerns infant crib deaths as a result of high colonial-style corner posts. Since individual manufacturers recognize the hazard involving the cornerposts on very

popular colonial-style cribs, but no individual manufacturer wants to eliminate them because of the risk of competitive disadvantage, can the minister say what changes he has made or is making to the Hazardous Products Act? What is his department doing to compel manufacturers to modify the design of these colonial-style cribs?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, I will check that question with my department officials and report to the hon. member as soon as possible.

[*English*]

Mr. Scott (Hamilton-Wentworth): Madam Speaker, my supplementary question is directed to the same minister. Would he verify that crib manufacturers themselves have been asking the department to compel them either to modify or eliminate these cribs from the market, and that one of his department's spokesmen has been saying that there has been a good deal of foot-dragging within the department on this very serious and controversial matter?

Will the minister assure the House that he will press his cabinet colleagues to back his own officials, so that circumstances leading to the tragic death of a little girl in Peace River will not be allowed to repeat themselves again?

[*Translation*]

Mr. Ouellet: Madam Speaker, I will check that question as well.

* * *

[*English*]

ENERGY

PRODUCTION AND USE OF METHANOL AND ETHANOL AS ALTERNATIVES TO GASOLINE

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. In view of the fact we can use waste products to power cars and that we can grow crops on land, which cannot support food crops, to make fuel for our cars, will the minister consider developing new energy industries around locally-produced fuel, whether methanol or ethanol? Also, will the minister recommend that the Excise Tax Act be changed so that farmers could become energy-sufficient by devoting about 10 per cent of their crop land to fuel alcohol production?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, certainly I will study with great interest the representation of the hon. member and also draw it to the attention of the Minister of Finance.

PUBLIC SERVICE

STAFFING PRACTICES OF PUBLIC SERVICE COMMISSION—RESIDENCY RESTRICTION RESPECTING EMBASSY APPOINTMENTS

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question is directed to the Secretary of State for External Affairs. The minister will know that I rose in the House last Monday to ask why one had to be a resident of either Ontario or Quebec to become a secretary in one of our diplomatic missions.

On Thursday the Public Service Commission indicated that it simply bowed to a policy request of the Department of External Affairs. Could the minister tell the House whether or not he personally accepts responsibility for that policy? Could he enlighten the House on why he thinks living in eight provinces, the Yukon or the Northwest Territories, should make one ineligible to represent Canada abroad?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I am not familiar with that reply of the Public Service Commission, and I will take that question as notice.

Miss MacDonald: At least say you do not believe in it.

Mr. Hawkes: Madam Speaker, that answer is astonishing, in that same press release indicated that the commission told the Department of External Affairs, as of last Thursday, to broaden that competition to include all provinces of Canada. For the minister to stand up here four days later and say that he is unfamiliar with it is simply unacceptable.

Is the minister telling the house that he and his department have taken no action to broaden that to include the cities of eight provinces, the Yukon and the Northwest Territories, or are we still in a situation where one must live in Ontario or Quebec to work for the Canadian Department of External Affairs?

Mr. MacGuigan: Madam Speaker, the hon. member's question is highly inflammatory. I will reply to it on a subsequent date.

Some hon. Members: Oh, oh!

REQUEST FOR STATEMENT BY MINISTER

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I should like to ask a supplementary question. I think that the House deserves an explanation.

Some hon. Members: Question.

Mr. Lalonde: The deputy minister is from Winnipeg.

Mr. Munro (Esquimalt-Saanich): Is the minister now prepared to make a statement on these unusually restrictive provisions in recruiting Canadians to serve Canadians abroad, that they should be drawn from only two provinces? I think this is outrageous; there used to be a decent public service.

● (1500)

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, if I had been prepared to make a statement like that today I would have made it. I will make it in due course.

* * *

PRIVILEGE

MR. GREENAWAY—DENIAL OF MISS BÉGIN RESPECTING DEATHS OF JAMES BAY CREE INDIAN CHILDREN

Madam Speaker: I have notice of a question of privilege from the hon. member for Cariboo-Chilcotin.

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, I rise on a question of privilege with reference to an exchange which took place on Friday, March 20, between myself and the Minister of National Health and Welfare (Miss Bégin). The reference in *Hansard* is at pages 8454 and 8455, wherein she implied that I was not telling the truth in this House regarding the deaths last year of three children from the James Bay of northern Quebec. The minister said:

—I repeat that ten small children did not die last summer, as the hon. member indicated. That is completely untrue.

I would like to read into the record—

Some hon. Members: Order!

Mr. Greenaway: —the names of the four children who died in Mistassini in 1980. One, Patrick Samuel Mattawashish, son of Charles and Janie Mattawashish, died at the age of three months—

Madam Speaker: Order, please. The hon. member is entering into debate with respect to his question of privilege. I would ask him to restrict his remarks to the privilege that he feels has been breached.

Mr. Greenaway: Madam Speaker, I have here the list of nine children who died last summer in Cree villages. I would like to put their names on record.

Madam Speaker: That is not relevant to the question of privilege. If the hon. member feels that his privilege has been breached, he must explain to me in what way that privilege has been breached and not enter into debate on the question which was put to the minister.

I have read the statement which the hon. member has given me as notice of his question of privilege. As I read the statement, I frankly feel that he does not have a question of privilege. The hon. member says that some unparliamentary language was used and that it reflected on his reputation. If one looks at the list of examples of unparliamentary language as set out in Beauchesne, then I agree with the hon. member that we have two lists and that they are contradictory. If the list does not help us we must go to another factor, which is the factor that some trouble or commotion would have been caused in the House by the words that an hon. member had used. At the time when the minister used those words, indicating that the statement was false, there was no trouble or commotion in the House. The hon. member did not rise in his seat to protest at that time. Thus, in this instance, I feel that the hon. member does not have a question of privilege and that the language used was not unparliamentary.

Mr. Greenaway: Madam Speaker, she obviously called me a liar—

Madam Speaker: Order, please. We cannot debate the question any further, since I have already ruled on the hon. member's question of privilege. I assure him that the basis of this statement does not allow me to find there is a question of privilege in this particular circumstance.

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, you have made a ruling, perhaps prematurely, with respect—

Some hon. Members: Order!

Mr. Baker (Nepean-Carleton): —on the basis of a written notice. I said perhaps.

Unless I am wrong, and I stand to be corrected, I understood that the basis of the written notice was to inform the Chair of the area in which the privilege lay and that the member, on the basis of that, was to be allowed to put his point. The written notice is the pre-condition for allowing the member to make his point. I have not heard the member make his point in the House, which he has a right to do.

Madam Speaker: The hon. member is right, the purpose of the notice is to give the Chair an idea of the area in which the question of privilege might arise. But members are also invited to present some of the arguments that they feel they want to invoke in favour of that question of privilege.

The hon. member for Cariboo-Chilcotin rose in his seat, began to describe his question of privilege, then immediately entered into debate. I had to conclude that he was debating the question rather than exposing the question of privilege.

Also, from the statement I received, which consists of about ten lines, I was able to conclude that the hon. member did not have a question of privilege but rather was dealing with a question of unparliamentary language, which at the time was not challenged.

ROUTINE PROCEEDINGS

[*Translation*]

NATIONAL TRADING CORPORATION

Third Report of Special Committee on a National Trading Corporation—Mr. Roy.

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

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[*English*]

PETITION

MR. WILSON—POSSIBLE INVASION OF POLAND BY U.S.S.R.—REQUEST FOR CLARIFICATION OF GOVERNMENT POSITION

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, I rise on behalf of 275 constituents of mine who have presented me with a petition requesting that the Canadian government clarify its stand on the possible threat of Soviet invasion of Poland, and to deplore the government's lack of action to date in this regard.

I think this is a particularly timely petition in view of the military manoeuvres by Russia in Poland last week and the existence of the military in Poland, and also the harder lines taken last week by the police in Poland with respect to activists.

I am therefore pleased to represent those who have signed this petition and who have asked me to speak on their behalf in urging this government to take a strong stand and clarify its position with regard to the very serious danger of intervention by the Soviets in Poland. This is particularly true in light of the response of the Secretary of State for External Affairs (Mr. MacGuigan) in answer to a question today.

* * *

[*Translation*]

BUSINESS OF THE HOUSE

MOTION TO EXTEND SITTINGS DURING DEBATE ON CONSTITUTION

On the order: Government Notices of Motions:

March 19, 1981—The President of the Privy Council:

THAT WHEREAS the Prime Minister tabled in the House of Commons on October 6, 1980, a document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada";

AND WHEREAS the motion to refer the said document to a Special Joint Committee of the House and Senate was debated in the House on 11 days between October 6 and October 23, 1980, allowing some 78 members to speak;

AND WHEREAS the Joint Committee, on which some 132 members of this House served, held 106 meetings, sat for 267 hours, received over 1,000 written submissions and heard testimony from 95 groups and 5 individuals;

AND WHEREAS the Joint Committee, having had its reporting date extended twice, reported on February 13, 1981, with the recommendation that the government introduce a motion for the presentation of the Address as modified by the committee;

AND WHEREAS the motion of the Minister of Justice implementing the Joint Committee's recommendation was moved on February 17, 1981;

AND WHEREAS the Hon. member for Provencher moved an amendment to that motion on February 17, 1981;

AND WHEREAS the said amendment has been debated by this House for some five weeks, with the result that as of March 18, 1981, there have been 52 speakers on behalf of the official opposition, 15 speakers on behalf of the New Democratic Party, and 31 speakers on behalf of the government;

THEREFORE until the motion of the Minister of Justice for an Address to Her Majesty the Queen respecting the Constitution of Canada and any amendments thereto have been finally disposed of, Standing Order 6(1) and Standing Order 40 shall be suspended and, notwithstanding any other Standing Order, Private Members' Business shall be suspended, and the House shall sit from 10 o'clock a.m. to 1 o'clock p.m. on Mondays, Tuesdays and Thursdays for the consideration of government business; and Standing Order 6(3) shall be read as if it said "At 11.59 o'clock p.m. on Mondays, Tuesdays and Thursdays, at 10 o'clock p.m. on Wednesdays and at 7 o'clock p.m. on Fridays, Mr. Speaker shall adjourn the House until the next sitting day".

AND during debate on the said motion of the Minister of Justice and any amendments and subamendments proposed thereto.

(*a*) notwithstanding Standing Order 31(1) no member shall speak for more than twenty minutes;

(*b*) when no member rises in his place to participate in the debate, or at fifteen minutes before the time of adjournment provided for by this order on the second day during which the motion of the Minister of Justice or any amendments and subamendments proposed thereto have been under consideration following the adoption of this motion—whichever occurs first—the Speaker shall interrupt the proceedings and put forthwith every question necessary to dispose of any amendments and subamendments then under consideration;

(*c*) if, at the time provided for in paragraph (*b*) there is no amendment or subamendment under consideration, the Speaker shall put every question necessary to dispose of the main motion; otherwise, after the amendment and any subamendment have been disposed of, the debate on the main motion may be resumed;

(*d*) at fifteen minutes before the time of adjournment on the second sitting day following the resumption of the debate on the motion of the Minister of Justice pursuant to paragraph (*c*), the Speaker shall put every question necessary to dispose of the motion, including any amendments and subamendments proposed thereto; and

(*e*) any member who, not having spoken in the debate either on the main motion or on an amendment or subamendment may at any time before the fulfilment of the conditions set out in paragraph (*b*) deliver to the Clerk a written speech relevant to the debate of not more than about 3,000 words, which will be printed as an appendix to the *House of Commons Debates* on the day following the conclusion of the debate.

Madam Speaker: Pursuant to Standing Order 21(2), this notice of motion is transferred to and ordered for consideration under government orders later this day or at the next sitting of the House.

[*English*]

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I rise on a point of order. I simply wish to give notice that if and when this motion is moved I shall raise a point of order with respect to the final paragraph thereof. My point of order will be based on citation 311 of Beauchesne's fifth edition, which reads:

Under no circumstances may a member merely table a speech for printing in *Hansard*.

Some hon. Members: Hear, hear!

Madam Speaker: I appreciate the hon. member giving me notice of the point of order which he would raise if and when this motion is brought before the House.

Order Paper Questions

Hon. Walter Baker (Nepean-Carleton): I rise on the same point of order, Madam Speaker. We have some reservations as well about the matter, which we will discuss at the time.

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HOUSE OF COMMONS

UNAUTHORIZED PRESENCE IN CHAMBER OF PHOTOGRAPHER

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I have been informed—and this can be verified by Your Honour—that contrary to the understanding which exists in the House with respect to the presence of photographers in the House there is a photographer on the floor of the chamber, or in the alleyway, who is not one of the members of the press who have been authorized to be here on an experimental basis. I understand that this photographer is a photographer from the Prime Minister's office. I have been informed that his name is Robert Cooper. He is a stranger in the House and I would ask that he be removed.

Some hon. Members: Hear, hear!

Madam Speaker: Quite obviously the permission for photographers was limited to the two photographers from the Canadian Press. This was agreed to after consultation among the different parties in this House. If there are other photographers present I would ask them to leave, please.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 132, 1,504, 2,031 and 2,038.

[*Text*]

RIGHT HON. JOHN G. DIEFENBAKER—STATUE, PARLIAMENT HILL

Question No. 132—**Mr. Cossitt:**

1. Did the former government appoint a person to select a site for a statue on Parliament Hill of the Right Hon. John G. Diefenbaker and, if so, who was appointed?

2. Does the government intend to change any of the arrangements or decisions made by the previous government on who will be involved or what site will be selected and, if so, what are the details?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): 1. The office of the former prime minister contracted with Mr. Keith Martin on January 23, 1980, for services for the period January 23 to February 21, 1980, "to study and recommend possible appropriate means of recognition by the Government of Canada for the late Right Hon. John G. Diefenbaker". Mr. Martin requested advice on March 7, 1980, as to whether "the present government wishes me to continue my services". Mr. Martin was requested to continue his work and advised that the government looked forward to receiving his report. The report was received on April 8, 1980.

2. The present government is not aware of "arrangements or decisions made by the previous government".

BERGER INQUIRY—LAWYERS EMPLOYED

Question No. 1,504—**Mr. Turner:**

1. How many law firms, counsellors or lawyers were employed by the Royal Commission on the Mackenzie Pipeline (the Berger inquiry) and (a) what was his/her name (b) what amount was he/she paid per diem (c) what was the total that he/she received?

2. How many days did each counsellor or lawyer work?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. The following two law firms and one self-employed lawyer were employed by the Berger inquiry:

(i) Cameron Brewin & Scott,

(ii) Decario & Waddell,

(iii) Mr. Michael Jackson.

(a) Name of Firm/Lawyer	(b) Per diem	(c) Total Paid to law firms (includes fees)	(2) Days Worked (average)
(i) Cameron Brewin & Scott		$ 497,564.00	
I. Scott	$ 75.00 (per hour)		77
S. Goudge	50.00 "		77
I. Roland	50.00 "		77
A. Ryder	50.00 "		77
(ii) Decario & Waddell		$ 110,768.00	
Ian Waddell	$ 2500 (per month)		270
(iii) Mr. Michael Jackson	$ 2500 (per month)	$ 103,578.00	250

NOTE: In part (c) it was not possible to indicate the total amount each individual lawyer received as each was paid by the law firm for which he/she was employed. The response therefore lists the total paid to each law firm in question, with the exception of Mr. Michael Jackson who is self-employed.

CADC—SALE OF PRINCIPAL ITEMS OF MATERIAL OR EQUIPMENT 1979-80

Question No. 2,031—**Mr. Herbert:**

What were the principal items of material or equipment obtained in the fiscal year 1979-80, from the (a) Department of Public Works (b) Department of Supply and Services (c) Canada Mortgage and Housing Corporation, for sale by the Crown Assets Disposal Corporation?

Hon. J.-J. Blais (Minister of Supply and Services): I am informed by Crown Assets Disposal Corporation as follows:

(a) Department of Public Works—Chemical and laboratory test equipment, assorted wood, laboratory furniture and shelving, and a scow;

(b) Department of Supply and Services—IBM processor and assorted furniture and equipment;

(c) Canada Mortgage and Housing corporation—Assorted furniture and furnishings.

N.B. Principal items are defined as reports of surplus declared having an acquisition cost in excess of $100,000 or a recovery value of $25,000 or more.

CANADIAN PENSION COMMISSION—RELOCATION

Question No. 2,038—**Mr. McKenzie:**

1. Are there 217 positions in the Canadian Pension Commission scheduled to be relocated in Prince Edward Island and, if so, how many of the employees have actually agreed to move?

2. What was the total cost, so far, to the Department of Veterans Affairs for the P.E.I. move apart from land and buildings?

3. Has there been an increase in the forecast of the $23 million total cost of the move?

Hon. J. Gilles Lamontagne (Minister of National Defence): 1. There are 217 positions in the Canadian Pension Commission scheduled to be relocated in Prince Edward Island. The number of employees who agree to move will not be known until nine months prior to the official date of relocation of the positions. At present, the tentative official date of relocation for the CPC is September, 1983.

2. The total cost, so far, to the Department of Veterans Affairs for the Prince Edward Island move, apart from land and buildings, is $9,867,400.

3. Yes. The present forecast is $35 million. The increased costs are directly attributable to several events that have occurred during the past three years: the decision to relocate the Veterans Land Administration originally slated to remain in Ottawa. The delay in the anticipated completion date of the new Veterans Affairs building in Charlottetown to September, 1983, from September, 1981. This delay resulted from the decision in 1979 to change the building site and meant a rephasing of the relocation schedules to span a five-year period rather than the originally planned three-year period. Consequently, additional resources were needed to support increased parallel operations, staffing, and communication links between Ottawa and Charlottetown. The introduction of legislation affecting War Veterans Allowance/Civilian War Allowance and Canadian Pension Commission benefits. This legislation necessitated a review and revision to the manual and automated benefit payment systems being developed as part of the relocation package.

* * *

● (1510)

[*Translation*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if questions Nos. 533 and 2,057 could be made orders for returns, those returns would be tabled immediately.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: Is it the pleasure of the House that questions Nos. 533 and 2,057 be deemed to have been made orders for returns?

Some hon. Members: Agreed.

[*Text*]

DEPARTMENTAL EMPLOYMENT—JANUARY 1, 1979

Question No. 533—**Mr. Orlikow:**

1. On January 1, 1979, by department, what were the number of persons employed on a (a) term basis (b) contract basis (c) casual basis by classification and salary range?

2. On January 1, 1979, and, in each case, what benefits were payable to such employees by (a) classification (b) salary level, where applicable?

Return tabled.

DND—ELECTRON TUBES

Question No. 2,057—**Mr. McKinnon:**

1. In 1980, how many contracts were placed by the Department of National Defence for electron tubes and (a) to which companies were contracts awarded (b) what was the amount of each contract?

2. Where were the electron tubes, specified in each contract, manufactured?

Return tabled.

[*English*]

Mr. Towers: Madam Speaker, I have asked the parliamentary secretary on four different occasions if we could have an answer to question 811. This has to do with the metric conversion program which the government has been foisting on the Canadian people, a program which they do not want. It would be nice to know exactly what the administrative costs of that program will be. The Canadian people have the right to know the cost as it is their dollars which are being spent.

I would hope that in the not too distant future the parliamentary secretary can tell us what the Metric Commission is costing Canadian taxpayers.

Mr. Collenette: I will certainly give my undertaking to reply to the question.

I would ask that all the remaining questions be allowed to stand.

Mr. MacKay: Madam Speaker, I regret that for the second time I must ask the parliamentary secretary about two very straightforward questions which I placed on the Order Paper on May 14 relating to costs of the McDonald commission of inquiry. Simply because this commission has turned into an annuity, there is no reason why the answers must also. These are very factual questions. I would respectfully request the parliamentary secretary—this is the second time I have asked him, and I have waited for some weeks since the first time—to

see whether he can give me this data, some of which goes back to 1977. That was a year after the commission began work.

Mr. McKenzie: Madam Speaker, I wish to bring question No. 2,040, to the attention of the parliamentary secretary, which I placed on the Order Paper in January of this year. The question is: What is the estimated number of additional beds that will be required for the domiciliary care of chronically ill veterans for 1981, 1982 and 1983?

As there is a long list of veterans waiting for entry into these military hospitals and the veterans' organizations across Canada are very concerned about this matter, I would appreciate it if the parliamentary secretary would contact the Acting Minister of Veterans Affairs to supply me with an answer as soon as possible.

Mr. Cossitt: Madam Speaker, I would like to draw attention to two questions which I asked about on several previous points of order, just to jog the memory of the parliamentary secretary. One is question No. 132, pertaining to the rental of a DC-9 aircraft which the Liberal Party of Canada used during the election of May, 1979. The bill for this rental was still outstanding at the outset of the election of February, 1980, last year. I asked whether the Air Canada bill had been paid, how much was paid, and various details about the delay in paying this bill.

I was advised by people within Air Canada that the answer was made available to the government approximately one and one half or two months ago. I therefore find it rather difficult to understand what has happened to it in the meantime, in view of all those devious channels it must pass through on the other side of the House.

I do not have the number handy, but I am sure that the parliamentary secretary would be familiar with another question I have had on the Order Paper for two years and some months—I am not sure how long over two years. It relates to a number of members of the Canadian Transport Commission who have passes to use Air Canada services. That question has been raised in every session of Parliament, but it has gone unanswered. I think it would be easy to answer, unless there are some people in the Canadian Transport Commission, or their spouses, who hold passes to which they are not entitled.

For that reason I would like to ask the parliamentary secretary if he could give the House a rough estimate as to when these two questions could be answered. Perhaps I should ask him to give a precise estimate, as one question has been unanswered for over two years.

Mr. Collenette: Madam Speaker, as the hon. member for Leeds-Grenville (Mr. Cossitt) knows, I cannot predict which given day I shall table any given answer; but I have made notes of the comments today, and I will do my best. I would note that we have answered some 80 per cent of all questions on the Order Paper.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, last Thursday evening I commenced speaking on the amendment to the resolution presented by the hon. member for Provencher (Mr. Epp).

I begin by congratulating the joint chairman of the committee, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal), whose fairness and belief in the parliamentary system contributed to the make-up of that committee and allowed it to work. I hope he will give that feeling of fairness and parliamentary tradition to some of his colleagues and to the Prime Minister (Mr. Trudeau). If he does, I am sure this House will be a much better place. I would like to add special congratulations to the hon. member for Provencher who, not only through the debate in that committee but also from early on last spring, was the main spokesman for my party on the constitutional resolution.

I would also like to offer additional thanks to the hon. senator from Quebec, Arthur Tremblay, who is well known in his province for his intellect and concern and who is now known in Canada as a man who puts this nation ahead of all else.

Some hon. Members: Hear, hear!

Mr. McKnight: Mr. Speaker, we have heard hon. members from the other side say that this debate has carried on far too long, that it is unnecessary. I do not want to contradict them; but when we are writing a constitution which not only myself and my children, but also my grandchildren and citizens of Canada yet unborn, will have to live under, time should not be a consideration. We should ensure that this resolution respecting the Constitution of Canada is well and perfectly written.

I would like to go back a little bit in history. It took us from 1864 to 1867, in Canada, with Canadians, to write the present BNA Act. Because of the time taken and the concern shown by those Canadians, those Fathers of Confederation, when the BNA Act was presented by Canada to the United Kingdom at Westminster, only one small change in the wording was necessary; A "united colony" was changed to "Canada".

If we do nearly as well with the presentation of this Canada Act, as it is called, we will have done well; but we have not done that yet. We do not have before us a Constitution written

by Canadians for Canadians; we have a Constitution which is written by the Liberal Party. That is not acceptable to the majority of Canadians.

Some hon. Members: Hear, hear!

Mr. McKnight: Relating to the length of this debate, I would like to bring to the attention of the House that there was another debate, the pipeline debate, which lasted from May 1 to June 6, 1956, some 32 days. There was a flag debate extending from June 15 to December 15, 1964, lasting 33 days.

We started this debate on October 7, and this is now only the twenty-ninth day of debate. If a debate on a pipeline takes 32 days, and a debate on a flag—just a symbol of Canada—takes 33 days, a debate on a Constitution under which we will be asked to live and which will change the powers of provincial governments, the powers of the judiciary and the powers of this House of Commons and the Parliament of Canada should surely take longer than 29 or 33 days.

An hon. Member: Well said!

Mr. McKnight: The amendment presented by the hon. member for Provencher would delete the referendum procedures as outlined in Clause 46 of this resolution. The government has tried to argue that with the referendum the people of Canada will have the final say in drafting our Constitution. I do not believe that. The power will not be in the hands of the people; it will not even be in the hands of Parliament.

● (1520)

Section 44(5) of the resolution reads as follows:

(5) If Parliament does not enact laws under subsection (4) respecting the rules applicable to the holding of a referendum within sixty days after receipt of a recommendation from a Referendum Rules Commission, the rules recommended by the commission shall forthwith be brought into force by proclamation issued by the Governor General under the Great Seal of Canada.

That means the cabinet, the governor in council, will set the rules for the referendum even if the House of Commons does not. How will that affect the people of Canada, the people we are supposed to represent in this House, those whom the government continues to maintain will be represented in making the Constitution? How much power will this leave the provinces when an order in council of the cabinet can overrule Parliament of the provincial legislatures? I am sure the Prime Minister and the Leader of the New Democratic Party (Mr. Broadbent) are aware that they lack support for this constitutional package. They know that it is not the government, not the Liberal Party nor the NDP party that should control the destiny of Canada; they know that the power should be vested in Canadians. That is what the majority of Canadians believe and that is the Canadian tradition.

Canada was designed on the parliamentary system with the legislatures of the provinces and Parliament being the final court in their respective jurisdictions. This resolution will hand much of the power over the life of Canadians to the courts.

Federalism has worked in Canada for 115 years. It has made Canadians one of the most envied races in the world. Federalism has worked because reasonable governments and reasonable leaders in this House and in the provincial legislatures have wanted it to work. It could continue to work if this government and the Prime Minister would be reasonable.

The government is imposing on the people of Canada the long-rejected Victoria formula for making future changes in the Constitution. We on this side of the House have presented an alternative based on the Vancouver consensus. The criticism of the Vancouver consensus is that it will allow the provinces to opt out. The advantage of the Vancouver consensus is that it will allow the provinces to opt in to the parts of the Constitution with which they wish to be involved.

Section 46 of the resolution creates several classes of provinces and several classes of citizens in Canada. There are the first-class provinces of Ontario and Quebec, which have the veto; there are the second-class provinces of British Columbia and the four Atlantic regions; there are the third-class provinces such as Alberta, and the fourth-class provinces, Saskatchewan and Manitoba. Second, third and fourth-class citizenship for the people of Canada is created by this resolution. Four classes of provinces that wish to add something to the Constitution of Canada are created. What is the status of these provinces if they wish to prevent something being added to the Constitution at a future date, however? There will still be the first-class provinces of Quebec and Ontario; one second-class province, British Columbia; Alberta will remain third class; the four Atlantic provinces will be fourth class, and a new class has been added for Saskatchewan and Manitoba.

It seems strange that the New Democratic Party, with representatives from Manitoba and Saskatchewan, can bear to see their provinces and mine relegated to fifth-class or even fourth-class citizenship in this country.

In talking about the jurisdiction of provincial legislatures, we must look at the eight parts of the constitutional resolution. The first part contains the Charter of Rights and Freedoms; the second part deals with the rights of the aboriginal people of Canada; the third part deals with equalization and regional disparities; the fourth part makes it mandatory for the Prime Minister and the premiers of the provinces to meet once a year; the fifth part deals with the interim amendment procedure—and this is important to the provinces; the sixth part provides for an amending procedure two years after the act comes into effect; the seventh part deals with non-renewable natural resources, forestry resources and electricity; and the eighth part deals with the language of education.

The reason I go through these, Mr. Speaker, is that only the second part of the resolution deals exclusively with something within federal jurisdiction; all the other parts change or create different laws, statutes and methods of operation to be imposed upon the provinces. Only one part out of eight deals with federal jurisdiction.

The constitutional resolution takes from Parliament and from the legislatures of the provinces the ability to protect citizens' rights and places it directly in the hands of the courts.

It removes the supremacy of Parliament and establishes the supremacy of the courts and of the governor in council in the lives of Canadians.

There are two reasons for having entrenched rights, Mr. Speaker. The first is to entrench those rights so that they may not be removed; the other reason for having them entrenched in the charter is so that the people of Canada may know what their rights are and therefore may continue to demand them.

The resolution before us achieves neither of those objectives, however. It does not entrench rights and it does not educate the people of Canada about their rights. We on this side believe that there should be a charter of rights, but it should be one that is permanent and should ensure that the rights will not be changed in any way.

We should like to have Parliament supreme, as it should be, and we should like to have the courts supreme, as they should be. The people of Canada must be represented and it is only in the Parliament of Canada that this can be properly done.

The Supreme Court is not responsible to anyone; it is appointed by the Prime Minister. According to the constitution of the United States, the President may appoint members to their supreme court but the appointments must be ratified by the senate. This will not be the case in Canada. I feel this goes against the parliamentary democracy on which our country was founded and which, we hope, will continue to exist.

I should like to speak for a moment about what happens when the Supreme Court rules on a question that is political, not legal. I think all hon. members are familiar with the Dred Scott or the Scott Sanford case in the supreme court of the United States. Mr. Scott was a black descendant of slaves who had asked to be declared free by the supreme court. The court ruled that because of his ancestry he could not be set free. That decision went against the will and wishes of the majority of people in the United States. What followed in the United States was a civil war, before they made their twelfth amendment. I am not trying to say that there will be civil war in Canada; I do not want to go that far.

An hon. Member: Then don't.

Mr. McKnight: An hon. member opposite says "Then don't". If the government will not listen, if it is not receptive to the opposition which is trying to assist it draft this resolution, then why do we have what we call a parliamentary democracy in this country?

Some hon. Members: Hear, hear!

Mr. McKnight: We may not have civil war in this country, but we will have communities and large groups of people who wish to withdraw their support, remove themselves from this country and perhaps form a different country. We will have people who will reject the fabric of the Supreme Court and of the judicial system, because a judicial system making a legal decision on a political question will spread distrust and animosity throughout the country.

I should like to put forward two examples of a situation where the proposed constitutional resolution could cause the courts to be asked to rule on a political question in a legal manner. Capital punishment is an obvious example, Mr. Speaker. What will the consequences be when the Supreme Court rules against the use of the death penalty and the majority of the Canadian people believe, as they do now, that it should be imposed? What will happen when the Supreme Court is asked, as it could be under this constitutional resolution, to rule on the right to life of the unborn child? If it rules against the right to life and in favour of abortion on demand, how will the people of Canada who believe rights were given by God and cannot be taken away by courts feel about the judicial system of our country?

● (1530)

These are just two examples. I cannot speak for the rest of Canada, but I can speak for my constituency of Kindersley-Lloydminster and for how my constituents would feel if the Supreme Court ruled against their wishes as Canadians on a political issue.

The majority of Canadians believe that there is a God or a supreme being. They believe they have the freedom to ask Him for guidance. They believe they have the freedom to worship under Him. I am sure Canadians would be very upset if a Supreme Court ruling was made, such as was the case in the United States, to remove the saying of the Lord's Prayer from the schoolrooms. The majority of Canadians, old and young, believe they can ask guidance from God.

What would happen if the Supreme Court ruled, because of the exclusion of property rights in this constitutional resolution, that individuals in Canada did not have the right to own property? Do you think, Mr. Speaker, that the majority of Canadians would feel that the Supreme Court had ruled properly? Do you not feel that they would impose their will and their wishes in another manner in our country and cause havoc and chaos, not because they are anarchists but because they believe they have a right to own property in Canada? Professor Edward McWhinney of Simon Fraser University, who I am sure is familiar to members on the other side, has said this:

> In the end, the preservation of national minimum standards of constitutional liberties and the rule of the law generally must rest on public opinion and on political action expressed through the ordinary political processes; and no amount of judicial liberalism can be expected to fill the gap in constitutional law created by a combination of weak or timorous executive-legislative authority and an apathetic and indifferent, or downright intolerant, general public.

Before my time runs out, I would like to ask a question of the New Democratic Party and of its leader, the hon. member for Oshawa. The question is this: Why is the New Democratic Party so anxious to impose this resolution on Canadian citizens? Why is that party rushing to impose this Liberal Party document on the people of Canada? It is not because the NDP does not recognize the inadequacies of this document, because it presented 43 amendments to the resolution, only two of which were accepted. Our party has presented 22 amendments, seven of which were accepted. The government pro-

posed 58 amendments and, strange as it may seem, all were accepted.

This is not a resolution authored by an all-party committee. This is a resolution authored and supported by the force of the Liberal Party and the majority on that committee. When the Liberal Party members decided to accept an amendment, it was accepted. When members of the New Democratic Party voted in favour of one, it was not necessarily accepted. When members of my party voted in favour of an amendment, it was not accepted.

When there are as many as 43 mistakes in the resolution in the eyes of the New Democratic Party and only two are corrected, why is that party so anxious to pass this imperfect document? Even the premier of my province—that political mugwump who sits with his mug on one side of the fence and his wump on the other and who was led down the garden path by the Prime Minister—has decided on behalf of his government and the people of Canada that this document is an imperfect one and does not warrant the support either of his government or the people of Saskatchewan.

We have heard this document described as a civilized document. We have heard it described as the very best document. That description was given by the hon. member for Oshawa. I cannot see how a very civilized and very perfect document can have at least 43 mistakes in his eyes, only two of which have been corrected, and then be rushed through.

I notice the Prime Minister is in the House. I have a question or two for him which I am sure he will answer when he rises in his place in the House to speak. I understand he is going to speak today rather than table his speech, as was suggested today in a motion moved by our party under the provisions of Standing Order 43.

With regard to an amending formula, what will be the long-term effect of western resentment to the resolution that establishes several classes of provinces, with the western provinces being made fourth and fifth class? Alberta, Saskatchewan and Manitoba were colonies until 1930. We in western Canada had not been given the right to our resources by the government. We had not been treated as other provincial governments had or other people in other provinces had. In 1930 we were given those resources. We would like to know now why we are being relegated to fourth and fifth-class status. How can the federal government, with any credibility, call for co-operation with its partners in confederation if those partners feel they have been legally discriminated against by the tyranny of the majority in the House of Commons?

Concerning a referendum, what will any province feel when an issue is raised that the federal government proposes to resolve by bypassing the provincial legislatures in a national referendum? What confidence can anyone have that the federal government will discuss changes in good faith, knowing the federal government can wait for a year and then hold a national referendum to reach a decision?

I come now to the charter of rights. What faith will people have that a charter of rights will be more than just a symbol if it is imposed on the provinces? We all realize that it is the provinces which deliver services and rights. When you drag someone into a method of transferring freedoms and rights to individuals, I do not see, Mr. Speaker, how you will receive those rights any faster than if they were not mentioned at all.

The imposition of a charter of rights against the customs of Canadian constitutional law is no way to ensure the protection of rights. The provinces must willingly accept those rights and endeavour to deliver them to the best of their ability, rather than try to deceive their populace. I believe that if those rights are presented to citizens who live in provinces in Canada, the demand of the citizens to receive those rights will motivate the provincial governments. I do not think they have to be clubbed by the government in central Canada.

In Canada last May, we experienced a referendum in the province of Quebec. I ask the Prime Minister, how do Quebecers know they made the right choice on May 20 if the changes they were promised are nowhere to be found in the Constitution?

I go back to Mr. Ryan's beige paper and his campaign in the province of Quebec. He said there would be greater power for the province of Quebec as soon as the referendum was over. Nowhere in this resolution do I see that power. What proof is there from the Minister of Justice (Mr. Chrétien), who says this is just a beginning? Quebec has been given a constitutional veto, but so has Ontario, Sir. I would like to know how that equates with the feelings of the people of the province of Quebec. If constitutional renewal is to bring national unity, there must be a reference to equality in the field of resources. There must be the reference to equality which the Atlantic provinces asked for, the division of power sought by Quebec and the institutional renewal sought in most parts of western Canada.

Patriation is an important symbol for Canadians. It is a symbolic opportunity and we will have that opportunity only once. But what will be the symbolic value of patriation if it is accomplished in an atmosphere of division to the point of legal action such as we see now is the case? The Prime Minister says that process is not important, that substance is what is important. But it is the process and not the substance which gives Canadians the concepts of trust, confidence and tradition which lead to a building and strengthening of our country. The substance will change as times change. Trust and confidence of the people in their governments will always be necessary if Canada is to remain united.

• (1540)

Unilateral action undermines that trust and replaces it with resentment. Resentment feeds on itself, especially when there is incorporated a provision like Clause 46. The flag debate was a dispute over a symbol. We replaced that symbol with another symbol. In a sense, the resentment caused by that debate has removed itself from the minds of Canadians. This resolution entrenches the seeds of ongoing resentment because of its unfairness and its lack of concern for people outside of central Canada.

The people of Ontario and Quebec are protected by their parliamentary numbers, but what about the people of Prince Edward Island, Manitoba and Saskatchewan? We do not have that protection. Nowhere in the resolution is there any method of replacing the protection afforded to Ontario and Quebec by their numbers. The people of Ontario and Quebec are fair; it is not their fault. They are represented by members of a Liberal government who feel they must have more power than the people really want them to have. The Prime Minister stated on May 19, 1979:

> We will at last be able to have a Canadian Constitution made by Canadians in Canada for Canadians. And we will do it together. We will do it with the people of this country.

In case anyone has forgotten, the Prime Minister lost that election in May, 1979. He did not make that statement during the election campaign in February, 1980. I ask the Prime Minister, why impose now upon the people of Canada, without the support of the majority of the people in the provinces, a Constitution they will have to live under for the next 100 years with all its inequities and faults? I say to the Prime Minister that in the region of Canada I come from, we believe we are as Canadian and as proud and strong as any people in Canada. The Prime Minister is imposing upon them something which will cause them to live as fourth or fifth-class citizens, maybe for the next 100 years, maybe forever. This is something that I and my party cannot tolerate, nor can any fair-thinking Canadian. I will be voting against the resolution.

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, as I stand to speak on the motion before the House, I am somewhat encouraged by the fact that I am doing so in response to popular demand. I was particularly touched, as recorded in last Friday's *Hansard*, when the hon. member for Saskatoon West (Mr. Hnatyshyn) and the hon. member for Athabasca (Mr. Shields) called on me to speak in this debate. I thank in particular the hon. member for Athabasca for saying:

> Madam Speaker, not only the opposition but I think all the people of Canada would like to hear what the Prime Minister has to say.

I repeat, I am somewhat encouraged by that because I realize that this resolution has caused deep division among members of both Houses of Parliament, members of all political parties, within the ranks of provincial premiers and indeed among the Canadian population. However, I find some consolation in the fact—and this was pointed out just a moment by the hon. member for Kindersley-Lloydminster (Mr. McKnight) in his speech—that the division seems to arise not so much from the substance of what we are debating as from the process and the timing. They are the elements which are divisive. That is the argument that was made by the hon. member who preceded me and by many others.

I want in my speech this afternoon to deal with these three aspects; very briefly with the first, the substance of the resolution, and then perhaps at greater length with the process and the timing.

[*Translation*]

Madam Speaker, the resolution before us essentially proposes two things. First, that Canada give itself a Canadian Constitution with an amending formula that would allow the Canadian people to amend their Constitution at home, and second, a charter of rights and fundamental freedoms.

As for the first aspect, patriation and the amending formula, suffice it to say, Madam Speaker, that since 1927, the Canadian people have wanted it, they have been systematically seeking it under ten different prime ministers, under dozens of premiers and at numerous federal-provincial conferences. Moreover, this was confirmed in the House last May when the House unanimously agreed on the substance, namely, that we should patriate the Constitution with an amending formula. Allow me to simply refer the House to *Hansard* for May 9 last, when the member for Edmonton East (Mr. Yurko) moved the following resolution, and I quote:

[*English*]

> Whereas some provinces have repeatedly refused to endorse the patriation of the Constitution of Canada from Britain, I move, seconded by the hon. member for Provencher (Mr. Epp):
>
> That the Parliament of Canada submit an Address to Her Majesty the Queen, that Her Majesty may graciously be pleased to cause a bill to be laid before the parliament of the United Kingdom to provide for the amendment in Canada of the Constitution of Canada.
>
> MADAM SPEAKER: Such a motion requires the unanimous consent of the House. Is there unanimous consent?

After a few comments, Madam Speaker declared:

> Is it the pleasure of the House to adopt the said motion?

The motion was agreed to. We remember, Madam Speaker, that there was unanimous agreement in this House.

Some hon. Members: Hear, hear!

Mr. Trudeau: On the substance of patriation, there can be no disagreement in this House. I believe that is made even more clear by the statement made to the special joint committee by the member for Provencher (Mr. Epp) on January 20, 1981, when he spoke on behalf of his party and introduced a document which began with these words:

● (1550)

> In presenting our proposed amendments to the government's resolution we do so in the knowledge that it is the popular will of Canadians that our Constitution rest in this country.

He goes on to deal with the second matter before the House:

> It is also the popular will that we have a charter of rights and freedoms for the Canadian people embedded in the Constitution.

That is the position of this House, of the Conservative Party and, in so far as we can rely on surveys, the position of the people of Canada. I say that not only because the hon. member for Provencher said it is the popular will, but because we have the Gallup poll that was published in *The Gazette* last August 6. To the question whether Canada should have its own Constitution written and adopted by Canadians, 78 per cent of Canadians polled said it should. Then the question was asked: Should the Constitution guarantee basic human rights? Nine-

ty-one per cent of Canadians said it should. And on minority language rights, Madam Speaker, the figure was 81 per cent.

Those are the figures we found last August. Have they changed substantially over the months in spite of the debate which went on, or perhaps because of it? Let me read from the *Toronto Star* of January 8, Madam Speaker. The answers to the questions asked are tabulated as follows: 83 per cent agree that the Constitution should include a charter of rights and freedoms; 70 per cent agree that it should include an amending formula to be reached over the next two years, and any changes to the Constitution before then would need the unanimous consent of the federal and provincial governments. Seventy per cent agree with the very proposal in the resolution before the House, Madam Speaker: two years of debate and consultation between the federal government and the provinces, during which time unanimity would prevail.

Another survey published by the Calgary *Herald* on November 19, 1980, which covered 1,400 households in the western provinces and was carried out by the Canada West Foundation found that while westerners are solidly opposed to the method being used to change the Constitution, they are willing to endorse the basic features of the federal government's constitutional package.

Asked whether the Charter of Rights and Freedoms in the package should be binding on both levels of government, 78 per cent agreed and 11 per cent disagreed.

Finally, Madam Speaker, referring to a survey apparently commissioned jointly by the Edmonton *Journal* and the Regina *Leader-Post*, published in the February 21 edition of the *Journal* and March 14 edition of the *Leader-Post*, the question was asked: "Would you like the patriation of the Constitution to be done in the next six months, the next year, the next two years or the next three years?" In Saskatchewan, Madam Speaker, fully 81 per cent wanted patriation to take place either during the next six months or the next year; in Alberta, the figure was 63 per cent, and in British Columbia, 71 per cent. In all cases, whatever part of the country we look to, there is a clear majority in favour of patriation.

As to the Charter of Rights and Freedoms, because this is a sensitive question with our opposition the question was asked: "Should the charter be included before patriation, after patriation or not at all?" The answers: In Saskatchewan, before patriation 70 per cent; in Alberta, before patriation 55 per cent; in British Columbia, before patriation 56 per cent.

The Canadian people, Madam Speaker, are not afraid of this tag of colonialism which has been attached to this action of Parliament by the opposition. They are right, and I will explain later why they are. However, for the time being, I am merely talking once again to the substance of the issue and indicating that the Canadian people want a charter. The hon. member for Provencher said on behalf of his party that the Canadian people want a charter, and every political party represented in this House is on record as wanting a charter.

In the case of the Conservative Party, it goes back to the Right Hon. John Diefenbaker who, when he moved a bill of rights binding only at the federal level, deeply regretted that he could not make it binding on the provinces because they would not agree. That would have been the ideal, and he clearly says so in his memoirs "One Canada", published in 1975. And if we look at the position of the official opposition as shown by the resolutions adopted by that party at last month's general meeting, it is clear that they, too, enthusiastically endorse the inclusion of a charter in the Constitution.

The position of the New Democratic Party was also made clear by the hon. member for Burnaby (Mr. Robinson) when on February 23 he spoke in this House and said, as reported on page 7593 of *Hansard:*

> I should like to say a few words about the suggestion of the Right Hon. Leader of the Opposition (Mr. Clark) and certain other Conservative members that a bill of rights is something new and that this is a recent decision made by one man who is attempting to foist his views on Canada.

The hon. member for Burnaby recalls that in 1960 there was the Diefenbaker bill of rights, but:

> ... in January of 1959, the then premier of Saskatchewan, Tommy Douglas, wrote the then prime minister, Mr. Diefenbaker, saying that the time had come for a constitutional amendment in this country to entrench fundamental rights and freedoms.

I am told, Madam Speaker, that the Hon. Tommy Douglas is in the gallery.

Some hon. Members: Hear, hear!

Mr. Trudeau: I am happy, as all hon. members are, to acknowledge his presence in this House where he will always be a welcome guest. I just wish he would spend a little time with the present Premier of Saskatchewan.

The hon. member for Burnaby goes on to say this:

> So, it was not the present Prime Minister who was the great pioneer in this area. If anyone was a pioneer, it was Tommy Douglas who fought in 1959 to entrench these fundamental rights in the Constitution of Canada.

And finally, Madam Speaker, I can say with some modesty that our party, during the period of the 1970s, is on record as to the substance of these matters. One can refer to the newsletter of January and February, 1981, and see, particularly at the Winnipeg convention of 1980, that we are clearly once again on record for patriation and entrenchment of a charter. Therefore, all the political parties, and certainly the joint committees of both Houses of Parliament representative of all members, first in 1972 and then in 1978, are clearly on record as saying that a charter should be entrenched in the Constitution.

● (1600)

Of course, this is also true of the recommendation of the joint committee of 1981, the one made public just a few short weeks ago, which unequivocally stated that a charter should be in the Constituton. In that regard, I found an interesting statistic in an article in the *Catholic Register* yesterday written by the hon. member for York South-Weston (Mrs. Appolloni) which shows that 54 groups out of 75 appearing before the joint committee were in favour of entrenching a bill of rights.

I do not need to go on much longer on the substance. Most provinces have bills of rights, and several premiers have indicated their clear preference for a national charter in the Canadian Constitution. Premier Davis has; Premier Hatfield has. In February, 1979, Premier Lougheed went on record to that effect. Premier Peckford did on August 18, 1980.

Hon. members opposite have shown great interest these past days in the leader of the opposition in Quebec, Mr. Ryan, and expressed the clear hope that he will become premier of the province.

Some hon. Members: Hear, hear!

Mr. Trudeau: That is a hope which, of course, is shared on this side, although rather than hope I should talk of certitude. On December 3, 1980 Mr. Ryan went on record as wanting the entrenchment of a charter in the Canadian Constitution. Perhaps that is not surprising because in the encyclical letter of Pope John XXIII, "Pacem In Terris", on page 101, I read the following words:

—in the juridical organization of states in our times the first requisite is that a charter of fundamental human rights be drawn up in clear and precise terms and that it be incorporated in its entirety in the Constitution.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Trudeau: Madam Speaker, as it could not be any plainer that all members of this House, the greatest majority of political leaders and Canadians agree on the substance of the motion now before us, that is, patriation with an amending formula and the entrenchment of a charter of basic rights in the Constitution, we have to ask ourselves the following question since we are elected to serve the people: how should we fulfil our duty? How should we comply with that wish clearly expressed by the Canadian people?

Madam Speaker, technically and legally, there is a quite obvious and clear reply to that question. It can only be done through a joint Address of both Houses of Parliament to the Queen, an Address which will be conveyed by her to the British parliament. Technically and legally, this is not even debatable. Amendments have always been made in that way. This is how Canada, ever since 1867, has been able to amend its Constitution. Whether we want to change our judges' retirement age, make it possible for Newfoundland to join confederation or update our unemployment insurance or old age pension scheme, there is clearly this way to amend some basic elements of our Constitution and it is through a joint Address of both Houses to Her Majesty the Queen.

I say to you, therefore, that the argument which we hear sometimes that drafting here an amendment or a charter borders on colonialism is clearly misleading. It has always been done that way. The point of this resolution before the House was not to ask the British parliament to wash our dirty linen, as some people have suggested. How could they use such an expression when referring to a charter of basic rights and freedoms? It had nothing to do with this. The formal process has always been very clear: a joint resolution of both Houses, debated and adopted by the Canadian Parliament, has always been the way to give substance to an amendment wanted both by the Canadian people and hon. members. The argument, therefore, is not on the legal or technical manner, but on the degree. Differences come to light when we deal with the degree or amount of provincial support such a process should get.

For a constitutional amendment, adopted through a joint Address to be given to Canadians, what degree of support should it get from the provinces? First of all, Madam Speaker, I should like to say that if there is a way which is sure to fail, it is to seek unanimity. I suggest this has been established by our history since 1927, because seeking unanimity is like looking for perfection. If there is something to be learned from our history, Madam Speaker, it is that seeking unanimous support to a resolution of both our Houses is a notion which is wrong in theory and in practice. In theory, I submit that the notion Canadians need unanimity to amend their Constitution is based on the misleading assumption that there can be no consensus among Canadians, that there is no national will expressed unless 11 first ministers come to an agreement.

Is there one single town council, school board, labour union or corporation which could operate if the unanimity rule were to apply to all basic questions? It is clear, Madam Speaker, that this unanimity is wrong in theory because it assumes that there could be no consensus otherwise and that all participants should have a veto right. I submit again that no town council could operate this way, especially if each member could have a veto right. In practice, anyway, this system does not seem to work.

On February 17 I heard the hon. member for Provencher make the following statement in the House, and I quote:

[*English*]

The record shows that since 1927 this matter has come up in federal-provincial relations on 48 different dates.

A little while later, on February 23, the Right Hon. Leader of the Opposition (Mr. Clark) repeated the same idea, somewhat triumphantly, when he said:

—if one consults the record of federal-provincial discussion on the Constitution or on related measures, one will find that in the 54 years since 1927 the Constitution has been discussed for exactly 48 days—

One would think they were arguing that we should be getting on with it and that on as fundamental a matter as having our own Constitution and on as fundamental a matter as giving Canada the last evidence of its sovereignty, 48 attempts by dozens of premiers and prime ministers over a period of 54 years would lead them to say "Enough!" But, no, they are arguing that it was only 48 attempts. How many more attempts should we attempt; another 48?

• (1610)

Some hon. Members: Hear, hear!

Mr. Trudeau: The history of this country since 1927 establishes that the theory of unanimity leads only to deadlock, to inaction, to the entrenchment of the status quo. For those who think that maybe unanimity is no longer possible but that at least we should get a consensus, that at least this resolution should be supported by a consensus of the premiers, let me just disillusion those members of the House, if they think that a consensus would be sufficient and that we could forge ahead if we had one.

In 1966, Mr. Daniel Johnson, the then premier of the province of Quebec, linked patriation to a package of provincial powers; nobody could get patriation in the country unless the province of Quebec got increased jurisdiction. Perhaps at the time this was an original step which to my knowledge had not been taken before, but I suggest that that is the moment when in this matter the provinces lost their virginity, and every time we have met since then to seek not unanimity but a consensus, we have failed. We failed in 1971. We had everyone in agreement on the amending formula, on patriation, on reforms to the Supreme Court and on many other subjects. Then suddenly one premier, the Premier of Quebec, said, "But you will get it if you increase the powers of my province in one particular area".

I then let a few years elapse. On April 19, 1975, after a meeting of the ten premiers and myself in Ottawa, I tried once again for unanimity or at least consensus. I wrote every premier on that date a letter saying, "Let us at least agree on patriation with an amending formula; let us not try and do all these other things". I did not even talk of a charter then; I said let us just patriate with an amending formula.

The premiers met in the summer of 1975 and again in the summer of 1976, asking themselves how they would answer this renewed invitation. I have the answer in a letter from the Premier of Alberta, who was then chairman of the premiers' conference, addressed to me and dated October 14, 1976. Here are his words:

> All provinces agreed with the objective of patriation. They also agreed that patriation should not be undertaken without a consensus being developed on an expansion of the role of the provinces and/or jurisdiction in the following areas: culture, communications, Supreme Court of Canada, spending power, Senate representation and regional disparities.

It took exactly ten years for every provincial premier to follow the lead of Premier Daniel Johnson in 1966. Then they said there was no way the Canadian people will have their Constitution, no way the Canadian people will be allowed to amend their Constitution in Canada, unless as Premier Lougheed put it, we give the provinces more power, more jurisdiction, an expansion of their role in half a dozen fields.

This was somewhat discouraging, so I addressed myself to the premiers once again and said, "Maybe we can give you some more powers in this or that area, but, please, would you as a condition of that agree to give Canadians their Constitution and the power to amend that Constitution in Canada?" Two more years elapsed. The premiers met again in the summer of 1977 and then in the summer of 1978. Premier Blakeney of Saskatchewan was then chairman of the premiers' conference. He wrote me on August 22, 1978, and I quote from his letter:

> Constitutional reform—The premiers discussed this issue at some length. The following are some general principles which they believe to be important.
>
> (i) The premiers endorse the need for constitutional reform.
>
> (ii) The premiers believe that major proposals from all sources must be given careful consideration in any process of constitutional reform.

Here we get the package again, major proposals from all sources. Then, sliding back even from the position of 1976, I read:

> (iii) The Premiers firmly believe that significant constitutional change should have the concurrence of all governments.

Back to unanimity. The premiers are telling us after all these years of effort that the Canadian people shall not get their Constitution unless everybody agrees and unless the provinces are given substantially more power.

Recent history is present in the minds of many of us. We recall February 6, 1979. We were yet again at a federal-provincial conference to discuss not only patriation and an amending formula but several other areas wherein provinces wanted to increase their jurisdiction. Though the federal government made various proposals then that we give provinces more power in family law, more power over resources, more power over indirect taxation, more power over interprovincial trade and even more power over international trade, the premiers said on television in February, 1979, "Not enough, we want more; if you want a Constitution for Canadians, we want more".

Premier Davis, sensing once again that there would be a deadlock, proposed immediate patriation, a joint Address by both Houses. "Forget all this debate; go ahead and do it", he said. We recall that that was worth a lot of headlines for him. I was quite relieved to hear at least one premier say, "Go ahead and do it".

Some hon. Members: Hear, hear!

• (1620)

Mr. Trudeau: This proposal for immediate patriation was supported by Premier Buchanan, Premier Bennett, Premier Hatfield and Premier Lougheed. The five of them and myself made six out of 11. In step, Premier Blakeney then says, "No patriation unless it is linked to a package of provincial rights." Naturally, René Lévesque agreed. Any move toward patriation, even though we were six out of 11, was stopped in its tracks.

I think everyone in this House probably watched television in September, 1980—just last September—when we had this very strong package by the premiers saying that if Canada is to have its own Constitution and its own amending process then we would have to give them all these things, and if we did not give them all, to even one province, then we could not have a Constitution. In other words, we were back to the veto by one province. We were back to unanimity. It was not only a veto over the amending formula, it was a veto over a shopping list that the premiers had brought to that conference.

What has happened since September, 1980? You would think that if consensus was sufficient, or if unanimity was possible, then we would have heard from the premiers. Six of them met in Montreal a couple of months ago to hammer out a consensus or, perhaps an agreement among themselves. I understand they then met with two other premiers. All this—several meetings of premiers and officials—since we in this House have been debating this motion sine the beginning of October. You would think that if consensus were possible we would have heard about it. You would have thought that they would have confounded us and said, "These people up in Ottawa are unreasonable. Consensus was not found because of the Kirby document, or because Trudeau was too arrogant, or because the Minister of Justice (Mr. Chrétien) did not work hard enough. But we, the six of us, getting together, will show that unanimity is possible." Have they done that? Has the opposition not urged them to do that?

Surely it would be a bit embarrassing to the government if they were able to show that six or eight of them could agree on something; then they would only have to move on and convince the other two to reach unanimity. Why has it not happened? Why has a consensus not emerged? I will tell hon. members why. Even if they could agree on an amending formula, they could not agree to let it go until each got satisfaction on his shopping list.

Have we heard Premier Peckford say that we could patriate before he got jurisdiction over the offshore? Have we heard Premier Lévesque say that it would be okay to patriate with whatever amending formula provided we did not write the notion of self-determination into the Constitution? Have we heard the Premier of Saskatchewan say that they had reached a consensus and we could go ahead and patriate, even though we had not given the provinces jurisdiction over international trade? Have we heard Premier Lougheed say "We have got a consensus on patriation and on an amending formula, go ahead and do it, even though we have not got more jurisdiction over resources?" Have we heard Premier Bennett say that patriation should be proceeded with even though he has not got what he wants with respect to the Senate? No, Madam Speaker. There is no consensus, not on an amending formula and certainly not on patriation, for the simple reason that, once again, the Canadian people will be able to get what is due to them, and has been due to them for the past 114 years, provided premiers A, B, C, D, E, F and G get more powers for their governments and their provinces.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Trudeau: So, Madam Speaker, if the provincial premiers are unable to reach agreement amongst themselves, it is clear, under those circumstances, that they will not come to an agreement with us in this House. One would have thought, however, that the official opposition might have allowed itself to define exactly what a consensus is since unanimity is impossible, as has been proved. Or again, it might want to tell us to try to reach a consensus, a word they use constantly in their speeches when they criticize us for acting without the broad support of the provinces. What is that broad support they want, they wish we had? Would nine provinces be enough? If nine provinces stood with us, could we go ahead? I ask the Leader of the Opposition: Could we go ahead if, for instance, Quebec or Alberta were not a party to the consensus? Could we go ahead then and patriate the Constitution? Could a consensus exist without the support of the federal government? We do not know where they stand; they have always called for a consensus if not unanimity, but they take great care not to define it. Let me put this question to them: could we patriate the Constitution with an amending formula if Prince Edward Island were opposed, or again if Alberta or Quebec were opposed to it? There is no answer, Madam Speaker? So—

[*English*]

It is quite clear that the way not to proceed in giving Canadians a Constitution is to seek unanimity or even a consensus. We cannot, we have not and we would not get our Constitution that way.

But what about the bill of rights, Madam Speaker?

Mr. McDermid: They have it.

Mr. Trudeau: I can tell you once again the way not to succeed in giving Canadians their basic rights, as recognized by the Conservative Party in a statement by the hon. member for Provencher, the way Canadians will never get a charter of rights and freedoms in the Constitution, is to seek unanimity. The hon. member opposite just said they have already got these rights. Why, then, is the spokesman for his party saying it should be put into the Constitution? Why did the Right Hon. John Diefenbaker want to put it in the Constitution?

Some hon. Members: Hear, hear!

Mr. Trudeau: Were they both mistaken? I can tell the House that the way not to get a charter in the Constitution is to seek unanimity. We have already been told quite clearly by Premier Lyon of Manitoba, both in Canada and from London, that he never would accept a charter of rights in the Constitution. He also went on to say that the only way Canada could act in this matter was through unanimity. So the way not to give Canadians what they want is to look for unanimity.

What about a consensus, Madam Speaker? Again let me ask the Leader of the Opposition or his party: what kind of consensus would be necessary to put a charter into the Constitution? Could we go ahead with just Premier Lyon opposing? What is the position of the Conservative Party on this matter? They have been telling women, Indians, property owners—they are even telling God—that they want to see them entrenched in the Constitution. They want these greater rights.

I challenged the hon. member for Kingston and the Islands (Miss MacDonald) just a few weeks ago when she said that we should accept an amendment to give greater protection to

women in the Constitution. I said, "We will take it, but will you support us if we do?" Of course, she said no.

Some hon. Members: Hear, hear!

• (1630)

Mr. Trudeau: We just heard the speech of the hon. member for Kindersley-Lloydminster, who was somewhat disappointed that we do not refer to God in the Constitution. Hon. members on this side have repeated many times that in our preamble presented to the ten premiers last June we recognized the importance and the role of God in governing the destiny of Canada.

Some hon. Members: Hear, hear!

Mr. Trudeau: We have told the Leader of the NDP that we would be prepared to accept yet another amendment on aboriginal rights and entrench it in the Constitution. We have made it quite clear that we were and are prepared to see the charter improved. It can always be improved.

What do the Tories say? They say they want to see more rights for women, more rights for Indians, but then they go on to propose a process which is sure to deny those rights to women and to property owners.

Some hon. Members: Hear, hear!

Mr. Trudeau: Sure they want to protect the rights of Indians and women, refer to God in the Constitution and insert property rights and many other things. But then they recommend a way that is sure to fail, either because we would need unanimity—and we have already been told by one Tory premier that we could not count on it—or else they would propose the Vancouver formula, one which permits opting out. As the Minister of Justice has said in his speech, it would permit God to be acknowledged in the Constitution, perhaps in Ontario and Quebec, but not in Manitoba and Saskatchewan. What kind of a charter is that?

Some hon. Members: Hear, hear!

Mr. Trudeau: The hon. member for Provencher made a vigorous plea to treat provinces equally; and again today the hon. member for Kindersley-Lloydminster suggested that we were treating provinces unequally. Yet they come up with an amending formula, the Vancouver one, which, if implemented, would guarantee inequality between citizens because it would permit one province to opt out of the charter and another to opt in. It would guarantee inequality between the provinces. There again, when Canadians might want to change the division of powers between the federal and provincial governments, a province, particularly a powerful one which did not need whatever was being discussed, could opt out. They talk about equality? They are guaranteeing inequality for the people and for the provinces.

Some hon. Members: Hear, hear!

Mr. Trudeau: I think I have shown how not to proceed if we want to get a Canadian Constitution and charter of rights. Let me now examine the ways in which we can proceed if we want to give the people what we recognize they want. We could succeed in patriating the Constitution with an amending formula by adopting the joint resolution before the House. We know that Premier Davis is in favour of that. Premier Hatfield is in favour of that. We knew that three other premiers—I named them a moment ago—in February, 1979, said that that is the way it should be done. We know that this party and most of the New Democratic Party also think that we should proceed by way of joint resolution. I guess we probably represent, between us, something like 60 per cent or more of the population.

More importantly, I refer to the resolution of the hon. member for Edmonton East that I read a little while ago. Quite clearly, he got every member of this House to say we should move on. He did not talk of consent of the provinces. On the contrary, his preamble said that whereas some provinces have repeatedly refused to endorse patriation, we should get on with it; and every member of this House said: "Aye, we should get on with it; that is the way to do it!"

Some hon. Members: Hear, hear!

Mr. Trudeau: Yet if we needed any more assurance that this is the right way to do it, let me read from *Hansard* of October 22, 1980. The Right Hon. Leader of the Opposition moved, and I quote:

> That this House supports the immediate patriation of the Constitution of Canada, incorporating only the generally agreed upon formula known as the Vancouver consensus, so that all other constitutional changes shall be made in Canada by Canadians.

In his speech, he went on to say:

> This motion calls for the Parliament and the people of Canada to act quickly on the one constitutional question with which virtually every Canadian agrees—

Quickly, Madam Speaker; immediate patriation. No talk of unanimity from the provinces, no talk of provincial consent, no talk of a consensus. We must do it and we can do it. That is the substance of his motion.

If we have this repeated evidence, not only from the premiers and the majority of the members of this House, but, indeed, from all the members of this House on the motion of the hon. member for Edmonton East, and if we have the statement from the Leader of the Opposition that this House can go ahead and do it immediately—not after a federal-provincial conference, not after a year of negotiations, but immediately—then surely we have found the way in which we can succeed in patriating the Constitution. It is by way of joint resolution of this House; no more, no less.

Some hon. Members: Hear, hear!

Mr. Trudeau: Then let me ask the members opposite: if we can do that for patriation and an amending formula without being estopped by some constitutional convention, if we can do that, as has always been done since 1867, by a mere joint resolution of this House, if we can do that unilaterally—since

that is the word that has been used to confound us—to patriate, as the Leader of the Opposition suggests, without having ten or five or three provinces agree, why, then, do they invent a constitutional convention to say that we cannot give the people their rights in a charter?

Why does the Leader of the Opposition say it is okay to patriate? Why has this House said it is okay to patriate because then we give Canadians their own Constitution, but some convention, some obscure theory of constitutional law, says we cannot do it for a charter? What is the logic of that position? How can they argue that unilateralism is all right to give Parliament and the provinces their independence, but it is not all right to protect the people?

I think at this point we hear them say, "Well, it may be legal. Maybe that is the way it has always been done. Maybe technically, in law, you can do it. But"—and then we use the big notion—"it is not legitimate; it is legal but it is not legitimate". They might even go on to say, "and probably not moral".

● (1640)

Let me examine this legitimacy argument. It is obviously an argument which is hard to define. I would begin by conceding that the Canadian people do not like to see their elected governments disagree or quarrel among themselves; they do not like confrontation. They would prefer harmony and so would we, Madam Speaker. That is why, since 1927, we have been seeking to do this without confrontation. That is why I, as Leader of this Government, have been seeking to do it since 1968 without confrontation in all these meetings, all these letters to the premiers, all these discussions. So I agree that it would be better if we could agree. I concede that at the outset.

Having shown that agreement is not possible or certainly not likely, given that the substance of what we are doing is wanted by popular will, to use the words of the hon. member for Provencher and given that we are elected to leadership to this country, let me now ask, on the three aspects of legitimacy, first, is the process we are engaged in compatible with our traditional political values? Second, is the process we are engaged in shifting the delicate balance of federalism toward, as we have been accused, a unitary state or some form of republicanism? And third, is the process fair?

I think if I can examine those three arguments I will have begun to deal with the question of legitimacy. Let me ask, first of all, if this resolution is compatible with our traditional political values.

[*Translation*]

Well, if it is a matter of traditional policy, then I think it is undeniable that evolution is part of the Canadian tradition and that we continue to evolve from the colonial state to that of nationhood. It has always been so from our very beginning, and that, with the complicity, I might say, of the parliament of Westminster whose greatness we recognize in that it has always granted its colonies their independence when they requested it.

And so it has been that from 1867 to 1931, when the Statute of Westminster was passed, traditionally Canada clearly evolved toward complete sovereignty. That was also true when prime minister St. Laurent abolished the appeals to the Privy Council in the late forties, and also true when this Parliament gave itself the symbols of a distinct nationality, the Canadian nationality, when it gave itself a flag and, finally, a national anthem; and perhaps one of these days in proclaiming July 1 Canada Day.

So when it comes to compatibility with the traditions toward more autonomy and more independence, I think we are following those traditions very closely when at last we are asking for our own Constitution. Let us look now at the amending formula. Is it compatible with Canadian traditions, with the political values which are generally acknowledged and accepted in Canada?

Well, what we are proposing is not an amending formula like in Australia where the states, the provinces, have nothing to say, an amending formula which provides for a referendum upon the initiative of the government of the Commonwealth, of the federal government. Some people say that our method will lead to republicanism, that it will destroy the constitutional monarchy, and that it is anti-federalist. Well, Madam Speaker, Australia has been amending its constitution since 1901 without consulting the provinces or the states. They do that but as far as I know that country has not yet turned to republicanism, nor has it destroyed parliamentary democracy or abolished the constitutional monarchy. But here in Canada we are not asking for that much.

What we are proposing in fact is an agreement, a consensus among the provinces and the federal government. Is it contrary to our traditions for us to seek constitutional amendments that way? No, quite the opposite, they object to the Victoria formula. And again I heard the hon. member who spoke before me protest because, it would seem, that formula makes the provinces unequal. Well, is that what we proposed in the Victoria formula? For a very simple reason, Madam Speaker: because it is the only amending formula on which all the provinces and the federal government unanimously agreed and which was recognized as such over a period of several months, from February to June, 1971. That is why we have proposed the Victoria formula, not because we prefer it. I, for one, said publicly that I would prefer others. For instance, I would rather have a formula under which a constitutional amendment is allowed and possible if there is agreement between the federal government and six provinces representing perhaps 70 per cent, 75 per cent or 80 per cent of the population, I do not know. We will not name the provinces, we each have a better amending formula in our pocket. All I know is that if we had come up with one on our own, we would have been told that the federal government was again acting arbitrarily.

Madam Speaker, that is why the resolution before the House contains the formula on which the ten provincial

premiers agreed in 1971. And no one should suggest that it is discriminatory against western Canada, as the hon. member for Kindersley-Lloydminster said a moment ago. If it does make a distinction between the western provinces and the Atlantic provinces, for instance, it is because the western provinces wanted it that way. It will be recalled that Premier Bennett in 1971 insisted on having a special clause for British Columbia and that premier Schreyer—he was then premier of Manitoba—said: Well, let us give him that.

The western provinces fashioned that amending formula to suit themselves. They did so with their agreement. It was not the formula we had in mind. So no one should tell us that is reeks of arbitrariness and that we are discriminating against the provinces. We have proposed the only formula about which the ten provinces were ever able to reach agreement.

[*English*]

Let me just ask in that regard if the formulae presented by the Progressive Conservative Party are more in keeping with our tradition. Would they be more legitimate, more akin to our traditions? It is a bit hard to say, Madam Speaker, because they have at least two formulae and one is subdivided into three parts. Let us take each one in turn.

In October, in the motion I read a moment ago, the Leader of the Opposition said that they would prefer the Vancouver formula. As I think I pointed out to this party that suggests the Vancouver formula, it makes the provinces unequal. The Vancouver formula by its very essence, because it is based on the conception of opting out, presumes that any one province which does not want to go along with the Canadian consensus can have its special status, can opt out, can say, "We are not like the rest of Canadians." It can say "We have citizens in our province who are not equal to citizens of the other provinces because we do not have a charter; we have rights in our province not equal to the rights of other provinces because of the opting out provision." So much for the desire to put provinces on an equal footing, Madam Speaker.

● (1650)

That is just one of the amending formulae. The other one was presented by the hon. Senator Tremblay before the joint committee in February. I do not know whether it had official status. I do not know whether his proposal supersedes that of the Right Hon. Leader of the Opposition. But at any rate, if we look at it we see that it proposes discussion over three stages during a period of one year, following which, if there is no agreement, we end up with unanimity as the amending formula. In other words, one year of discussion where we propose two; and unanimity where we propose it is the people who should decide. Which of the two parties wants to get Canada out of the status quo and move forward with reforming its Constitution, the one which is based on a large consensus or the one which seeks unanimity? I believe the Canadian people can decide about that.

We heard finally that our proposal is not in keeping with our traditions, that it is not legitimate because we have provision for a referendum. Actually we have provision for two referenda. One will be in the case where the provinces and the federal government cannot agree and we will ask the people to break the deadlock. That does not seem so outlandish in a democratic country. But it is not against that particular to which I have heard objection; the objection is to the permanent deadlock-breaking mechanism.

Since we are told that we are doing something not in keeping with our traditions, let us ask ourselves how we break a deadlock now. How did Mr. St. Laurent break a deadlock when he wanted to bring Newfoundland into confederation and Quebec said no? How were deadlocks broken in the past? They were broken by the federal government asking Westminster to do something. That is our tradition. That is our law and that has been our practice. What are we proposing? We propose that when there is a deadlock, the federal government, as traditionally and legally has been the case, asks not Westminster—since we will be independent—but the Canadian people to break the deadlock. What is illegitimate in that, Madam Speaker? What could be more in keeping with our traditions as an autonomous sovereign state to break a deadlock, not as in the past by going to Westminster, but by going in the future to the Canadian people and telling them to get agreement among yourselves?

Some hon. Members: Hear, hear!

Mr. Trudeau: I have talked about traditional political values as they apply to patriation and as they apply to an amending formula. I would like to say a few words now about the charter. I listened to the preceding speaker. His was one of the few speeches in this debate that I have heard. But in it I found all the clichés which have been repeated from day one, and I am just wondering after five months why the opposition has not been able to renew its arguments a little. But since it has not, let me deal with the argument about the charter being in some way against traditional values. Is it against federalism? Is having an entrenched charter something which denies the spirit of federalism? We just have to look to the United States, the greatest federation in the world. It has a charter. Is it against parliamentary democracy? We can name many parliamentary democracies which have a charter. I think the ones which would impress this House the most would be Denmark, Norway, and the Federal Republic of Germany. But more important are the provinces of Canada. They are parliamentary democracies and most of them do have charters. Therefore, what is against traditional values if the Canadian people have a charter binding themselves or if most of the provinces have such a charter? I can see nothing there against traditional values.

Let me remind this House that in 1971, in Victoria, we had a charter called the Victoria charter. It was not as good or as perfect as the one we have now. It had a guarantee of basic linguistic rights and democratic rights. It was a charter. Was that against our traditions, or are we just following the tradition which the ten premiers accepted in Victoria? They had a charter. We have a charter in the Victoria charter. It was

written in Canada, in Victoria, by Canadians, and it was to be presented to Westminster by way of a joint Address. I admit the provinces were also going to pass resolutions supporting it, but they offered a vehicle to bring a charter written in Victoria, Canada, to Westminster. Was that colonialism? We hear it said now that, if we write a charter in this House, it is colonialism to have it passed in Great Britain. What about the ten premiers who said in 1971 that the way to do it was, "We write it here; we get it passed in Westminster." So much for the argument of illegitimacy.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Trudeau: I now come to the language issue, Madam Speaker. Is there anything against Canadian traditions in the language provisions contained in the resolution before the House? Well, Madam Speaker, let me remind members of this House who repeated many clichés on this matter, together with provincial politicians, that under our original Constitution in 1867, the federal government, the Government of Canada, not only had the right but also the obligation to protect minorities in the area of education.

Under subsections 93(3) and 93(4), we now have the right to legislate in educational matters so as to protect minorities. Indeed, those minorities were then defined in terms of religion, whereas we now tend to define them in terms of language, and we know the historical reasons for that change. But the principle was there; the Fathers of Confederation—and that is the most beautiful and noblest aspect of our tradition—said: It is up to you in the federal government to protect in the field of minority language education. Well, this is what we are doing in the charter before us, but to be on the safe side, I remind the hon. members that the provincial ministers agreed in St. Andrews in 1977, and then in Montreal in 1978, to protect minority language education in all provinces. It is true that at the time it was proposed as a reciprocal agreement, which was never followed up. It is a fact that now we are making that proposal in the Constitution, but it is also a fact that we are carrying out a duty and following a tradition going back to the beginnings of confederation, according to which minority education must be protected in this country if not by the federal government or through reciprocal agreements, at least under a charter of fundamental rights and public freedoms.

• (1700)

Madam Speaker: I am very sorry, but according to our Standing Orders, it is now my duty to interrupt the Right Hon. Prime Minister (Mr. Trudeau) in order to proceed with private members' business. Unless the House would agree—

Mr. Pinard: Madam Speaker, there are two other alternatives that are available subject to the unanimous consent of the House. We could agree that private members' hour be suspended today. Failing an agreement on this, we could agree that private members' hour be deferred to nine to ten o'clock tonight, instead of having it from five to six o'clock. Those are two suggestions that I submit to my hon. colleagues.

Madam Speaker: Does the House agree to the first proposal, that the private members' hour be postponed in order to allow the Right Hon. Prime Minister to conclude his remarks?

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, the Prime Minister has spoken now for an hour and 15 minutes. If it would be convenient to him not to break his speech, we would be prepared to agree to the second suggestion; that is, that private members' hour commence at nine o'clock and end at ten o'clock this evening.

Mr. Knowles: We agree, Madam Speaker.

[*Translation*]

Madam Speaker: The House then agrees with the proposal that the Right Hon. Prime Minister be permitted to conclude his speech and that the hour reserved for private members' business be taken from nine to ten o'clock tonight?

Some hon. Members: Agreed.

[*English*]

Mr. Trudeau: Madam Speaker, I want to thank the members of this House for having permitted me to continue an already long speech. I am grateful that they permit me to continue at this time. I will not abuse the privilege and take up too much of their time, but as was pointed out on Friday, I have waited a long time to speak and I find it important to try to deal with as many arguments as possible.

[*Translation*]

I believe that I have therefore just shown that when we protect the linguistic rights of the minorities, there is no encroachment on and no departure from our Canadian traditions. However, I also want to deal with the delicate matter of Section 133 of the Constitution, since we have been criticized for not extending the provisions of this section to a greater number of provinces. I would simply like to say that we did not find on this side of the House that we could do this without effectively providing ground for the illegitimacy argument. Let me explain why. In the early days of confederation, Section 133 was forced upon certain provinces, namely, Quebec and later on Manitoba, and not upon the other provinces, contrary to what occurred in the field of education where we were justified in taking action. However, I am still surprised, Madam Speaker, that many people objected to our action while they had no objection when the provinces met in 1977 and 1978 in St. Andrews and in Montreal to speak about the protection of minorities in the field of education. No one blamed Mr. René Lévesque at the time for not having said that Ontario and New Brunswick at least, and perhaps the other provinces, should also agree to be bound by Section 133, since Quebec was bound by it and that reciprocity would

require that the others be also subject to it. No one blamed Mr. Lévesque for this, neither Quebec nationalists, nor the leaders of francophone minorities in the other provinces. Why is this? Probably because the Quebec premier was then thinking in practical terms. He probably thought: "Let us get what we can for now, but I shall not ask such a thing of Ontario." I find it rather strange that all those who oppose the proposal now before the House are also those who were saying at the time that we should go even further. Those who accuse us of trying to use force and to encroach upon provincial powers are also saying that we should have encroached even more upon these powers.

Madam Speaker, I would like to remind a number of people in this nationalist bunch, both clerics and lay people, who prevented entrenchment of at least part of Section 133 in several provinces to come into effect when we, including myself as Prime Minister, negotiated this entrenchment in 1971. Once again, it was the nationalist movement in Quebec which put an end to the Victoria proposal even though it would have brought about the entrenchment of certain rights. I would also like to remind them that if the Victoria project was able to go rather far in implementing Section 133, it was not with the support of public opinion in Quebec. It was thanks to premiers like Mr. Smallwood, like Alec Campbell, like Bill Davis, who agreed that we protect wholly or partly francophone minorities in their own provinces by implementing all or part of Section 133. And if there was nothing in the Victoria charter concerning the protection of education rights of minorities, it was because the Quebec representatives did not want to hear about it. We now know why. It is because they were being advised by a certain Claude Morin who was thinking about Bill 22 and Bill 101.

It is with a certain emotion that I speak of these matters, Madam Speaker, because I believe that history will find it a paradox that what occurred in 1971 in Victoria, thanks to the support of a number of francophone premiers, repeats itself today in 1981, ten years later, as we entrench in the Constitution the Official Languages Act, which promises to all Canadians from sea to sea linguistic equality before all federal institutions and jurisdictions, and which guarantees to our anglophone and francophone minorities entrenchment of their basic educational rights in the Constitution.

Let me emphasize that history will find it paradoxal that we do not have the support in this regard of the nationalist movement in Quebec and of the Quebec government. We have the support of the Leader of the New Democratic Party, a man named Broadbent; we have the support of Premier Davis and we have the support of Premier Hatfield. This will go down in history, Madam Speaker! If the Quebec government found Section 133 so important, why did it not say: "Go ahead and impose Section 133 on Ontario and we shall support you." This is what it would have done if it really wanted to protect francophone minorities instead of opposing our resolution, which does more to protect francophone and anglophone minorities than any other piece of legislation to be introduced in this Parliament. The same happened in 1978 with Bill C-60 when we tried to convince the four provinces with the largest francophone minorities to accept Section 133. Who supported us and who opposed us at that time? History will show that it was again the nationalist movement in Quebec which opposed Bill C-60.

Madam Speaker, I would now like to deal with another aspect of legitimacy and ask whether this is actually a power grab, whether we actually are on the road to a unitary state, whether the federal government by way of the resolution now before us actually wants to grab additional power. This I can dispose of quite briefly. What about patriation, Madam Speaker? Does patriation involve a power grab on the part of the federal government? What is actually happening? We are transferring power from Britain to Canada, not to the federal government, but to Canadians as represented by a national government and by a number of provinces, or, lacking an agreement, to the Canadian people by means of a referendum. Is that a federal grab for power? What about the amending formula, Madam Speaker? Here again, does the proposed amending formula involve a bid to increase federal powers? We have said throughout this debate that the Constitution is now being amended by way of the federal government applying to Britain. Far from increasing our powers, we are distributing them to the provinces and to the people in that respect. Henceforth, if the resolution does pass, we will amend the Constitution not by unilateral action on the part of the federal government applying to Westminster, but by action of the federal government in co-operation with the provinces or, lacking such an agreement, by the Canadian people assuming the power to amend the Constitution. Is that an abuse of power?

Let us now look at the charter. Is there actually a transfer of powers to the central government? Quite the opposite, the charter in fact takes away a little of the powers of all the governments. But it takes away the most from the federal government itself, because as things now stand the provinces in a number of areas are prevented from abusing basic freedoms. There have been numerous decisions on this by the Supreme Court: in the Saumur case, the Padlock act case, the Jehovah's Witnesses case, etc. Provinces now do not have that power. I would refer in that respect to a speech made by the hon. member for Broadview-Greenwood (Mr. Rae) before the University of Toronto Law Society. He quite aptly showed that basically the federal government is limiting its own powers under the Criminal Code and, I would add, its powers under the Emergency Act to infringe upon public liberties. If there is a transfer of powers, Madam Speaker, it is essentially a transfer from the central government to the Canadian people.

• (1710)

[*English*]

Are we really going toward a unitary state, Madam Speaker, when in all these instances we are giving more power to the provinces and the people of Canada than they have under the present Constitution? And let me just ask, is that not also the question one must answer when we look at the provisions for equalization which I have not yet discussed this afternoon? But what are we doing? Grabbing power for the federal government? Are we moving toward a unitary state? Ridiculous, Madam Speaker. By entrenching the equalization obligation in the Constitution we are giving more powers to the regions, not to the centre.

The same can be said, of course, on the division of powers, sections 91 and 92. Is this a power grab, Madam Speaker? Can anyone in this House show one single instance where the federal government could have more power in the resolution now being discussed? On the contrary, there is one section in this resolution which touches the division of powers, and that is the amendment moved by the Leader of the New Democratic Party. I wish he had not, quite frankly, because he did it to please the west and I have not found a single western premier who says it is okay; they have all said it is too little.

Some hon. Members: Oh, oh!

Mr. Trudeau: But if there is any transfer of power in this resolution before the House, that is it, Madam Speaker. It gives the provinces new powers, powers they do not have in the area of resources, powers of indirect taxation and interprovincial trade. So much for saying that the resolution is not legitimate because it is a power grab. If anyone is getting more power, Madam Speaker, it is the provinces and people of Canada.

Some hon. Members: Hear, hear!

Mr. Trudeau: Well, Madam Speaker, the third and final argument of illegitimacy is that the process is unfair. Let us examine that. Is the process fair? By this I suppose I mean: Are the opponents of the resolution, whether here in Parliament, in the provincial legislatures or among the Canadian people, in some way being deprived of the means of redress by this resolution? Is the resolution changing the course of our history in some way which is irrevocable and irremediable?

Well, let me just say it is quite clear, Madam Speaker, that neither the judicial process nor the political process is in any way affected. If we look at the judicial process we have the evidence of six provinces presently in front of the appeal courts; so obviously fairness, in so far as it can be expected from the courts, is not tampered with in any way by this resolution.

I was interested to hear the hon. member for Kindersley-Lloydminster once again object to this charter because it suddenly gives more power to the courts, at the very time when the six premiers who share his opinion are in those courts seeking justice, Madam Speaker. Let them make up their minds.

Some hon. Members: Hear, hear!

Mr. Trudeau: If one were to believe that the provinces are more interested in the judicial process and in judicial redress, you would think that they would have asked the courts to determine with a little more celerity. You would wonder why they staggered their appeals in three different provinces over a period of several months and, having lost the first appeal in Manitoba, took more than six weeks to go to the Supreme Court. If they are sincerely interested, Madam Speaker, in seeking judicial opinions rather than fighting this issue by the political process, they would obviously have proceeded differently. So let us not hear the argument that we are in some way abusing the legal or judicial process in this matter.

Some hon. Members: Hear, hear!

Mr. Trudeau: It is the provinces who are using the courts, presumably to be better able to fight the matter among the electorate.

Is the political process in any way affected? Well, Madam Speaker, Sections 3 and 4 of the charter guarantee the continuance of that political process. They guarantee that in less than four years from now we will have to seek a mandate from the Canadian people. The provincial governments will also have to seek new mandates from the Canadian people. The Canadian people will judge the course that we are following, and the official opposition will have the occasion to seek a mandate to redress the situation. That is the political process. That is what is taking place now, not in the courts but here in this Parliament, Madam Speaker.

• (1720)

How can this situation be redressed through the political process? I am not sure what would happen in the case of patriation. I suppose theoretically a party could campaign that, if returned as the government of this nation, it would seek to re-establish the colonial status. I think to state the objection is to answer it; it is obviously a ridiculous situation. But then you must wonder that if it is obvious that no party would ever campaign to re-establish the colonial status of Canada, even supposing that the British would be foolish enough to accept it, how is it that they are opposing patriation now? How can they oppose it when they think colonial status would not be worthy of any support by the Canadian people when election time comes around?

Look at the amending formula. Are we interfering with the political process? On the contrary, the political process is written right into the referendum formula. It provides for two years of negotiations. Those negotiations are prescribed right in the resolution. There must be meetings between the federal government and provinces for two years, and then agreement either follows or does not. If it does not, is there some arbitrary measure which is then imposed by the federal government? On the contrary, if we cannot convince the provinces and they

cannot convince us, no arbitrariness intervenes. It is the people of Canada who are called upon to decide.

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, can redress be found in any other way? The opposition has said—and some senators have also said—that they are horrified by the idea of the deadlock-breaking mechanism. So be it. They are horrified. It can be changed. The Leader of the Opposition, the opposition parties and the provincial governments just have to seek a mandate to change that. There is not a referendum procedure forever in the Constitution of Canada. It is there until somebody uses the amending formula to change it. Political process is respected. We think the referendum as a deadlock-breaking mechanism is valid. It is in keeping with our traditions, but anybody is entitled to hold the contrary view. Any politician can run on the platform that, if elected, he will bring in constitutional amendments which will do away with the referendum process and which will do away with the charter, if that is what he wants. I think I have hinted that we would be happy to see the opposition parties campaign on such a platform.

Some hon. Members: Hear, hear!

Mr. Trudeau: "Elect us and we will take away your rights; we will seek a constitutional amendment; no doubt it will be supported by Premier Lyon; we just need a certain number of provinces and we will take away the charter".

Once again, to state the argument is perhaps to say that it does not have much substance. Why are so many people opposed to the charter now who indeed would not want to consult the people on it or campaign on it? The answer is very simple. It is in those statistics and the Gallup polls and others to which I referred earlier. The people want this action. It is in the answer of the very member for Provencher who says it is the national will.

I believe I have dealt with substance. I have dealt with process. It remains to deal with timing, and perhaps I will deal with timing in a short and timely manner.

Many times when Canada was engaged in the process of nation-building we have heard that the substance was right. The flag was all right; we needed one. We needed a national anthem. But now was not the time. The time was divisive. Let us procrastinate. Let us postpone. I say with some regret that though the Conservative Party played a very eminent role in the creation of confederation, its members have long since abandoned that spirit of decisiveness which existed when Canadians took, because they were Conservatives and Liberals, the great leap into the future called confederation.

Let me just recall that at the time of confederation there were two great debates, very much mustering arguments like the ones we have heard today and very much saying that now is not the time; just wait a little longer. What did George Brown, a great Liberal, have to say at the end of his speech during those debates in 1865? I want to read these ten lines because they are very appropriate to today's debate. I quote:

> —the man who strives for the postponement of this measure on any ground, is doing what he can to kill it almost as effectually as if he voted against it. Let there be no mistake as to the manner in which the government presents this measure to the House. We do not present it as free from fault, but we do present it as a measure so advantageous to the people of Canada, that all the blemishes, real or imaginary, averred against it, sink into utter insignificance in the presence of its merits . . . Let us look at it in the light of a few months back—in the light of the evils and injustice to which it applies a remedy—in the light of the years of discord and strife we have spent in seeking for that remedy—in the light with which the people of Canada would regard this measure were it to be lost—

Today those who say that the timing is not right have one of two motives in mind. Either they think that with a bit more time the measure could be improved, or they are using the passage of time to destroy this measure, and I want to look briefly at each of those arguments.

With the passage of time could it be improved? We believe it could. The Minister of Justice and the government House leader twice gave more time to extend the deadline of the joint committee. They believed we could bring in amendments. Amendments were brought in by the Minister of Justice, who has done incredible service to Canada by his work—

Some hon. Members: Hear, hear!

Mr. Trudeau: —by the co-chairmen, the hon. member for Hochelaga-Maisonneuve (Mr. Joyal) and Senator Hays—

Some hon. Members: Hear, hear!

Mr. Trudeau: —and by members of the opposition such as the hon. member for Provencher and the hon. member for Burnaby. Members of various parties have improved this measure and, no doubt, through the amending process, more improvements can come in the future.

If hon. members in the official opposition want to improve the measure, it makes one wonder why they have held us up for five weeks on one amendment.

Some hon. Members: Hear, hear!

• (1730)

Mr. Trudeau: The New Democratic Party has amendments to propose in the area of aboriginal rights, amendments to propose in the area of women's rights. We would like to see reference to God in the preamble.

Some hon. Members: Oh, oh!

Mr. Trudeau: We have many amendments we would like to put in. Hon. members opposite laugh. I repeat, we would like to see God in the preamble; we would like to see the preamble brought back which we presented to the provinces last September.

Some hon. Members: Hear, hear!

Mr. Trudeau: If ever proof were needed that a consensus and unanimity are not possible in this matter, it was given last June when that preamble was rejected. One of the reasons was that the preamble indicated that Canada was a nation. That

was the reason, as is well-known, that at least one province did not want to accept the preamble.

The motion before the House can be improved. We hope there will be time to improve it, but we say that once the resolution is in Canada, we then have an amending process which can permit any improvement wanted by Canadian people and by the members of the House and of provincial legislatures.

Let me just once again ask those who are perhaps prepared to vote against this motion because it does not adequately protect women's rights, would women's rights be more protected in the country if the charter were defeated? Would God be more respected if the charter were defeated? Would aboriginal rights be more entrenched if the charter were defeated?

I make that point to those who have hesitation in voting for this measure because it is not perfect. But, to those who are asking for more time, who are saying that this motion is not timely because they really want to see its defeat, because they are hoping with the passage of time that somehow the judicial process and the political process will permit the measure to be defeated, let me just say that they are in the purest traditions of those who at each stage of nation building said that the time was not now.

Some hon. Members: Hear, hear!

Mr. Trudeau: First I refer briefly to the abolition of appeals to the privy council when prime minister St. Laurent in the late forties proposed a bill to get rid of this link to colonial status whereby the final courts of appeal sat in Westminster. What did the then leader of the Conservative Party have to say? Mr. Drew speaking on this matter had the following to say:

—I cannot imagine what injury will follow by holding this back until there can be full consultation in regard to the whole question. I strongly urge that this matter be held back, along with others affecting the Constitution, until the whole Constitution and its interpretation and the system by which its terms will be interpreted can be discussed fully by the representatives of the dominion government and the provinces.

So much for nation building when it came to cutting off appeals to the privy council.

Another important step was the matter of seeing Newfoundland enter into confederation. On February 14, 1949, in debating the proposed address to the King representing the entry of Newfoundland into confederation, opposition leader George Drew made clear his support of the idea of Newfoundland joining confederation, but he stated the following:

We should not tamper lightly with our Constitution, simply on the ground that the results are much worth while . . . No matter how desirable it may be to hasten any procedure, this is no time to take short-cuts which have the effect of lessening respect for the Constitution itself . . . desirable though the object may be, this course should not be adopted . . . As I have already suggested, the proper procedure is to consult the provinces now.

Do we need another example?

Some hon. Members: Yes, yes.

Mr. Trudeau: We hear the same arguments, we hear the same procrastinations, no doubt we are listening to the same speech writers.

In 1949 amendments to the British North America Act were brought forward respecting the amendment of the Constitution, that is, Section 91, paragraph (1) of that new amendment. Again we can listen to the Hon. Leader of the Opposition today, although I am quoting Mr. George Drew when he said:

This motion should not be proceeded with until after the conference, which is to take place after the termination of this session, in regard to limited aspects of the constitutional problem.

It does not seem to me that a single argument has been placed before this House to indicate why this matter cannot very well stand over until that time. What is the urgency? . . . In view of the statements already made by some of the provincial premiers with respect to the misunderstandings that may follow this piecemeal approach . . . I believe a very dangerous step will have been taken if this resolution passes and the provincial representatives are called together only after this has become a *fait accompli*, after this positive and definite step has been taken.

One more example of nation building is the flag debate in December 1964. I will only quote one phrase because members have referred to it and members are now sitting on the other side who participated in that debate. We will remember Mr. Diefenbaker then making it clear that Mr. Pearson was creating divisions which would be remembered way beyond this generation. These are the strong words that he used:

During the past months great harm has been done to the unity of the nation, greater than that during any other period in my lifetime.

Rather than quote more, let me just refer members to the tale of an eye witness which was given to me. It appeared in last Saturday's edition of The Ottawa *Citizen*. The eye witness was David Kwavnick, an associate professor of political science at Carleton University. Let me read a few words:

I can recall spending most of December 14, 1964, in the gallery of the House of Commons watching the culmination of the long and acrimonious flag debate.

Under Mr. Diefenbaker's leadership, it continued:

—large segments of the population reacted as though the government intended nothing less than the bloody rape of their history and heritage. The country, it seemed, had not been so divided since 1917.

I apologize for the next phrase:

I can recall Tommy Douglas telling the House that though he supported the measure, he opposed the way in which the government was handling it; that by using closure the government had thrown away a golden opportunity to unite the country; that instead of giving the country a flag of unity it was saddling the country with a flag of division. And it all sounded so reasonable at the time.

In the wee small hours of the morning, Mr. Pearson rose to conclude the debate. The atmosphere in the House was tense and ugly. When the result of the vote was announced, Mr. Diefenbaker stood, shaking his fist and hurling imprecations which could not be heard above the tumult. J. Waldo Monteith slammed his fist on his desk and stomped, cursing, from the Chamber. Other Conservative members stood silently staring across the aisle, and in those stares there was hatred.

That's how we got our flag.

Some hon. Members: Hear, hear!

● (1740)

Mr. Trudeau: We hear something of the same language today. On Tuesday, February 17, the hon. member for Provencher said:

This resolution is creating an atmosphere which will disrupt any possibility of genuine reform taking place in the coming years . . . To tear up those federal traditions which are at risk now, Madam Speaker, is threatening to tear up our own country—

The hon. member's leader, the Right Hon. Mr. Clark, interviewed on CTV's "Question Period" on February 22 had this to say:

—the Liberal legislation to patriate the Constitution with a charter of rights will cause in the region I come from in western Canada a legacy of division that we might not overcome as a nation.

It could quite literally break up this country . . . This could be the final straw.

What is being given to the Canadian people is that which everybody recognizes they want, even in western Canada, if these surveys I quoted are exact and if the hon. member for Provencher is right in saying that the Canadian people want a charter and want their Constitution now.

The Leader of the Opposition goes on:

It could mean the end of this country. It's more dangerous than anything Quebec Premier René Lévesque proposed because this isn't a dream that somebody is talking about, this is a juggernaut that somebody is trying to force upon a country.

He said the bill represented a personal obsession by Trudeau. Well, so much for separatism and Mr. Lévesque's efforts to break up this country. It was not as serious as the effort we in this chamber are making to give Canadians their fundamental rights and freedoms.

Some hon. Members: Hear, hear!

Mr. Trudeau: We are a country blessed with great resources, human and physical, secure from war or civil strife. Peace and prosperity have permitted our two languages, various cultures, to grow deep roots. Perhaps these very conditions have increasingly permitted the assertion in recent years of regional and individual self-interest at the expense of the common one.

What do we see, Madam Speaker? What has been described as we look around the country? We see alienation in Quebec, the west and the maritimes. It seems to me that makes it clear that the course of our national development cannot be left in limbo. We have promises to keep. After the Quebec referendum we on this side, at any rate, have promises to keep to change the Constitution so that we can move out of the status quo. We intend to keep those promises.

Some hon. Members: Hear, hear!

Mr. Trudeau: Even if we did not have any more time, lest the forces of self-interest tear us apart, we must now define the common thread which holds us all together. If this realization of our identity involves hard choices, whoever said that the coming of maturity was easy?

I do not think there is any permanent equilibrium in the political affairs of any nation. It is always a moving equilibrium. This is particularly true of a federation where checks and balances, regions and the centre are constantly adjusting that equilibrium. What we are doing today is merely providing Canadians with the means of seeking that equilibrium.

In sloughing off the last vestiges of colonialism, in entrenching those values Canadians hold in common, we are merely setting the stage with a contest about the kind of Canada we will have in the future. The contest about the two kinds of Canada, perhaps, will be laid out. Will we be highly centralized? Will we be a loose confederation of shopping centres, as some wag said about Los Angeles? Will we be something in between? I don't know.

The next two decades will see the gestation of the twenty-first century in Canada. I do not know what kind of country our successors in this place will leave behind them. But I do know, and I deeply believe, that it is our duty to leave behind us at least the ability to our successors to choose Canada's destiny. In that sense what we are doing is ending the beginning; the beginning being all that period during which Canada has moved toward independence and that period which is lasting now during which we cannot amend our Constitution. We are merely setting the stage for those who follow us to then have that debate about the equilibrium, about the kind of Canada they want.

I would like to end with an appeal to men and women of action, as we are in this House. We are not theorists. We are not academics. We are not people who can pontificate from on high, as can some of the people sitting above us. We are elected to produce results. I want to appeal to members of this House to use a device I sometimes use myself when arguing about a particular course of action, with myself, or with somebody else when I find that the pros and cons of a particular course of action are not conclusive, as in this debate.

We are told that the evils flowing from this resolution will be great. We hold that the good flowing from this course of action will be great. Let us say there is a stand-off. Let me appeal to members who oppose this resolution; let me appeal to Canadians who oppose it, to use the opposite test, to ask themselves not what will follow from the adoption of this resolution, but to ask ourselves what will follow from not adopting the resolution? Let us ask them to tell us in what positive way Canada will suffer from the defeat of the resolution before us now. If this is defeated, let me ask opponents of the measure whether they are prepared to accept a Canada where fundamental freedoms, mobility rights, equalization, language rights and non-discrimination will never be a part of our Constitution? Let me ask them if this resolution is defeated would God be more present in our laws? Would the right to life become more sacred? Would aboriginal rights be more entrenched? Would women be more equal? Would linguistic minorities be more protected if this resolution is defeated? Let me ask those who want to see the defeat of this motion what their victory cry will be. Will it be "Praise God, we have defeated the charter of fundamental rights and freedoms."? Is that the course that they really want to see followed?

What will be the boast of those who have defeated patriation? Will they say, "We were there, we were sitting in Parliament when we prevented Canada from taking its final step toward sovereignty."? Tell me what the provincial governments will say. What will their shout of triumph be? Will they

say, "we were successful through the courts, through Westminster, in keeping Canada a colony a little while longer. Hooray! We managed to delay one year, five or ten, the coming of age of this country"? What a triumph for those who argue that a little more time would make this resolution more perfect, who we know in their hearts they are seeking at this crucial moment of nation building to procrastinate in the hope it will not happen.

[*Translation*]

In conclusion, Madam Speaker, I would like to quote the words of a committed man, Charles Péguy, who was also a poet and a writer. Here is what he wrote:

Everything begins in mysticism and ends in politics.

He went on to say, and I quote:

What really matters is that mysticism not be devoured by politics to which it gave birth.

Well, Madam Speaker, we must remember that in this sentence Péguy said that mysticism must end in politics because he was not a pure speculator. He did not revel in contemplative endeavours. He was a committed man, just as we are committed men and women in this House. We have no right to seek shelter in idealism and in federalist mysticism to avoid making choices when we are asked to make them. We do not enjoy the right to shirk our duties as politicians, duties which, for all practical purposes, amount to taking political decisions which translate that federalist mysticism into the concrete, difficult and complex reality of every day. It is our job to make difficult choices. It is our job to devote ourselves to the art of the possible in a complex and imperfect world; that is why we have been elected and we do not have the right to wait blissfully for a gentle procedure to settle the basic conflict between those who are for this measure and those who are against. Mr. St. Laurent gave us an example of that when he had Newfoundland join confederation against the injunction of the Conservative Party, when he abolished appeals to the Privy Council in spite of the warnings of the Consevative leader. Mr. Pearson gave us an example of that when he courageously proposed a Canadian flag and for months had to take the insults of those who were saying that he would divide the country; and yet, three years after the flag was adopted, everyone was proud to speak about it at the Montreal world fair in 1967. Those are men I give as examples to those who know what personal commitment means, Madam Speaker, and as to those who do not know that, I leave them with this other sentence from Péguy who said, and I quote:

It is easy to keep one's hands clean when one has no hands.

Well, Madam Speaker, we have hands, we set them to the plough and we are not afraid to get them dirty for the simple reason that it is for a cause about which everybody is agreed that this is what the people want.

Well now, this constitutional debate has already lasted over five decades in this country, and in this current phase it dates back to the month of June last year. Our forebears used to say: *Carpe diem,* seize the day. Well, I call upon all Canadians: time has come to stop going around in circles, time has come to act, time has come to sever the Gordian knot.

● (1750)

[*English*]

If I may, I would like to appeal to the Leader of the Opposition who spoke in Toronto on June 6 of last year. Referring to the Monday in June when the 11 first ministers got together, he said:

The participants in Monday's conference speak for 11 governments, Parliament speaks for 23 million Canadians. If the first ministers of the federation cannot make marked progress towards changes which fit the Canada of the 1980s, then the Parliament of the federation may have to assert a stronger role.

Some hon. Members: Hear, hear!

Mr. Trudeau: I read on:

But if it does—

That is if Parliament does.

—that must not be as the instrument of one government, but as the forum of all Canada. Parliament, alone among institutions, reflects that country and can lift the discussion above the question of what governments need and focus on the question of what the nation needs.

Some hon. Members: Hear, hear!

Mr. Trudeau: If that is not an appeal to action, by the Leader of the Opposition, spoken to those people, after some eight or nine months of procrastination, if that is not an appeal to action by this Parliament I do not know what is. I commend those words to the followers of the Leader of the Opposition, just as I commend the words of the Leader of the New Democratic Party to those of his followers who may have some hesitation.

I quote the words of the hon. Leader of the New Democratic Party, as reported in *Hansard* of February 17:

After the improvements that have been made, can any person who takes human liberty as a fundamental value oppose what is probably the best charter of rights in the world?

Some hon. Members: Hear, hear!

Mr. Trudeau: Once again, as in every important instance of nation building, this Parliament, these hon. members, must choose between action and inaction.

In closing, I want to quote the words of Georges Vanier, who was a great Canadian soldier, diplomat, statesman, and governor general. Three days before his death in 1967 he said:

The best time is always the present time, because it alone offers the opportunity for action, because it is ours, because on God's scale it is apocalyptic, a time when the lines between good and evil are clearly drawn, and each one of us must choose his side, a time when there is no longer room for either the coward or the uncommitted.

In this crucial stage of nation building let me echo those words. The best time is certainly the present time!

Some hon. Members: Hear, hear!

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Argenteuil-Papineau (Mr. Gourd)—Airports—Increase in passenger traffic at Malton, Edmonton and Calgary; the hon. member for Kindersley-Lloydminster (Mr. McKnight)—Grain—Change in policy on timing of announcement; the hon. member for Kootenay West (Mr. Kristiansen)—Canada Labour Code—Protection of uranium miners.

It being six o'clock, I do now leave the Chair until eight o'clock this evening.

At 6 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Mr. Lorne Nystrom (Yorkton-Melville): Mr. Speaker, it is a great pleasure to rise to participate in the debate on the Constitution which I consider the most fundamental law of the land. Since the beginning of the constitutional debate hundreds of Canadians from all provinces and all walks of life have sent letters to me concerning the Constitution.

One letter written by Mr. A. V. Godden of Scarborough, Ontario, deserves special attention. Mr. Godden had the opportunity to follow the Constitution debate both in the House and at the special joint committee. He writes as follows:

—in recent months the delicate and oft-times fragile threads of Canadian unity have been most grievously weakened and the present and future security and stability of Canadian society is tragically most insecure and unstable. This is indeed a cruel paradox, when having in mind that the gaining of Canada's Constitution could and should bring the whole family together, in terms of will and purpose, towards a better and more equitable recognition of our many and diverse needs and aspirations.

As one who has been involved in the constitutional debate for many months, I, regrettably, have to agree with his observation.

I ask, Mr. Speaker, what has happened to Canadian unity when we have, as we have today, not a concerted and positive effort to renew our federal structure but instead a serious and growing confrontation in which a majority of provinces are challenging the legality of the central government's constitutional initiative in the courts of the land.

What has happened to Canadian unity, to our sense of family, when in the quiet prairie town of Weyburn, Saskatchewan, the former riding of Tommy Douglas, who was the premier of my province, a separatist organization can attract more than 1,000 people to a rally?

What has happened to Canadian unity when important instruments of national integration, the political parties themselves, are all deeply divided because of the federal government's constitutional plans?

[*Translation*]

As Montreal's *Le Devoir* editor Jean-Louis Roy wrote, and I quote:

The country of negotiation, the country of compromise which used to be called Canada no longer exists.

[*English*]

The resolution before us is acting as a catalyst; a catalyst not of unity but of disunity.

Some hon. Members: Hear, hear!

Mr. Nystrom: Unlike the flag debate which the Prime Minister (Mr. Trudeau) referred to today—that is a symbol, an important symbol, but merely a symbol—this debate involves the fundamental law of the land and division on this resolution is likely to linger in the canyons of time.

The government's attempt to impose constitutional change is inconsistent with the principles of federalism; it is inconsistent with the principles that have provided unity in a country of diverse peoples and diverse regions.

Some hon. Members: Hear, hear!

Mr. Nystrom: Last October 7, I rose in this House to affirm my belief in the federal system. I rise today to reaffirm my belief in a federalism of co-operation, of compromise and of consensus.

After many hours of discussions with my colleagues in the New Democratic Party, after many hours of discussions with my constituents, after long discussions with Canadians from Atlantic Canada, from Quebec, Ontario, the western provinces and the north, and after many hundreds of hours of discussions and work on the special joint committee, I am more convinced than ever that this Parliament, in the national interest and in

the interest of Canada, should reject the government's constitutional resolution.

Some hon. Members: Hear, hear!

Mr. Nystrom: My opposition in October was based in part on the substance of the resolution, but it was the unilateral action I found the most objectionable. Nonetheless, I decided at that time to try to modify the form and the substance of the resolution in the hope that Parliament would bring forth a package which would enjoy wide governmental and popular support. It is now obvious that a consensus does not exist.

● (2010)

Last October, six provinces opposed the resolution. This March, eight provinces oppose the resolution. In addition, public opinion clearly opposes the central government's initiative. In the past few months, the resolution has both caused and reinforced deep divisions in our country. I am convinced that in the national interest, in the interest of Canada, this House should reject the resolution.

Some hon. Members: Hear, hear!

Mr. Nystrom: I have in the past argued many times for the cause of federalism, the cause which demonstrates what this country is all about. This cause, should be our cause.

The Fathers of Confederation discussed at great length in the 1860s the kind of a union needed. A legislative union or put in other words, a unitary state, was rejected.

The preamble to the British North America Act states as follows:

That the provinces of Canada, Nova Scotia and New Brunswick have expressed the desire to be federally united into one dominion.

K. C. Wheare, who is a noted international authority on federalism, defines the federal principle as follows:

As a method of dividing powers so that the general and regional governments are each within a sphere co-ordinate and independent.

Federalism is a means of both uniting and of decentralizing. It is a compromise between the uniformity of a unitary state, like Britain or France, and the simple independence of sovereign states. Like Gil Rémillard, one of the five expert witnesses who testified before our committee, I believe federalism is much more than a legal structure. Federalism is a philosophy, a way of thinking, a way of being, a way of seeing things, not only at the state level, but at the level of human relations. Federalism is co-operation, compromise and sharing.

In a federal system it is simply wrong for one order of government, acting alone, to amend the Constitution in important respects.

Some hon. Members: Hear, hear!

Mr. Nystrom: It is certainly wrong when the unilateral action involves the most important part of the Constitution, namely, the amending formula itself.

To argue otherwise is to argue that Canada is not a federal country. To argue otherwise is to argue that provincial governments are subordinate to the central authority, even in areas of provincial jurisdiction. It is to argue that there is no requirement for regional approval of major constitutional change; that all we need in this country is a national majority, as expressed in the national Parliament. Remember, Mr. Speaker, that a federal state has two orders of government, the Parliament and the legislatures. Each are supreme and sovereign within their own areas of jurisdiction and each are equal in their sovereignty within their own areas of jurisdiction.

Some hon. Members: Hear, hear!

Mr. Nystrom: Unilateral action of the kind on which we are embarking in this country is wrong. The process which Parliament has embarked upon will do lasting damage to Canadian federalism and to our capacity to work together as Canadians. When it comes to constitutions, the process is vitally important. Nothing in my experience tells me that good ends come from bad means.

[*Translation*]

Several people seem to be convinced, as the Right Hon. Prime Minister was this afternoon, that the proposed resolution has to be accepted because we have to keep the promises made to the people of Quebec during the referendum campaign. But, Mr. Speaker, it is obvious that we are not talking about a formula for renewed federalism. During that campaign, not one single federal politician and neither the Prime Minister nor the Leader of the Opposition did commit themselves to support unilateral action designed to change the Constitution of Canada; not one single federal politician did commit himself to admit that the federal government might impose an amending formula and all those conditions; not one single federal politician did commit himself to amend Bill 101.

[*English*]

We are fooling ourselves; we are pretending, if we say that this is being done for the people of Quebec in response to the referendum.

Some hon. Members: Hear, hear!

Mr. Nystrom: What about western Canada? Are we taking steps, by means of this resolution, to address the historic grievances and legitimate concerns of the west? Will this initiative help to moderate the feelings of frustration and alienation that are rampant in the west, and are even finding expression for a small minority in western separatism? I think not.

The premiers and legislatures of the four western provinces are united in their opposition to the resolution and are united in their attempt to block it. The resource provision, while useful, represents for less than was offered by the federal government itself in February, 1979. Indeed, there are certain provisions that I will refer to later in the amending formula which discriminate against western provinces.

Some hon. Members: Hear, hear!

Mr. Nystrom: This resolution does not meet the aspirations of Quebec or of western Canada, two regions where change is being most vigorously demanded, two regions with profound grievances, two regions whose needs must be accommodated within a new constitutional framework.

Turning now for a few moments to the substance of the resolution. There are many things in it which are good and worth while. Of these, the most important from a historical perspective are: the entrenchment of English and French as the official languages of Canada; the recognition and affirmation of the rights of the aboriginal peoples of Canada, a first step which will hopefully lead to further reform redressing the very real problems and grievances of our first peoples; the provision on equalization, an important cornerstone of our federal system; and the resources section, which is good, so far as it goes. But while these are good and worth while parts of the resolution, there are also substantive provisions that are totally unacceptable in a federal state.

[*Translation*]

First of all, some clauses of the proposed resolution relate to language. In a field of provincial jurisdiction, education particularly, I am convinced that it is not the responsibility of the Parliament of Canada to intervene unilaterally without the consent of the provinces. As to those who do not share my opinion, as to those who believe that Parliament ought to have wider responsibilities toward minorities, what do they propose? First, they advocate certain measures whose aim it is to protect the French-speaking minorities outside Quebec. Let me say that I entertain serious doubts about this proposed legislation being effective enough to protect their right to education in their own language, as the hon. member for Ottawa-Vanier (Mr. Gauthier) says so often.

There are in my opinion too few guarantees, because many of them are subject to the interpretation of the courts of the nine judges of the Supreme Court of Canada. Second, in connection with the conditions in Quebec, those very same people, namely, the Prime Minister, are looking forward to an amendment to Bill 101 although they constantly repeat that such is not the case. I have only two examples to give. It would be possible under Section 23(2) for parents who are Canadian citizens to have one of their children attend an English private school during a few months, so that such a child, his brothers and sisters be admitted in any English public school afterwards. In addition, it would be possible for parents who are Canadian citizens to send one of their children to an English elementary school so that such a child, his brothers and sisters be allowed in any English public school afterwards.

I think in any case that the Prime Minister is no longer in a position to repeat in his speeches that Bill 101 is not amended under that resolution. Third, those people are also suggesting that Section 133 should remain in effect in Quebec while they are not courageous enough to extend those same measures, as my friend the hon. member for Burnaby (Mr. Robinson) has said so often in committee, to Ontario where three quarters of francophones outside Quebec are living. The Prime Minister is in favour of unilateral action or he is not, but I would urge him to make up his mind.

• (2020)

[*English*]

Another part of the resolution which remains seriously flawed is the referendum amending section, a provision which appeared for the first time ever on October 2. I do not think it should be there at all.

Some hon. Members: Hear, hear!

Mr. Nystrom: On this point, the Prime Minister's former adviser and former privy council clerk, Gordon Robertson, is right. To amend the Constitution by way of referendum is inconsistent with Canadian traditions and with Canadian practice, and would be very divisive. The referendum provision in the resolution is also a denial of federalism. If we are to have a referendum provision, it is crucial that it be fair and balanced. The provision now contained in the resolution fails to meet that test.

As the Prime Minister says, there is a federal-provincial referenda rules commission, but its recommendations can be ignored by the federal government. There is no way that the provinces can trigger a referendum to seek the consent of the people for an amendment desired by the provinces but opposed by the federal government. The referendum technique is a constitutional device placed at the disposal of the federal government only.

Some hon. Members: Hear, hear!

Mr. Nystrom: It is Parliament alone that will decide if there is to be a referendum. It is Parliament alone that will decide when it is to be held. It is Parliament alone that will word the question. It is Parliament alone that will set the rules. It is Parliament that is now, unilaterally, imposing into our amending formula the very tools for future unilateral action. That is not federalism, that is wrong and that is not the Canadian way.

Some hon. Members: Hear, hear!

Mr. Nystrom: Finally, if ever a referendum is held in this country, the counting of the votes itself could be very divisive. A double majority is required; a national majority plus a so-called regional majority. Here is the problem. For a yes vote to carry, a majority must say yes in Ontario, yes in Quebec, but not necessarily in western Canada or the Atlantic provinces. The Yes side could win even if the No side has more votes in the west. The Yes side could win even if the No side has more votes in the Atlantic region. However, that is not the case in Ontario and it is not the case in Quebec.

In the Atlantic region all that is required is a Yes vote in two of the four provinces, and in the west in two provinces repre-

senting 50 per cent of the west's population. This means we could amend the Constitution despite the opposition of western Canadians and Atlantic Canadians. This resolution will entrench in the Constitution regional discrimination and regional inequity. I ask whether this is what you want to entrench in the Constitution of Canada?

One final point on the amending formula. I am pleased that Prince Edward Island has been given an important role, but I cannot support the present amending formula which gives Prince Edward Island, with only 110,000 people, more power than Manitoba or Saskatchewan, each with about one million people, or more power than Alberta with 1.7 million people. That is wrong. It must change. It is divisive.

Some hon. Members: Hear, hear!

Mr. Nystrom: As I said before, the resolution has been approved with the addition of the resource provision, a provision that confirms provincial jurisdiction over resources, which permits the provinces to levy indirect taxation as well as direct taxation on resources and permits the provinces to legislate with respect to the export of resources to another part of Canada with unqualified paramountcy. What it does not do is permit the provinces to pass legislation in relation to exports of resources to other countries, even with unqualified federal paramountcy. Two years ago the federal government had accepted that constitutional change.

There is one more substantive aspect of the resolution upon which I want to comment, namely the Senate. Hon. members will recall that the original resolution contained a clause which would have limited the role of the Senate in constitutional amendments by giving it a suspensive veto only, of 90 days initially, which the government on January 12 indicated it wanted to change to 180 days. Under pressure from the senators, and with the support of the Progressive Conservative party, the government in a most cynical move has now deleted that provision completely.

I will not take the time of the House now to repeat arguments that have been made by the CCF-NDP for 50 years. Suffice it to say we in our party have always believed that in a democratic system there should be no role for an appointed body in the legislative process. There is wide agreement that the Senate has not fulfilled its intended role as spokesman for regional interests and that Senate reform is high on everyone's list of needed constitutional changes.

Let me just make the following points about the deletion of the original Section 44 of the resolution, the deletion which gives an absolute veto to the Senate.

First, what the federal government is doing by deleting Section 44 is transforming the convention of Senate approval—and, as we all know, conventions can sometimes be ignored—into the written constitutional law of Canada. Secondly, there will be no way the Senate veto over constitutional change can be circumvented. An amendment desired by this House and all ten provincial legislatures could be blocked by the appointed Senate. Nor could the referendum procedure, of which the Prime Minister is so proud, be used to get around the Senate. A referendum can only be called on the basis of an amendment being approved by both the House of Commons and the Senate.

● (2030)

What is the background, the pedigree of the original Section 44 which placed a 90-day suspensive veto on the Senate? It was not a hastily-devised or ill-considered proposal. In fact, the very same provision appeared in the Victoria amending formula of 1971 on which, the federal government keeps reminding us, all the provinces agreed. I may point out, Mr. Speaker, they all agreed before there was a Senate veto, before there was a referendum procedure; so when the Prime Minister says they all agreed to the amending formula in this resolution, he is wrong, he knows he is wrong and he should stop saying it.

Some hon. Members: Hear, hear!

Mr. Nystrom: In fact, the 90-day suspensive veto has appeared in every serious amending formula since 1971. It appeared in the federal government's draft proclamations of 1976 and 1977, in the Toronto consensus of 1979 and the Vancouver consensus of last summer. In deleting Section 44 the government is turning the clock back, not just four months to October, but ten years at least. If I may borrow and change a favourite Chinese phrase, you could say that what the government is doing here can be called a great leap backwards into the past.

Some hon. Members: Hear, hear!

Mr. Nystrom: It is flying in the face of proposals for Senate reform by a number of distinguished groups, not the least of which is the Senate itself. In a report last fall the Senate said:

> We feel that the present absolute veto power is not necessary. We believe that a six-months' suspensive veto would give the Senate all the power that it needs.

It even flies in the face of the federal government's own proposal in Bill C-60 of 1978, which would have transformed the Senate into a House of the federation with a suspensive veto only. The unilateral about-face on the Senate goes against the wishes of all the provinces and again, Mr. Speaker, it is not federalism, it is wrong and it is not worthy of the support of this Parliament.

Some hon. Members: Hear, hear!

Mr. Nystrom: One final point on the substance of the resolution. The Prime Minister spoke a lot today about the enshrinement of a charter of rights, and I support that, but with the entrenchment of a charter of rights we will see the shift of considerable power to the courts. However, the resolution does not provide any mechanism at all that would place a check on what has essentially become a prerogative of the Prime Minister of Canada; appointment of judges.

Furthermore, as a major impact of the charter will be on provincial jurisdiction, it has become more important than ever to take the Supreme Court out of the sole control of Parliament and entrench the court itself into the Constitution. We must also entrench in the Constitution real provincial input on

the appointment of Supreme Court judges so the court can become and will be perceived to be a truly federal institution. Without it, it is a case of one team, the federal government, appointing the referees or umpires to call the shots for both teams. These points have never been addressed in committee or debated here in the House, and were once again today conveniently forgotten by the Prime Minister.

Some hon. Members: Hear, hear!

Mr. Nystrom: Something must also be said about the role of the parliament of the United Kingdom with respect to changes in the BNA Act. Frankly, Britain has been taking some undeserved abuse from our government in the last few months. In 1931, Canada asked Britain to retain the power to amend our Constitution until such time as we, as Canadians, could agree on a domestic amending formula. We asked Great Britain to be the referee, which request was with the unanimous agreement of the federal government and, at that time, all nine provinces. The role of the referee requires Westminster not to assess the merits or substance of what is being proposed, but to satisfy itself that the request for change in the BNA Act is a proper request, has the necessary degree of support within Canada and does not do violence to Canada as a federally structured whole.

Some hon. Members: Hear, hear!

Mr. Nystrom: Some do not accept that point of view. They say that the Parliament of Great Britain has no option but to enact automatically any constitutional amendment requested by the federal government or Parliament, no matter how inimicable to the rights and powers of the provinces they may be, no matter how vigorous the opposition in Canada may be. That is a doctrine which ignores the federal nature of our country.

There is one more point to be made regarding the British connection. It is simply that of the legality of the project. The question is now before the courts and it is not fair to ask, in my opinion, the British Parliament to proceed until the Supreme Court renders a judgment.

[*Translation*]

At my press conference on February 18, when I announced my opposition to the proposed constitutional resolution, I stressed the need for another federal-provincial conference. My experience on the joint committee on the Constitution has convinced me that an agreement is now possible among the various parties. There is still time for an additional effort. I do not know to what extent the Canadian people realize how close the first ministers came to an agreement when they last met in September.

[*English*]

And for the sake of Canada I appeal to the Prime Minister and the premiers to return to the conference table and agree not to leave until they resolve the impasse; to at least agree on an amending formula so that we can patriate the Constitution and proceed with constitutional renewal in Canada. The Prime Minister may have given up hope but I have not, and it strikes me as strange, Mr. Speaker, that when one talks to federal officials, when one talks to the provincial officials in many provinces in our land, many of them have said to me that if the Minister of Justice (Mr. Chrétien) had been the Prime Minister, instead of the member for Mount Royal, a compromise and agreement would have been reached.

Some hon. Members: Hear, hear!

Mr. Nystrom: Three major concerns arise from the unilateral process the federal government has undertaken. As I said today, the process is creating and will continue to create and escalate divisions in our country. Secondly, the current action is damaging intergovernmental relations and will seriously jeopardize future constitutional reform.

Finally, I share a concern expressed recently by former Privy Council clerk, Gordon Robertson, that the price of patriating the Constitution with changes, without broader provincial consent, will be the loss of public confidence in government itself. For the sake of Canada, the federal government and the provincial governments must compromise; they must both go the extra mile, they must both hold out the olive branch, they must both practise a federalism of co-operation, compromise and consensus.

● (2040)

In recent years the need for constitutional change has attracted a good deal of attention. It is not possible, in my view, to ignore the continuing presence of enormous pressures for constitutional reform. What I want to advocate now is the need to develop a new approach to constitutional change. While I see no other realistic alternative for the resolution of our historic impasse on the question of an amending formula than an intensive round of discussions by our national and provincial leaders, I have concluded that the federal-provincial conference of first ministers has not served us well as a means of achieving constitutional reform. It seems to me if we are to make changes in our Constitution which will reflect the will of the people, then we will have to broaden the involvement in the formulation and approval of those changes.

If the experience of the special joint committee has taught me anything—and perhaps taught this Parliament anything—it has taught that a multiparty committee of legislators, in the context of public hearings and public scrutiny, can constructively fashion constitutional change. This lesson must not be lost.

Future conference participants must include multiparty delegations selected by Parliament and each of the provincial legislatures. Additionally, there must be direct participation of delegates representing the aboriginal peoples, women and the territories, all of whom suffer the prejudice of the present political system. It would be this body which would propose constitutional amendments to Parliament and the legislatures.

This approach to the formulation of constitutional reform would represent an important democratization of the process. I

have always thought it is democratic practice that is the essential underpinning of a democratic state.

In closing, I say to all Canadians who support or oppose the resolution to do so without exaggerating or distorting the facts, for doing so will only create more division.

I say to the Prime Minister that he should not question the motives of us who oppose the resolution, as he did recently in Vancouver, for we stand as proudly for Canada as he does. We stand as proudly for freedom and as proudly for liberty as he does. I ask the Prime Minister and I ask members of the Liberal party opposite to consider the words of Bevan, one of the greatest parliamentarians ever to sit in the British House of Commons. In debate during World War II he said, and I quote:

> Individual members of Parliament should be free to express in open discussion what they consider is in the interest of their constituents and of the country. Party discipline should end where it infringes upon parliamentary liberty.

I say to my Liberal friends opposite that if ever there has been occasion for free expression, it is now.

Some hon. Members: Hear, hear!

Mr. Nystrom: The Constitution is the basic law of the land. It is the foundation on which all other laws stand. The Constitution belongs to the people, not to the politicians, not to the bureaucrats. Every indication we have tells us that the people believe the resolution is wrong and that the people believe in a federalism of co-operation, compromise and consensus.

I want to return for just one moment to the letter I received from Mr. Godden of Scarborough, Ontario, the letter with which I opened my remarks. In the conclusion of his letter to me, he wrote, and I quote:

> I, like you, hope and trust that Canada's Parliament can and will always serve and protect the nation in the best possible way.

I believe, and I believe the people of Canada believe, it is in opposing the resolution that Parliament will serve and protect the nation. I believe Parliament will represent the national interest and give expression to the popular will by seeking co-operation, compromise and consensus.

[*Translation*]

It is in order to say yes to federalism and to Canada that I will say no to the proposed resolution.

[*English*]

Canadians believe in federalism. Let us not go against the will of the people. Let us give federalism and Canada a chance.

Some hon. Members: Hear, hear!

Mr. W. C. Scott (Victoria-Haliburton): Mr. Speaker, in beginning my remarks tonight I think it only fair and honest to congratulate the hon. member for Yorkton-Melville (Mr. Nystrom). He is one of the members of the House of Commons who spent considerable time in the joint committee in respect of our Constitution. I think his expressions tonight were very dedicated, honest and sincere.

Some hon. Members: Hear, hear!

Mr. Scott (Victoria-Haliburton): If everyone else in this House, including hon. members on all sides, would speak with honest conviction from the bottom of the heart, they would have to support what the hon. member for Yorkton-Melville has said. If they did, that would be for the good of Canada. It would not be for the good of their parties, but for the good of all Canadians.

I would like to begin my remarks by saying to my hon. colleagues that this resolution has been launched in this House on false premises. I would go so far as to state that this resolution is a deceptive and fraudulent ploy on the part of this government to set aside our existing Constitution and to replace it with one which does not have either the consent or the support of the majority of Canadians.

The second paragraph of this resolution reads as follows:

> AND WHEREAS it is in accord with the status of Canada as an independent state that Canadians be able to amend their Constitution in Canada in all respects;

If this resolution confined itself to the letter of the second paragraph in the preamble, or if it even followed the spirit of that wording, then we in my party would have no difficulty in supporting the government. However, there is no intention, and there has never been, on the part of the government to allow the Canadian people to amend their Constitution in Canada in all respects, or in any respect whatsoever. It must be made clear over and over again, so there can be no doubt in anyone's mind, that what we are debating here is not patriation of the British North America Act. We are debating whether we should allow the Prime Minister (Mr. Trudeau) to seek the approval of the British parliament of a totally new Constitution for Canada. That is exactly what we have here in this resolution, a new Constitution, written by a group of people selected and directed by the Prime Minister, complete with the Prime Minister's amending formula.

● (2050)

Like most of my colleagues who have spoken earlier on this resolution, I am suspicious of the Prime Minister's motives. I am disturbed by his refusal to seek a consensus on constitutional reform, and I am angered by his efforts to alienate our people from our mother country of Great Britain.

Although it has been mentioned by many of my colleagues, I would like to repeat that the Prime Minister was never given a mandate to replace our Constitution with one of his own making. In the last general election, the Prime Minister asked for a mandate to prevent the Conservative government from raising gasoline prices by 18 cents per gallon. He won his mandate, and in the first year of his government gasoline prices have risen by 40 cents per gallon. So much for the Prime Minister's mandate; so much for his promises. The Prime Minister knows that if he asked for a mandate in the

last election to do what he is attempting now, he would have been rebuked.

In his improper and shameful haste to impose a new Constitution on our people without seeking a consensus, the Prime Minister has resorted to over-kill. The enormity and the scope of the Prime Minister's proposals are beyond even the wildest dreams of those who have sought constitutional reform in the past or present. When I say that, of course, I exclude those who would try to make Canada a socialist country, if they were given a chance. The Prime Minister has aligned himself with that group, rather than with the vast majority of Canadians who want to preserve our constitutional monarchial system of government.

If this constitutional package passes through the House of Commons and the Senate, and receives the approval of the British Parliament, it will be a sad day for Canada and for the vast majority of Canadians. It will signal the beginning of the end of one of the most splendid examples of nation-building on the face of the earth. It will effectively wipe out 114 years of progress in developing a political and social compact which is the envy of most other nations in our troubled world. It will disown and dishonour our founding fathers and all those generations of Canadians who have worked, fought and died to build and preserve this great Canadian nation.

I am going into my sixteenth year of continuous service and dedication to my riding of Victoria-Haliburton and its people. In those years I have come to know my people. I know them well, and I know they do not want to see their unique Canadian system swept away to suit the whims of the Prime Minister and his small but vocal claque of nation busters.

I know my constituents share a deep sense of love and respect for their monarch, for their history and for their traditional institutions. In the last 16 years of almost continuous Liberal rule most of our traditional institutions and symbols have disappeared. As the hon. member for Prince Edward-Hastings (Mr. Ellis) pointed out so ably a few days ago in his remarks on the resolution, the erosion of our traditional institutions and symbols has been a part of the Prime Minister's master plan to establish the Canadian republic.

If this resolution is imposed on the Canadian nation it will sweep away all historical and traditional institutions that remain in place in Canada today. In the Prime Minister's words, Canadian history will date from the day he receives back his constitutional package from Britain.

To stay for a moment with the matter of the Prime Minister's plan for a republic of Canada, I would like to refer back to the preamble of this resolution. The first line on page 5 reads: "an act to amend the Constitution of Canada", and at the bottom of the page we find the line: "This act may be cited as the Canada Act".

It should be obvious to anyone that these paragraphs in the preamble do not mean the same thing. The first relates to amending the Constitution in Canada, while the second asks the British parliament to amend the Constitution before patriation. This is just one more example of the Prime Minister's double-talk, but in a matter as serious as our Constitution I would have to call it double-dealing.

Let us turn to Schedule I of this resolution. Perhaps I missed the remarks other members might have made on this section of the resolution, because I have not been present to listen to all speeches in this particular debate. However, it is my impression that this section has been completely overlooked by members, perhaps because it does not loom as large in their minds as the charter of rights or the amending formula. It would be a mistake to overlook this section because it is every bit as deserving of our attention as the rest of the resolution.

Schedule I seeks to amend the original British North America Act, 1867 and to change its name to the Constitution Act, 1867. This is the cornerstone of the Canadian nation. It is the starting point of the history of the dominion of Canada. In both name and substance it is a sacred document to all Canadians or, if it is not, it should be.

What would be the purpose of this amendment? I think I can answer that very simply and easily. It is intended to remove any reference to Her Majesty, Queen Victoria, the monarch who put her seal to the document which joined the four British provinces and created the nation of Canada.

Schedule I does not stop there. It seeks to amend each and every successive amendment which has been made to the British North America Act to remove any reference to each monarch who put his or her seal to these amendments and to remove all references to the United Kingdom, in whose Parliament these amendments were approved.

The American Declaration of Independence is enshrined in glass, airtight and moisture proof, to protect it from the ravages of time. This document is revered by all Americans. It is the starting point of the history of the United States as a nation. No president would even dare suggest that its name be changed. If one did suggest such a thing he would be scoffed at, or possibly even laughed out of office.

Should we in the Canadian Parliament sit by and allow ourselves to be made a party to the Prime Minister's silly and frivolous attempt to rewrite the history of our country? What purpose would be served by allowing Schedule I to remain in this resolution, to be passed by the obedient Liberal majority and the subservient New Democratic Party, and by sending it to Britain masquerading as the will of the Canadian people? This section does not relate in any way to the question at hand; the patriation of the British North America Act. It does not belong in this resolution, and it should be deleted forthwith.

In his speech last Thursday, the hon. member for Prince Edward-Hastings said that a Liberal member, the hon. member for Shefford (Mr. Lapierre), told the committee that we would be rid of the monarchy within two years. This statement goes right to the Prime Minister's expressions of contempt for Parliament, for the constitutional monarchial form of government, and his infatuation with republican governments with a president as head of state.

● (2100)

I am becoming more and more alarmed at the state of the Canadian nation. This constitutional debate has created many bitter divisions in our country between provincial governments and Ottawa, and between racial and ethnic communities across Canada, all to satisfy the selfish and personal ambitions of one person, the Prime Minister.

May I call it nine o'clock, Mr. Speaker?

[*Translation*]

The Acting Speaker (Mr. Corbin): Order, please. It being nine o'clock, pursuant to the order made earlier this day, the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely, notices of motions and public bills.

PRIVATE MEMBERS' MOTIONS

[*English*]

Notices of Motion Nos. 31 and 33 stand by unanimous consent of the House.

INCOME TAX ACT

AMENDMENT RESPECTING ALLOWABLE DEDUCTIONS

Mr. Howard Crosby (Halifax West) moved:

That, in the opinion of this House, the government should consider the advisability of amending the Income Tax Act to permit the mother or the father of one or more children who are under the age of twelve years, in computing his or her taxable income, to deduct $10 per day as a child care allowance in respect of supervision and care provided to the child or children by a person other than the spouse of the mother or father for each day that the mother or father works if the spouse of the mother or father also works, or is unable to care for the child or children.

He said: Mr. Speaker, I think I should be permitted to begin my remarks by putting on the record of this House the reason for the delay today in the private members' hour. I do so because of the irony it involves. As members know, and it should be recorded, we delayed the private members' hour by the unanimous consent of myself and other members of the House in order to permit the Prime Minister (Mr. Trudeau) to complete his speech on the Constitution. That is ironic, since I was one of those members who accused the Prime Minister of not giving private members sufficient opportunity to speak on the Constitution and other matters in this House. I hope that now, and in the future, the Prime Minister will pay more attention to private members in this House and allow them more time to speak. He should not for one moment suggest that private members in this House should limit the amount of time they wish to spend on the constitutional debate, particularly when he himself saw fit to utilize two hours or more of the time of the House, delaying the very private members' hour, which is really the pith, substance and the *raison d'être* for our presence in this House.

With those remarks, I would like to begin the substance of my contribution by reviewing the provisions of this motion I have presented to the House for consideration respecting child care expenses under the Income Tax Act.

While the motion is quite specific in its terms, the real purpose of the proposed change can be stated in more general language. Briefly stated, the purpose of the proposed amendment to the child care provisions is to eliminate the conditions and the sex discrimination now imposed on claims, and establish a reasonable allowance for child care expenses. The allowance could be claimed by any taxpayer who provides care for his or her child while working who has no spouse, or whose spouse works. At present, a working mother can claim child care expenses upon proof, by a receipt for payment, to a limit of $1,000 for each child, with an absolute limit of $4,000 for all children. The receipt for payment must contain the social insurance number of the payee. A working father who has a wife can only claim these expenses when separated from his wife or when she is incapacitated.

By way of more detailed explanation, the applicable statutory provisions relating to child care expenses are contained in Section 63 of the Income Tax Act. Under those provisions, child care expenses are defined so that a number of restrictions are established. In the result, the cost of child care services must be incurred in Canada for a child who is under 14 years of age or who is infirm, in order that the taxpayer can work as an employee, in a business or pursue occupational training or special research. The child care services can include baby sitting, day nursery and lodging at a school or camp. It is important to note that child care expenses cannot be claimed if they are paid to a dependent of the taxpayer or a relative under 21 years of age.

When child care expenses are claimed by a father he must establish that he is either not married, a widower, divorced or separated by a written agreement or court order. If he has a wife, the expenses may only be deducted if she is in prison or if a duly qualified medical practitioner certifies she is incapable of caring for her children.

Section 63 of the Income Tax Act also contains very strict limitations on the amount of the expenses which can be deducted. For both a father and a mother there is the same limitation of $1,000 for each child. Also, there is the same absolute limit of $4,000 where there are more than four children. Of course, only the amount actually spent can be deducted in any case.

An additional requirement is that the mother or father must have earned income substantially greater than the deduction, or the limit on the deduction is reduced to two thirds of the earned income. This requirement is not especially onerous because those persons with incomes at levels below $6,000 would not be too concerned with income tax payments.

Here is an example of the child care expense provision in operation. A mother of three children under 14 years of age who earns $9,000 could pay a day nursery $2,400 a year for one child and baby-sitting fees of $1,400 for two older children, for a total of $3,800 for the year. These expenses would

be more than reasonable by today's standards, but the $3,800 spent by the mother would be reduced by $800. Thus, the statutory limitation of $1,000 per child taken together would total the absolute statutory limitation which, in this case, is of $3,000. The result is that the mother loses $800 in terms of deductibility because of the statutory limitation.

A married father in the same situation with greater income would have to produce a separation agreement or a court order to obtain the child care deduction. If he was married and not separated he could claim only if a physician certified that his wife was incapable of caring for the children. He could also claim if his wife was in prison. If the wife's incapacity was for a limited period of time, or he only paid for a child's care for part of the year, he would be subjected to a limit of $30 per week for each child to a maximum of $120 per week for all children.

The point in detailing the existing provisions of the Income Tax Act is to demonstrate that they are overly complicated in terms of the conditions imposed, inadequate in terms of the monetary limits on the claims, and discriminatory in terms of the rights of fathers in comparison to mothers. More important, the provisions do not reflect the real needs of working parents in Canada today.

In fairness, and to the extent that Canadians can expect the income tax system to be fair, the child care provision should take into consideration the actual problems encountered by working parents in Canada today.

Let me deal with the proposal contained in the motion. By way of preliminary remarks I should make it clear that the motion is merely a request that the government consider the proposal. The words used are not carved in stone and may not fit exactly with the language now used in Section 63 of the Income Tax Act. I sincerely hope any discrepancies that arise from the letter of the words used will not be used to defeat the spirit and intent of the proposal.

The proposed provision would allow either a mother or a father to claim, by way of deduction on her or his income tax, a specified per diem child care allowance, I have suggested $10 per day for each child under 12 years of age. This claim could be made only when two conditions are met: First, and foremost, the child would have to be given care and supervision by an adult person other than the parent during the day when the parent or parents were at work. That includes single parents; second, the parent claiming the allowance would have to be working and, if that parent had a spouse, the spouse would also have to be working or, alternatively, incapable of caring for the child.

● (2110)

I should point out that if the allowance was claimed for 250 working days, the total would approximate the married exemption of $2,500. By this proposal the requirement which permits the taxpayer to claim the per diem child care allowance has been reduced to two simple conditions. I would ask why? It is clear, when you examine the facts, that a working parent or parents cannot care for a child under 12 years of age and must provide for some kind of day or custodial care. Second, there must be a financial cost involved in providing day or custodial care when that care is provided by a person other than the parent, whether that person receives cash or some other benefit.

I am well aware the proposal does not require a specified cash payment to the person who provides the child care. Let me explain why. Quite often, the person best able to provide day or custodial care to the children of working parents is the mother of one of the parents. I am sure almost everyone is aware of a situation in which the grandmother or grandparents provide care to grandchildren while the parents work. Whether the grandsparents make a financial charge or whether some other benefit is provided should be a private, family matter. The point is that custodial care is being provided to permit a single parent or both parents to work and earn income which is then taxed to the full extent permitted by law.

There are many examples in the Income Tax Act where an allowance is provided that is not dependent upon the actual dollars expended. The personal exemption which is $2,890 for 1980, the married exemption which is $2,530 and the dependent child exemption which is $540 are all examples of allowances not related to actual expenditures.

Another relevant example is the employment expense deduction which presupposes that a working person must incur certain expenses related to employment like clothes, equipment and similar items. This allowance is fixed at 3 per cent of employment earnings to a maximum of $500.

Another clear example is the $100 deduction for charitable contributions described in the income tax form as the "standard deduction". Again, the law presupposes actual expenses for medical care and charities of at least $100 per year and does not require an accounting below that level.

My question, then, is simply this: is it not equally fair to presuppose or assume for purposes of the Income Tax Act that single or working parents who arrange to have their children cared for while working incurs extra expenses? Whether those expenses should be fixed at an allowance equal to $10 per day or should be subject to some over-all total maximum like $4,000, I would not want to argue. I recognize the difficulty in establishing a fair amount. But I will argue most vehemently, and in principle, that there should be a child care allowance of some kind for single and working parents.

Let me point out that a single parent or working parents would not have the benefit of the married exemption which is $2,530 for 1980. There may be a possibility of a claim for the equivalent to the married exemption provided under the Income Tax Act, but that would depend on special circumstances. Certainly, it would be a simple matter to ensure that a taxpayer could not claim both a married or equivalent exemption and a child care allowance. I should also say that I do not think the matter is affected by the child tax credit which applies universally.

My point, regardless, is this very simple one. The Income Tax Act should recognize the fact that single and working

parents incur child care expenses and should be provided some additional child care allowance based on this fact.

Let us consider what is involved in the child care provisions of the Income Tax Act. When they were initially enacted, it was recognized that there was a certain difficulty in establishing a reasonable amount to be permitted for child care expenses. Many of the promoters of the provisions enacted in the act—I believe, in the early 1970s—felt they provided a motive for women to return to the work force, knowing that they would incur expenses for child care, and that their effective incomes would be reduced by the cost of those expenses.

It may be that in this day and age the government does not want to encourage women to return to the work force. But in the 1980s I think it is accepted by most people that married women, whether or not they have children, have a right in our society to join the work force if that is their desire. I do not think that depriving those women, or men, of an adequate child care allowance should be used as a deterrent to keep those people out of the work force.

The Income Tax Act is difficult in terms of determining its philosophy. But to the extent there is a philosophy behind it, it is certainly that it distinguished between those costs which are part of the cost of living as opposed to those costs which are part of the cost of earning a living. I do not think any authority on income tax law in Canada or in the United States would disagree that child care expenses are very much a part of the cost of earning a living when they are incurred in order to allow the person in question to keep working or to join the work force.

Therefore I think, in terms of the philosophy involved in the Income Tax Act that should be applied to this provision, it is clear that the government, through the instrumentation of the Income Tax Act, should recognize the fact that child care expenses are very much a part of the cost of earning a living for people who would not otherwise incur those costs; that is, they would not incur those costs unless they were in the work force.

As I have said, I do not think it is fair to take advantage of those people, in terms of deterring them from entering the work force or from staying in the work force by unfair provisions respecting deductions for child care costs. It is simply not fair, as is the present case, to take advantage of those persons who incur child care costs having regard to the reluctance of persons who care for children in those circumstances, to require the amounts paid to them to be recorded. Provisions in the Income Tax Act now require as a condition of claiming child care costs, that the person obtain a receipt, which receipt must contain the social insurance number of the person who receive the child care payments. Many persons who provide these services by way of baby sitting or custodial day care do not want to become involved with the income tax system to the extent of disclosing the existence of these payments. This works a hardship on many people across the land. That is one other reason for permitting a non-accountable allowance in respect of child care, bearing in mind that somewhere down the line the cost of child care must be borne by the working parent.

At the same time, the provisions of the Income Tax Act are very clear in respect of the responsibility of recipients of any payments to report the same to the Income Tax Department. However, we should not require those parents who must provide custodial day care for their children in order to permit them to work to be policemen for the Income Tax Department.

One final point which has been made time and time again is that the current provisions of Section 63 of the Income Tax Act discriminate against males, that is, working fathers who are required to care for their children. They are subjected, as I have indicated, to more onerous provisions than working mothers. We do not have too many examples these days where male persons are subject to discrimination under the law. I certainly do not think males across Canada need an advocate in me or any other member of the House of Commons. However, this is one area in which sex discrimination rears its ugly head and is an evil in itself, an intrinsic evil, whether it is applied to men or women. That is one more reason for asking the government to look at this motion, to review the provision of the Income Tax Act respecting child care expenses and to come up with some method, some technique, that will be fair in its application, and will not place such a burden on the working parents of Canada.

Some hon. Members: Hear, hear!

• (2120)

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, it is a great pleasure to have the opportunity to participate in this debate. I think the hon. member for Halifax West (Mr. Crosby) deserves to be congratulated for his proposal, for taking the time to organize his material and for making such a good presentation. I notice that the Minister of Finance (Mr. MacEachen) has been in the chamber for the last 20 minutes. It is unfortunate he has not been paying attention. If anyone should pay attention, it should be the minister. He missed a very good opportunity to hear some ideas on this subject so ably put forward by the hon. member for Halifax West. The minister is responsible for the Income Tax Act which should not only be used by the Department of National Revenue for the collection of taxes but to encourage people to be productive. Productive people pay more taxes and the measures outlined by the hon. member would help to bring this about.

I noticed that the Parliamentary Secretary to the Minister of Finance (Mr. Evans) paid close attention to the speech, so I hope he can prevail upon the minister to adopt some of the points made by my colleague.

The motion contains many reasonable and sensible provisions. Parents should only be able to claim if both work or in the event of a single parent. A deduction could be claimed for children 12 years of age or under. This strikes me as entirely reasonable. The motion provides that the government "should consider the advisability of amending the Income Tax Act to

permit the mother or father of one or more children to deduct $10 per day as a child care allowance—".

The hon. member is asking that the House refer this matter to the appropriate committee; that is, the Standing Committee on Finance, Trade and Economic Affairs. I have had an opportunity to sit on this committee and know it to be very busy and effective. I hope the government will refer the motion to the committee.

I live on a farm in a very sparsely populated part of the country so I know some of the problems parents encounter when trying to find people to care for their children while they are away at work. People who live in cities and in the larger centres have easier access to day care, or other good care for their children while they work. This is next to impossible to find in the country where just not enough people live close enough together to provide such professional services.

It seems to me when money is allocated for day care by the provinces it inevitably goes to the larger centres where there is enough population to justify the centres. I think that is rather unfair to the people who live in these sparsely populated areas. The motion would go a long way toward alleviating the inequalities presently in the system. It certainly makes sense to me.

There is other evidence of the well-reasoned thought that has gone into the presentation of this motion. Ten dollars per day is not a large amount and the program would not be expensive to administer. It could be done on the basis of the T-4 tax slip which is sent to everyone who pays tax. It would be a simple matter to use that slip as a means of establishing the number of days worked by the parent.

One of the great shortcomings of the Income Tax Act is that it is difficult to understand and complicated to administer. The hon. member for Halifax West referred to Section 63 of the Income Tax Act, but I am afraid that unless one was paying very close attention to what he said one would find it difficult to understand.

This motion, however, is simple and straightforward and it would let people know where they stand with the tax department at the end of the year. It would give them the incentive to find extra work in order to meet their obligations. The more people who work in this country, the greater will our production be, and the Minister of Finance should consider that.

Children are a very important resource of this country and it is important that they be looked after properly. This motion would be an incentive to parents to meet their obligations toward their children.

It would be appropriate for the finance committee to consider the real cost. The Department of National Revenue could simply look at this, take a figure out of the air, say that at present there is a $1,000 exemption for a child and that, if the figures proposed in the motion were used, one could end up with a tax deduction of some $2,500, the difference being $1,500 as an exemption.

If additional jobs were created there would be more money in the economy. The result would be an increase in government revenues. I would be interested in having some of the officials from the Department of National Revenue and the Department of Finance appear before the finance committee and go over the net cost of the proposal, which I suspect would turn out to be less than we expect.

A jurisdictional problem is also involved in that day care is a provincial matter and the motion deals with a federal matter. If this proposal or something similar were adopted, the full cost could be borne by the federal government, but I feel the provinces should be willing to shoulder some of the cost of the lost revenue the federal government would suffer.

This is an excellent suggestion, mr. Speaker, and I congratulate the hon. member for Halifax West for doing his homework and for presenting such a well-reasoned argument. I hope the matter will be referred to the appropriate committee so it can be examined to find out the net cost and the benefit to the country, especially to the children. As we all know they are this country's most valuable resource.

● (2130)

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, first, I would like to pick up on what the hon. member for Portage-Marquette (Mr. Mayer) has just mentioned with regard to the federal-provincial aspects of this motion. They are very important and we have seen some difficulties with respect to them. I agree wholeheartedly with him that this subject, if it were to be adopted at some point by the federal government as an approach to resolving the great financial difficulties many of our citizens face in respect of day care expenses, would have to be very carefully worked out with the provincial governments.

When the federal government has brought forward programs in the past which transfer moneys to individuals or to the provinces to help defray the costs of programs and areas of responsibility, provincial in nature, in many cases—and I am not saying that as an unequivocal statement—we have seen that the provinces have tended financially to move out from that area to an extent closely corresponding to the amount by which the federal government has moved in. As a result, the kinds of programs in the area of day care, for example, could very well leave the individuals no better off than they are right now, but could leave the federal treasury worse off, and provincial treasuries better off. I would think that would be an area to be very carefully explored with the provinces so that we do not run into the kind of problem the Hon. Minister of National Health and Welfare (Miss Bégin) has related to us concerning medicare, or the kinds of problems we are facing now in the area of post-secondary education. In some cases we find that the federal contribution to post-secondary education in certain provinces exceeds 100 per cent of the cost of post-secondary education, when the original intent was to have a program in which the federal government would participate with the provinces to defray part of the costs, in some cases 50 per cent in a shared arrangement between federal and provincial governments.

I would not want to see a program in which the federal government enriched its tax expenditures to assist all citizens in day care expenses, with the result that provincial governments pulled back their existing funding of day care, such that individuals would be no better off after the introduction of new tax expenditure than they are now. That is a very serious problem and one which the newly established parliamentary task force to look into the question of federal-provincial fiscal arrangements, could very well explore.

Mr. Mayer: All Canadians would benefit.

Mr. Evans: I agree with my hon. friend who is making comments on the other side of the House.

Something which I will certainly recommend, and I hope he will support and recommend along with me, is that the newly formed federal-provincial task force look not only at this kind of thing, in addition to the existing federal-provincial fiscal arrangements, but also at other potential areas, including the kinds of relationships and arrangements we should put into place between the federal government and the provincial governments to ensure that when an increase in funding comes from one level of government, be it the provincial or the federal government, the individuals to whom the program is intended to benefit are the beneficiaries and not one or other levels of government.

With that said, I would like to turn my attention now specifically to the motion. This motion relates to income tax deductions for child care expenses. It deals with two separate issues. The first calls for an increase in the amount of allowable child care expenses that may be deducted, and I will return to this question shortly. The other issue, which is a far more complex one, and one which hon. members opposite have spent a great deal of time on, raises the basic principle of this tax provision and asks the fundamental question: What does this particular tax provision seek to achieve?

It is argued that this is a discriminatory provision in our tax law. Indeed, that was the finding recently of the Canadian Human Rights Commission, after examining the complaints of male taxpayers that they did not enjoy equal treatment to that accorded to women by this section of the Income Tax Act.

Briefly, the point of contention lies in the fact that the deduction for child care expenses is available to women with no qualifying restrictions as to their marital status or circumstances within that marriage, but it is available to men only in limited circumstances.

A mother who has a paid job or operates a self-employed business may claim the expense deduction regardless of whether she is a single mother, or whether she has a husband who also works to support the family, or whether, indeed, her husband stays home and acts as a house-husband, so to speak.

But a man, to qualify for the deduction, must be a single or a separated parent or, if he is married, his wife must be unable through illness or as the hon. member for Halifax West (Mr. Crosby) indicated through incarceration to care for their children. In other words, a father will be allowed to deduct child care expenses only in circumstances where he has to seek outside help in caring for his children while he works.

Having said that, I think it must be clear, however, that in actual practice the great majority of women who claim the child care expenses as tax deduction need the income that comes from their job. I do not have to cite statistics to demonstrate the importance of money earned by women in the labour force toward supporting the family budget. Yet the fact remains that the deduction is available to men only in certain circumstances, while it is generally available to women.

Following the decision last fall by the Human Rights Commission, the Commissioner, Gordon Fairweather, said recently that this is discrimination and that it can be changed only by Parliament.

If we conclude that discrimination exists, however, it does not automatically follow that it should be removed. The Income Tax Act discriminates, and deliberately so, in other ways as well. Are younger people improperly discriminated against, for example, by the special deduction for the elderly? Or consider the proposed charter of human rights which stipulates that special treatment in the form of affirmative action programs to improve the position of certain groups does not constitute a breach of the rule against discrimination, found in that charter. So in the case before us, as in other areas, we have to consider carefully whether the discriminatory treatment is justified.

The deduction for child care expenses in the Income Tax Act was introduced in 1972, as part of the major tax reform being introduced at that time. Its preferential treatment for women has been no secret over the years since then. Yet no minister of finance during that period, including the hon. member for St. John's West (Mr. Crosbie) in the previous government, has felt it appropriate to change that provision.

In fact, in 1976, in the wake of the 1975 International Year of the Woman, the maximum deduction allowable under the act for child care expenses was doubled. Why should Parliament have enacted this sort of discrimination in 1971 and confirmed it five years later?

The rationale for the initial measure as part of Tax Reform was stated in 1969 in the government's white paper on tax Reform, which said:

> This new plan is intended primarily to benefit mothers who need to work to support their families, and would be in addition to the normal exemption for children.

During the International Year of the Woman there was a very clear need identified for measures expressly designed to alleviate the plight of women in the work force. Probably the chief discrimination against women in the work force was the fact that they were generally paid less than men—a situation which continues to exist, unfortunately, to this day. Making the child care expense deduction generally available to women was seen as one way by which the state could redress some of these grievances.

In addition is the fact that, in spite of changing values, women are still traditionally held responsible for the care and

nurture of children. I think that is further explanation of why the allowance is generally available to women, but available to men only in most circumstances in which the children's mother is not available to help care for them.

● (2140)

I should note an exception to that last generalization. In order to claim the expense deduction, a man who is separated from his wife must have a legal separation order or written agreement. If he has been deserted by his wife without the legal formalities he does not qualify for the deduction, unless his separation is confirmed by court order. This tax rule exists purely for administrative reasons; how else could one verify separation or marriage breakdown. This is one of the particular problems raised by the Human Rights Commission, and the government will certainly give careful study to that problem.

Ever since the deduction for child care expenses went into effect in 1972 it has been criticized as an example of sexism, or perhaps I should say reverse sexism. There are strongly opposing viewpoints and basic philosophies behind both sides of the argument.

One view sees the child care expenses as a personal expense that arises as a consequence of the mother's discretionary decision to work outside the home. It is her traditional responsibility to care for the children, the argument goes, and if she decides to go out to work, that is her decision made in the knowledge that child care costs will have to be paid. Since there are already tax benefits accruing to a couple where both partners are working, the public should not be expected to provide what is, in effect, a further subsidy through allowing deduction of the child care expenses.

The other contrasting viewpoint, one that I tend to share, sees child care as a shared responsibility and concern of the whole society, and one which should therefore be supported out of the public treasury. It follows from this argument that where a taxpayer must pay for child care in order to work, this should be considered a real expense of earning income and should be fully deductible. I think that is the spirit of the motion put forward by the hon. member for Halifax West.

Before concluding, I should refer to the other aspect of this notice of motion dealing with the ceiling on child care expenses that may be deducted. The present limits are $30 a week, and $1,000 per year for each child under the age of 14, with a maximum deduction of $4,000 in the year. There is a further stipulation that the deduction may not exceed two thirds of the taxpayer's earned income in the year.

As I said earlier, those maximum deduction levels were set in the 1976 budget, which doubled the previous limits established in 1972. This motion proposes a deduction of $10 a day for children under 12 years of age. Assuming a five-day week, that means $50 a week, or an increase of 66 per cent in the present level. Obviously a change like that would involve a considerable cost to the treasury, not to mention the much larger charge on the treasury if the deduction were made generally available to men. Such a change would have to be considered in the context of other tax changes in a budget.

One point we should bear in mind is that child care expenses are not the only kind of child raising costs for which our tax laws try to provide. There is the basic personal exemption for dependant children, for example, and the child tax credit which is designed to provide help where it is most needed, in low and lower middle-income families. Both these provisions are indexed to reflect inflation. There are other federal programs, including family allowances, which also have to be taken into consideration when we look at this proposal to change the tax deduction for child care expenditures. Furthermore, in our federal system we cannot ignore the various social services to families provided by the provinces which have the main authority in this field.

Since the decision of the Human Rights Commission, studies have been going ahead in the Department of Finance into the possibility of restructuring the existing resources being allocated to child care, to see whether they could be more efficiently applied to achieve the goals we seek. I should add that in his budget, the Minister of Finance (Mr. MacEachen) clearly indicated he is going to undertake a major review of tax expenditures in the tax system. I can indicate to the House that this is one of the areas the department is now considering for modification.

In conclusion, what is being proposed here involves a substantial increase in our so-called tax expenditures. These are not the normal cash expenditures, but they have every bit as much impact on our federal deficit. This motion also proposes a fundamental shift in the policy underlying this deduction which was originally intended to help redress the inferior economic position of women in the labour market. I do not think anyone would argue that it does not constitute special treatment for women—call it discrimination if you wish. Hon. members will have to make their own judgments as to whether that special treatment is justified.

Mrs. Margaret Mitchell (Vancouver East): Mr. Speaker, we agree that the present tax deduction of $1,000 per child per year is far from adequate. In some cases, this means only one sixth of the child care expense of a family is returned through the deduction. We also agree there should be no sex discrimination and that either a father or mother should be eligible for child care deductions, just as either a father or mother might remain in the home to care for a child.

I commend the hon. member for Halifax West (Mr. Crosby) on some aspects of this resolution. However, I cannot agree that an increased tax deduction which allows $10 per day for child care costs will solve the problem of affordable day care for most parents with average and low incomes in Canada. If we accept this plan, my fear is we would merely be continuing present inequities. Only the very rich and the very poor can afford day care in Canada today. The rich can pay directly and the poor resort to welfare subsidy.

What we need in Canada is a universal form of affordable child care. We must have a government policy which makes

dependable, accessible and affordable child care a must for any Canadian family that needs it. I agree this is particularly important in rural areas of Canada where there is now really no provision for child care services and cost subsidies.

However, to achieve this goal, if we are trying to do it through the tax system, surely the Income Tax Act must be changed to add a child care tax credit. A tax credit would help pay the cost of child care for persons who do not now earn enough to pay income tax. Many of these are working poor, people with very low incomes. Also, there are those who are not working, in addition to some mothers on their own who need day care service.

This bill raises the whole question of the need for a universal child care program throughout Canada. With 44.5 per cent of Canadian mothers in the work force, there are some 721,000 children under the age of six who have working mothers. Very few of these families, about 12 per cent of them, are able to put children into government-approved day care spaces. In the ten years before 1979 the number of working women increased by 62 per cent. We know this trend is here to stay.

There are many points I would like to raise in support of much more active federal leadership to ensure a universal and affordable child care program in Canada. We all agree with the National Action Commission for the International Year of the Child that children are our greatest resource and must be given the first priority in our various policies.

Family structures in Canada are changing. Child care needs are very great. Child care, and I use that term rather than day care because it has a different connotation, must be flexible, meeting the child's development needs as well as the needs of the family as a whole.

It is also important, since the cost of living is so high, particularly the cost of housing and mortgages today, that in many cases both spouses must work. There must be two breadwinners in the family in order to meet survival costs. This means many couples are putting off having a family, and affordable day care would be a great help to them.

● (2150)

Single-parent families also are increasing at a phenomenal rate. Single parents must be assured of stable, high standard care for their children if they are to seek work and, as I said earlier, many single parents must have the choice to remain at home and care for their children, if that is best for them. We must not force single parents, particularly, into the work force if that is not best for them and their child, but we must have adequate flexible day care in any case.

We in this party feel that the federal government must be much more actively involved in the development of a universal child care policy. We must have federal standards that apply in all provinces, there must be fair financial arrangements involving a fair contribution for those who can afford it, and tax credits or deductions certainly would help in that way.

There also must be, of course, a major contribution from the provinces which carry the main responsibility for day care. This means funding in advance for operating costs, because they have to keep the doors open and pay the overhead. The federal government should certainly be contributing to start-up and capital costs; such incentives are needed to develop new day care centres but were refused by the responsible minister. The federal government should also be sharing subsidy costs, which it does now to some degree through the Canada Assistance Plan, but this is far from universal. It is very important there be an integrated, shared funding policy with up-front moneys to cover the operating costs for day care centres.

Many people, Mr. Speaker, feel that a child care centre should be an adjunct to neighbourhood schools, and I favour this idea. There are many schools where classrooms are becoming available and, with the help of federal funds, these should be converted to good child care centres operated close to home for mothers where the older children are in the regular school program.

It is estimated there are over one million children between the ages of seven and 12, the so-called latch-key children, who go home to empty houses because their parents work, or the single parent works, and they do not have adequate care for this age group. We need after-school care, summer programs, flexible programs that will include care for infants, perhaps with more homemakers going into the home; and we need registered family day care homes, satellite programs connected to neighbourhood day care centres.

We also need accessible, flexible day care in the workplace where this is the best practical arrangement for the parent and child. I am pleased to say a very active day care committee has been working here on Parliament Hill over the past year to establish a model day care centre, demonstrating the need for workers, not Members of Parliament necessarily, but workers on the Hill to have good day care in the workplace. We appreciate the support Madam Speaker has provided to this movement and hope to have the centre open by next September. I am pleased to hear recently that a federal department, I believe the Treasury Board, is considering implementing a pilot project of this kind.

When we talk about financing our day care centres, it is most important also that we remember there must be adequate, well paid staff for this most important service. For too long I think the attitude of people has been that child care is something that can be done by anyone; why do women, who have been in the home anyway, need to get paid adequate wages, they can go and be a supervisor in a day care centre—at terribly low wages. This is not a part-time job for so-called housewives, and this is an attitude that needs to be changed. There must be adequate funding and staffing at decent union rates of pay for day care supervisors.

I would also like to say, Mr. Speaker, that decent universal child care is far too important a subject to be considered as a result of a private member's bill, with all due respect to the member who presented this resolution. I urge that this be a major topic of debate in the House. The present health, welfare and social affairs committee has been studying the report called "For Canada's Children: National Agenda for

Action". This report was presented by the Canadian Commission for the International Year of the Child in 1979, Mr. Speaker. Only now are we getting to this report, and I am ashamed to say that many members on that committee have not shown a great deal of interest in Canada's children and have not been as active as I hoped they would be on this very important issue. I hope this matter will come back to the House for a very serious debate. There is nothing more important than Canada's children and the future of our country depends on adequate care in the home where parents who want to can care for their children, or there should be adequate universal day care available.

In conclusion, I would like to quote excerpts from this report. These are points which I believe are relevant to the debate on this resolution and on which we in this party agree completely. On page 27 it states:

> Children have not had equal access to care the way they have had to education.
>
> Child care encompasses a wide range of alternatives to help children develop and flourish as human beings.
>
> Only the very poor and the very rich have access to many of these alternatives.

The major problems in the provision of accessible, available and affordable day care in Canada are cost, jurisdiction and attitude. Although child care is a provincial responsibility, the federal government could participate to a much greater degree and relieve some of the funding problems.

> With working parents now the norm, the need for child care programs is more acute than ever. It is unrealistic to expect parents to shoulder the full financial cost of raising the next generation.
>
> Parents who stay at home should have the support they need to best fulfil their caring role.

And finally, Mr. Speaker:

> Since healthy, well cared for children are a joy and an asset to their society, the care and well-being of our children should be a responsibility and a trust shared by society as a whole.

Thank you, Mr. Speaker.

Mr. Bill Wright (Calgary North): Mr. Speaker, I rise to say a few words on this important motion that the hon. member for Halifax West (Mr. Crosby) has put before the House. I think it is a very important motion and I hope the government will take notice of it. He brought out a very important point to which he did not address himself, but I think we will have to over the next few years; that is the preservation of the family unit.

Do we as citizens want to simply work, earn a good living, and look after ourselves, or are we going to look beyond ourselves to the question of why we are here and what this is all about? It looks to me like the preservation of the family unit is in reality what we should be looking for in this coming age.

The hon. member brought to our attention the present limitations on parents, whether they be single-parent families or whether both parents work. However, there are severe limitations placed on people who have to work and have to put their children into day care centres for one reason or the other. Because the time is short, I would like to bring to the attention of the House that a number of years ago as a project co-ordinator for a building project I spent many hours studying day care centres. Most highrise office buildings are well behind in development for the future.

• (2200)

Do I have more time, Mr. Speaker?

Mr. Deputy Speaker: Unfortunately not.

[*Translation*]

The hour provided for the consideration of private members' business has now expired.

[*English*]

I remind hon. members that the 40-hour limit for private members' business, pursuant to Standing Order 15(b), has now been reached and that there will be no private members' business on Mondays and Tuesdays for the balance of this session.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

AIRPORTS—INCREASE IN PASSENGER TRAFFIC AT MALTON, EDMONTON AND CALGARY

Mr. Robert Gourd (Argenteuil-Papineau): Mr. Speaker, Mirabel is a name that conjures up grandiose projects, projects that were meant to make of that spot the largest port of entry into North America! But Mirabel is also an expropriated community of Canadians who were asked to forget the dreams and aspirations that are typical of all members of rural communities. Mirabel is a white elephant. Mirabel, finally, is a ten-year-old issue that would appear to be so complex that each study leads our civil servants to recommend that a further study be made of it in greater detail. And so, year after year, pressing decisions are put off pending the findings of studies that are under way. So much time is spent on those precious studies that I have come to the sad conclusion that what findings are produced are always obsolete and, as time lost breeds new problems, we find ourselves with even more problems to solve. In the meantime, Mr. Speaker, everybody is waiting for the decisions the ministers in charge should be making. The land owners who were expropriated are waiting, as is the whole population of the area and the province of Quebec, because the economic future of Quebec is at stake. I am waiting, and I am sure several hon. members are waiting too. Those the minister responsible considers as Mirabel die-

hards are waiting. In short, everybody is waiting and that is the irony of the situation. Also, everybody knows what should be done. I do not deny the complexity of the problem, and I respect the minister responsible who insists on playing it safe to avoid mistakes at all costs. However, how many more years should we continue waiting? And what price will we have to pay for this prudence which borders on paranoia?

There are two main aspects to this issue. On the one hand, the management of the adjacent lands, and on the other the future of Mirabel airport. As to the first element, I am very pleased with the decision which the Minister of Public Works (Mr. Cosgrove) announced recently to establish a new Crown corporation. However, the future of the airport itself is still in doubt, and this uncertainty is not without adverse consequences on the Quebec economy. Since the Minister of Transport (Mr. Pepin) is not present, I should like to direct a series of questions to his parliamentary secretary, the hon. member for St. Boniface (Mr. Bockstael), and to avoid all possible misunderstanding, I must advise him that although I have read the Speech from the Throne very attentively, as the Minister of Transport had suggested on December 2, I have been unable to find any answers to my questions. First of all, what progress in their study have the officials of the Department of Transport made who, after ten years, are still unable to provide us with any additional information on this?

• (2205)

Second, did the parliamentary secretary read the article by Michel Gratton published in the newspaper *Le Droit* last December 1? Can he confirm the increase in passenger traffic at Malton airport, 14 per cent last year, at Edmonton airport with 21 per cent and at Calgary which beat all records with a rise of 23.3 per cent? And can he explain why Mirabel did so poorly, with an increase of 3 per cent? Can he also tell us what steps the Minister of Transport intends to take to turn Mirabel into a money-making venture?

Third, has the Minister of Transport been made aware of the resolution adopted by the Mirabel municipal council on February 3 in which they ask him to authorize the transfer of flights from Dorval to Mirabel? One excerpt from that resolution which I fully endorse is most revealing and deserves to be quoted:

> Whereas Mirabel airport has physical and operational features which are unique in North America and in the world because of the particularities of its adjacent territory, because there is no curfew, and because it has the world's most modern cargo and passenger-handling facilities which give it a lead in the operation and the industrial development to which it aspires;

Finally, and it is always the same question every day, when, when, and again when will the minister once and for all take the required decisions? Not only has the time come, we are already late as it is. In my opinion we must act right now. I am convinced that the decision to build that airport in the early seventies was sound. The mistake has been to delay until tomorrow what ought to and could be done today. It is a complex matter, I admit that, however its characteristic complexity does not justify all that wasted time.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the hon. member for Argenteuil has raised the issue of growing passenger traffic at the Toronto, Edmonton and Calgary airports as well as the question of the measures which the Minister of Transport (Mr. Pepin) intends to take to make Mirabel airport more profitable. The increase in passenger traffic at the Calgary and Edmonton international airports has been remarkable and mirrors western Canada's economic growth.

The increase at the Toronto International Airport was also slightly higher than the national average. Air passenger traffic did not increase as quickly in Montreal mostly because of slower economic growth. However, traffic in Mirabel should increase for the following reasons. First, Mr. Speaker, it should be noted that the commitment of the minister concerning Mirabel is unquestionable.

The hon. member is well aware of the ongoing study on the various options to restore traffic between Dorval and Mirabel. When the many factors involved, and especially the costs, have been analysed, a decision will be made. For the moment, I would simply like to give a short list of the programs to be implemented to promote the development of Mirabel.

—The Action Mirabel group which has already succeeded in promoting the airport as a freight centre open 24 hours a day and as a favourite location for trade exhibitions and symposiums.

—Action Mirabel has also worked on the question of access to truckers from the United States.

—The very recent installation of a free transit zone by the Widex Company.

—A proposal to eliminate what is called the "Last Stop Provision" in landing charges at Canadian airports. This would benefit mostly Mirabel.

—The establishment of a Crown corporation to resell the land adjacent to Mirabel.

I could go on, but I would simply like to assure the hon. member that the future of Mirabel is a priority for the minister.

• (2210)

[*English*]

GRAIN—CHANGE IN POLICY ON TIMING OF ANNOUNCEMENT

Mr. Bill McKnight (Kindersley-Lloydminster): Mr. Speaker, I rise to take part in this adjournment debate as a result of a question and the response by the minister responsible for the Canadian Wheat Board, the assistant to the Minister of Transport.

On March 18 Senator Argue made a statement in the other place regarding the seeding plan producers in Canada should

adopt for the coming year. He stated that increases should be in the neighbourhood of 10 per cent for all grains, for barley, and oats. He said durum should remain the same and wheat should be increased by 10 per cent.

The problem arises from the statement by the senator, and the answer given by the Minister of Transport (Mr. Pepin) in this House. He said that in week 33 of the shipping season, which was last week, there was a scarcity of ocean ships arriving at ports enabling them to loan out of the terminals. That brought the space available in the Vancouver terminals to the lowest level in several years. There was only 49,820 tons of available space in Vancouver.

The assistant to the Minister of Transport made a statement in which he asked producers to increase their production by 10 per cent, without giving them any assurance that they would be able to deliver that grain to market. This also pertains to week 33. We are signalling a warning to the producers and the government that there is a problem building. There are 7,601 loaded cars heading west, compared to last week's total of 7,200 cars, and last year's average of 5,000 cars. I know some people would feel it is progress to have increased loads going west, but when they arrive in the yards we will find there will not be room for them, since last week in the yards there were 14,434 cars in ports to be unloaded.

At the present time there is loading for 11 vessels berthing in Vancouver. Last week there were four vessels loading; there are no ships waiting, according to the information I have. That means when these 7,601 cars arrive in Vancouver there will not be adequate space for them in the terminals. We would like the minister to explain to the farmers in western Canada, who will be putting their crops in within the next six weeks, how they will move their product to market if this situation continues.

I would also like to take issue with the statement made by the assistant to the minister in the other place in which he stated he was not announcing initial payments this year because last year he announced them too soon. As I mentioned to the Minister of Transport in the House on March 20, it was not that the payments were announced too soon, it was that the statements were inaccurate when they were announced. If you will recall, Mr. Speaker, late in March the minister announced initial payments, readjusted those payments in July and again made a mistake either through incompetence or lack of information. I must say I doubt it was the latter, as at no time since 1971, when this practice was established by the minister's predecessor, the Hon. Otto Lang, was the error so great or the discrepancy so large between the initial payments and the actual interim payments. This practice was established in order that farmers and producers of western Canada would have adequate information in respect of pricing, and thereby have a management tool at their disposal. The present minister would be the only minister since 1971 who would not have that information available to him.

I would like to quote a statement by the Minister of Transport as reported in *Hansard* for March 20.

• (2215)

He said:

I said the Minister of State for the Canadian Wheat Board did not give the initial prices. He said, however, that he expected the prices to be strong, to remain as they are now, which is an indication of his view on prices.

However, I looked very carefully at Senate *Hansard* for March 18, when the assistant to the Minister of Transport bootlegged an announcement into the Senate relating to seeding intentions. He stated that:

Last spring I recommended certain initial payments, and I got into trouble because I was too careful, too conservative.

He spoke further, but I do not find anything in this statement of the assistant to the Minister of Transport in the other place which would indicate that he expects prices to remain strong and firm.

I hope the parliamentary secretary will be able to add additional light as to why the Minister of State for the Canadian Wheat Board has not followed the practice set by his predecessors since 1971, including the hon. member for Vegreville (Mr. Mazankowski), who had the same information, the same board, the same commissioners, and the same officials as this minister.

I would again say I do not believe this was done through misinformation. I suspect it is perhaps because the present minister, the assistant to the Minister of Transport, lacks the clout in cabinet to obtain a commitment from this government to guarantee initial payments at a level at which they should be guaranteed; we are aware that the federal government is responsible for any shortfall. I take it that the cabinet does not have a great deal more faith in the assistant to the Minister of Transport in the other place, in his judgment call for the initial pricing of grain, than do the farmers of western Canada.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the hon. member raises the question of why this year's pre-seeding report from the Minister of State responsible for the Canadian Wheat Board does not contain an indication of initial price levels for the 1981-82 crop year.

As my hon. friend has noted, this has been the practice since 1971, when it was instituted by Otto Lang, to give farmers a reasonably accurate picture of what to expect in the way of grain prices. That system, by and large, worked well in an environment of stable prices. Last year, it did not work so well. In fact, I remember several complaints from the hon. member that the initial prices were misleading in view of the trend in international prices.

On May 14, he asked the minister in the House about the fact that initial prices were below the previous year's adjusted prices. His colleague, the hon. member for Vegreville (Mr. Mazankowski) brought the subject up again on May 30; and on July 7, the member for Kindersley-Lloydminster (Mr. McKnight) said, and I quote:

In view of the world price for grain today, there is no justification for lowering the initial price.

This lowering is in relation to the previously adjusted price. Indeed, the initial prices have since been adjusted not once, but twice, to reflect the very healthy world prices.

My hon. friend obviously recognized that in a highly volatile market, such as the present one, an initial price announced in March is, in fact, not very meaningful. This year, the Minister of State indicated that initial price levels would be set at the beginning of the crop year, as was done before 1971. To give some indication to farmers, however, the minister continued this practice of recommending seeded acreages, most of which are well in excess of last year's. This, at least, will give the farmer some confidence until July when a more meaningful initial price can be announced.

CANADA LABOUR CODE—PROTECTION OF URANIUM MINERS

Mr. Lyle S. Kristiansen (Kootenay West): I would like to address my remarks to the subject matter of my question of January 28 of this year which related to the lack of safety provisions in the Canada Labour Code or in any other legislation pertaining to uranium miners at Elliot Lake and elsewhere across Canada. During my question, I said that uranium miners in Elliot Lake and throughout Canada have now been left surrounded and jeopardized by a jurisdictional no man's land which leaves them entirely without protection from the very real and hazardous dangers of their industry. I asked the minister if action was being taken, as promised by the Minister of Justice (Mr. Chrétien) in reply to an earlier question from the hon. member for Brant (Mr. Blackburn) on December 16, 1980. The minister's response was, in part, as reported at page 6647 of *Hansard:*

● (2220)

I might say that submissions were made by the steelworkers requesting that joint safety and health committees be established at the two largest uranium mines, Denison and Rio Algom at Elliot Lake. They were accordingly ordered to be established at these two locations in an order dated April 14. As of this date they are not yet in operation, due to the refusal of the steelworkers to nominate labour members to these committees.

The minister added that he wanted to say that I, as the member for Kootenay West, would do a great service if I would pass back to my friends, the steelworkers at Elliot Lake, the message that miners there are as well-protected by safety regulations as those in any mine in Canada. To be generous, Mr. Speaker, people all across Canada who are involved in mining know that that statement is not correct. Anyone involved in mining and anyone in the labour movement knows that that is not correct.

Along similar lines, an editorial in the Sault *Star* on Monday, February 2, 1981, echoed the minister's words when he responded to my question on January 28. Mr. Homer Seguin, the staff representative of the United Steelworkers of America, whose office is at Elliot Lake, wrote a letter to the newspaper which is basically a reply to the comments the minister made when answering my question on January 28. The letter reads as follows:

Let me briefly acquaint you with some of them.

—The government, provincial and federal has over the years, said uranium workers are well protected.

—From 1955 to 1978 the government said the Ontario mining act applied to uranium workers in Ontario. This act did not even mention radiation and had many other shortcomings, however,

—On December 6, 1978, the federal Minister of Labour announced in the House that the Ontario mining act didn't really apply, but, that Part IV of the Canada Labour Code does, contrary to former belief. In passing, it is interesting to note that the Canada Labour Code had no specific provisions for mining. Indeed, there was no expertise nor inspectors in the field. But, the fed's said we were well protected once again.

—Next, the federal government acknowledge (after considerable pressure from the Union) that we were in fact left without real protections, but they would rectify this inadequacy.

—In August 1979, the fed's adopted the old Ontario mining act by reference. Obviously, this was intended to shut us up since it is the same act that was said to apply (but really didn't) since 1955. It's interesting to note that two months later Ontario adopted Bill 70 and discarded the old mining act as obsolete, but not for uranium workers. Ironically, the new Ontario legislation resulted in large part from developments following a three-week safety and health strike in Elliot Lake in 1974. Again, the government said we were well protected.

—Next. Following more pressure, the fed's agreed there was inadequate protection and in May 1980, adopted the Ontario act by reference into its regulations. We were told face to face by Mines Minister Judy Erola that all of the Ontario Act applied. We expressed doubts about the legality of adopting regulations which conflicted with an act but were assured it applied.

—Next, as we attempted to utilize provisions of the Ontario Act, we were told the Ontario Act didn't all apply. For example. The right to refuse unsafe work was not as contained in the Ontario Act, nor was the rights of our safety and health committeemen nor was the composition of our safety and health committees or their protected earnings, etc.

—In support of our contention that our concerns are legitimate you should know that despite acknowledged violations of existing safety legislation (said to apply) not one charge has ever been laid by Labour Canada or the Atomic Energy Control Board involving the Elliot Lake uranium operations.

—we cannot and will not live in a jungle of jurisdictional confusion and unclear legislative protection. This has already killed hundreds of our members.

In support of the United Steelworkers of America position . . . I would refer you to the latest government committee report which investigated this whole area of concern.

The all party provincial "Select Committee of Hydro Affairs" issued its final report December 1980 on "Mining, Milling and Refining of Uranium in Ontario." This committee held many meetings, conducted hearings, and investigations for months and generally supports our Union's position.

—you will understand our continuing concern by reading on pages 12 and 13 of the select committee's report their legal opinion as to what protection we really have.

The letter quotes from the committee proceedings as follows:

The committee considers that there is a very real possibility that the government of Canada has not met the technical requirement of the Statutory Instruments Act and that as a result, Ontario's uranium mine workers are operating wholly without the legal protection they are entitled to and have been assured they have.

● (2225)

And finally . . . . . comment that the union has refused to name safety and health committees is ridiculous.

We have told the government agencies and representatives time and time again that our safety and health committees are in place, ready and willing to be legitimised as provided in the Ontario Act. The government has refused. We ask—if the fed's adopted the Ontario Act, then why does it not apply?

There is an old saying that it takes a big man to express honest opinions but it takes a bigger one to acknowledge he was wrong.

I would ask the parliamentary secretary, in the absence of the minister this evening, to finally acknowledge that the government is wrong, that the miners at Elliot Lake are in a jurisdictional no man's land. Let us get on, let us work together to attempt to resolve that problem and save the lives of those people working in the uranium industry in the province of Ontario as well as right across Canada.

Mr. Deputy Speaker: Order, please. According to the rules of the House, parliamentary secretaries should reply to questions. I see the hon. member for Welland (Mr. Parent) is seeking recognition. I want it clearly understood that this is not a precedent.

Mr. Gilbert Parent (Welland): Mr. Speaker, I might point out by way of information that both the parliamentary secretary and the minister are feeling a little under the weather tonight and they asked me, as a former parliamentary secretary to a minister of labour, to read the answer, with your permission, Sir.

With regard to the occupational safety and health protection for uranium miners at Elliot Lake, the federal government's involvement in the Ontario mining industry, as it relates to safety arrangements and practices, is limited to uranium mines and uranium plants which are licensed by the Atomic Energy Control Board. Until October, 1978, the Canada Labour Code, Part IV, which pertains to occupational safety and health was not applied to workers in the uranium mining industry because it is "subject to any other act or regulations," including the Atomic Energy Control Act and the regulations thereunder.

Protection for workers prior to 1978 derived from the requirements of the licence issued by the Atomic Energy Control Board to enterprises in the nuclear field. These licences required such enterprises to conform with the laws of the province in which they were located. This meant that in Ontario workers in uranium mines and processing plants were protected by Ontario's occupational safety and health law regulations. This arrangement pertained, as mentioned, until the autumn of 1978 when, in response to a letter from the United Steel Workers about jurisdiction, the Atomic Energy Control Board referred the question to the Department of Justice for consideration. The federal justice department at that time gave the opinion that since the AECB had not issued regulations governing occupational safety and health, and since Part IV of the Canada Labour Code was subject only to other acts and regulations, then Part IV applied to uranium mining and processing operations.

The Code does not cover radiation because there are existing AECB regulations respecting radiation and mixed radiation-dust hazards.

Arrangements were worked out with Ontario to reference its occupational safety and health laws by regulation under the Canada Labour Code making them, for purposes of uranium mining, federal laws and thereby designating provincial safety officers as federal safety officers. These arrangements permitted the continuation of the provincial machinery for administering conventional occupational safety and health in uranium mines. Thus, provincial enforcement carried on without significant changes.

On July 11, 1979, and again on April 10, 1980, submissions were made to the ministers of labour by the United Steelworkers Union, requesting that joint safety and health committees be established at the two largest uranium mines, namely, Denison and Rio Algom. In so far as the validity of the referencing of the Ontario occupational health and safety act is concerned, this is a question within the competence of the Minister of Justice (Mr. Chrétien), and as far as this justice department is concerned it says that it is okay and that we must take the word of the law officers of Canada.

[*Translation*]

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m.

Motion agreed to and the House adjourned at 10.30 p.m.

HOUSE OF COMMONS

Tuesday, March 24, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

NATIONAL ENERGY PROGRAM

EFFECTS ON SERVICE INDUSTRY—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, I rise to propose a motion under the provisions of Standing Order 43. The South Eastern Saskatchewan Service and Supply Association reported in Weyburn, Saskatchewan on Saturday, a 40 per cent to 50 per cent shutdown in the industry; oil rigs and service rigs moving south to the United States; 1,400 oil wells shut in production in southern Saskatchewan; the price of oil in Weyburn, Saskatchewan at $17.75 per barrel, while our government continues to pay for foreign imports $40 per barrel. The action of the government putting people out of work is only Canadianizing North Dakota and Montana in the Wilston oil basin. I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the Minister of Energy, Mines and Resources take action immediately to turn around the drastic effects of this energy policy on the service industry, and the lack of supply of oil for Canadians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HOUSING

SPECULATION IN REAL ESTATE—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, the enormous speculation in residential real estate that has taken place in Vancouver has now spread to almost every major city in Canada as people rush out to buy homes and farmland to protect themselves against the government's induced inflation. I therefore move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That this House direct the Minister of Finance to explain to this House why he continues to allow federally-regulated credit institutions, including Canada Mortgage and Housing Corporation, to validate the speculation in real estate by increasing the mortgage lending value of properties subject to speculative activity.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SUPPLY AND SERVICES

DELAY IN PAYING OUTSTANDING ACCOUNTS—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, this has regrettably and finally hit Peterborough and it is in Ottawa as well. Many corporate and independent gasoline service stations are now displaying signs "Government Credit Cards Not Accepted". The reason is that it takes the federal government between three and six months to pay its accounts. I move, seconded by the hon. member for Simcoe North (Mr. Lewis), under Standing Order 43:

That this government hold an inquiry to find out why the Department of Supply and Services cannot issue cheques within 30 days, or at least pay interest of 22 per cent on all their accounts outstanding.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION

NEGOTIATIONS WITH PROVINCE OF SASKATCHEWAN—MOTION UNDER S.O. 43

Mr. Doug Anguish (The Battlefords-Meadow Lake): Madam Speaker, I rise under the provision of Standing Order 43 on a matter of urgent and pressing necessity. Because of its inability to set clear policy, the Canada Mortgage and Housing Corporation has put prospective home owners in the position of living in homes for which they cannot obtain mortgages—in one case since May, 1977. Not only do these people have no mortgages on their homes but they are not sure what the final price will be, whether the price on date of occupancy or the price at today's inflated values. I therefore move, seconded by the hon. member for Vancouver East (Mrs. Mitchell):

S.O. 43

That Canada Mortgage and Housing Corporation take action to finalize negotiations with the province of Saskatchewan so the mortgages will be finalized, based on the value of the home on date of occupancy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

THE CONSTITUTION

REQUEST THAT SPEECHES BY PARTY LEADERS ON CONSTITUTIONAL RESOLUTION BE BROADCAST IN FULL

Mr. Henri Tousignant (Témiscamingue): Madam Speaker, under the provisions of Standing Order 43 I seek the unanimous consent of the House to raise an important issue.

Given the significance of the question which is now being debated in the House, and considering also that we all wish that as many Canadians as possible be well informed on the constitutional question, I move, seconded by the hon. member for Missisquoi (Mr. Bachand):

That the House request the Canadian Broadcasting Corporation to make adequate advance publicity and then televise in full the speeches of the leaders of the political parties in this House, namely that of the Leader of the New Democratic Party, that of the Leader of the Opposition, and that of the head of the government.

Madam Speaker: Such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

[*English*]

EXTERNAL AFFAIRS

POLAND—OPPOSITION TO SOVIET INTERVENTION—MOTION UNDER S.O. 43

Mr. John Bosley (Don Valley West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas events in Poland have, according to all reports, intensified the threat of Soviet intervention in that country, and in view of the refusal of the Secretary of State for External Affairs (Mr. MacGuigan) to propose a meeting of NATO foreign ministers to discuss the impact this threat could have on Poland and on the western alliance, I therefore move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House condemns the Secretary of State for External Affairs for his continuing reluctance to take any positive initiatives, either directly or in concert with our NATO allies, that would indicate to the Soviet Union Canada's strong opposition to any intervention by that country into the domestic affairs of Poland.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

POLITICAL PARTIES

FUND RAISING ACTIVITY OF LIBERAL PARTY—MOTION UNDER S.O. 43

Mr. Ron Stewart (Simcoe South): Madam Speaker, in view of the fact that the Liberal Party of Canada is holding $150 per person meetings with cabinet ministers, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That the Solicitor General, who is supposedly responsible for the constituency of Simcoe South, call such a meeting in my riding to discuss the Constitution, particularly the entrenchment of language rights, with the invited guests, the funds received to go to a local charity instead of going to fill the coffers of my political association, thus working in a true democratic fashion and ensuring the re-election of the present member for Simcoe South.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

EL SALVADOR—FIRST ANNIVERSARY OF MURDER OF ARCHBISHOP ROMERO—MOTION UNDER S.O. 43

Mr. Bob Ogle (Saskatoon East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity, and I trust that I will have the unanimous consent of this House. Today is the first anniversary of the murder of Archbishop Oscar Romero of San Salvador. I move, seconded by the hon. member for Trinity (Miss Nicholson), and the hon. member for Waterloo (Mr. McLean):

That this House join in an expression of solidarity with the people of El Salvador as they remember some of the last words of their beloved archbishop, "They can kill me, but the clamour for justice among the people they cannot silence."

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

NATIONAL DEFENCE

BRIEFING SESSIONS FOR MINISTERS—MOTION UNDER S.O. 43

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, yesterday in replying to questions the Minister of National Defence (Mr. Lamontagne) indicated that he was unsure as to whether we were in NATO or the Warsaw Pact, and also seemed to think the Helsinki Final Act was a roadshow touring Canadian bases in Europe. Under Standing Order 43 I move, seconded by the hon. member for Halton (Mr. Jelinek):

That this House direct the Prime Minister to hold briefing sessions at a primary level so that his ministers can tell the white hats from the black hats in international affairs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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STATUS OF WOMEN

INDEPENDENT REVIEW OF ADVISORY COUNCIL'S OPERATIONS—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, the credibility of the Advisory Council on the Status of Women has once again been called into question by the transferring of responsibility for this weekend's Atlantic Conference on Women and Aging to the New Brunswick Branch of Women for Political Action. The responsibility for this important conference was removed from the Advisory Council following numerous complaints, and threats of boycotts of the conference from women's groups, who do not feel the Advisory Council is capable of acting in an independent and impartial way. Therefore I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House call for a public, external, and independent review of the Advisory Council's operations.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ENVIRONMENT

USE OF LOW SULPHUR COAL—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Whereas Canadians are very concerned about the pollution caused by acid rain, some of which is caused by a high sulphur content in American coals; therefore, I move, seconded by the hon. member for Simcoe South (Mr. Stewart):

That this House urges the Government of Canada to promote the use of low sulphur Canadian coals in Ontario which will reduce the acid rain problem and provide employment for Canadians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HEALTH CARE

SHORTAGE OF MEDICAL DOCTORS IN RURAL AREAS—MOTION UNDER S.O. 43

Mr. Arnold Malone (Crowfoot): Madam Speaker, because small towns and cities in Canada have an unusually difficult time in recruiting an adequate number of medical doctors, and because our immigration policy is very restrictive in respect of admitting new doctors on the basis that Canada already has an adequate domestic supply, but has not taken into account that there is a surplus of medical doctors in urban areas and a critical shortage in rural districts, I therefore move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That this House encourage the Minister of Employment and Immigration and the Minister of National Health and Welfare to initiate discussions within their departments and in consultation with the provinces so as to bring about an adequate resolve to Canada's shortage of medical doctors in rural areas.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Madam Speaker: Oral questions.

• (1415)

ORAL QUESTION PERIOD

[*English*]

NATIONAL SECURITY

QUERY RESPECTING POSSIBLE REFERENCE TO SIR ROGER HOLLIS IN GOUZENKO INQUIRY

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, I apologize to the House for my voice this afternoon. My question is for the Prime Minister. Was there a direct reference to Sir Roger Hollis, the then head of the British MI5, in the Gouzenko testimony held in camera before the Taschereau Commission, or was there any reference to a code

name which could only, in retrospect, have fitted Sir Roger at that time?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am afraid I do not know the answer to that question. I will be happy to take it as notice and try to find out the information about which the hon. member asks.

If my recollection is exact, Mr. Gouzenko in those days referred to a mole inside the British intelligence agency MI5. Not having been present at the time, I have no recollection of whether the mole could be identified. I will be glad to find out.

RELEASE OF GOUZENKO PAPERS

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, both within and without the government now for about three or four years as the Prime Minister is aware, there have been members in this House who have been attempting to obtain the release of the Taschereau papers, or the Gouzenko documents.

I am sure that when the Prime Minister took over the high office he did, at some time prior to 1974 he was very comprehensively briefed on the Gouzenko papers. In any event, during 1974 or right after 1974, after the British caused an investigation to be made into the activities of Sir Roger Hollis, was there not at that time a very high level communication from the then British Prime Minister to the Canadian Prime Minister about the revelations and the accusations concerning Sir Roger Hollis? Was this not really the true reason why, to this day, those Gouzenko papers have not been released to the Canadian public, and was this not really the real reason why, four years ago, an extraordinary move was taken by the Prime Minister directly to put those Gouzenko papers on ice for another ten years?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, there are several points raised by the hon. gentleman in his question. The first is that Members of Parliament have been trying for three or four years, as he says, to get release of the Taschereau papers. The hon. member was solicitor general for the Government of Canada for a period between 1979 and 1980. I am sure he has the answer to these questions if he is as interested as he says. Why did he not release the papers? I do not know what the answer is to that. Probably he did not release them either because he did not get around to examining them or because he found other reasons.

In my case, the hon. gentleman suggests, and his words are, that I was comprehensively briefed on this matter before 1974, but I do not know why the hon. member assumes that. I have no recollection of having asked questions or having received any detailed information about the Gouzenko affair. Presumably, since his interest is so great, he did that when he was solicitor general. I am sure that he has the answers to these questions, whereas I do not. Let him give the answers to the House.

Some hon. Members: Hear, hear!

REASONS FOR NON-RELEASE

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, I am glad the Prime Minister is attempting to release me from any oath by which I may be bound. He is saying yes. I think, therefore, that the Prime Minister realizes the reason none of us in the Clark administration was able to obtain those papers was because certain aspects were bound by an undertaking given by the then prime minister to him as the ex-prime minister. It was as simple and as stark and as naked in its restriction and cover-up as that.

● (1420)

In any event, apart altogether from the fruitless attempts in, before and since those days to obtain the Gouzenko papers, now that this international story is breaking throughout the world—yesterday, today, and there will be more revelations in the British House of Commons on Thursday—I plead with the Prime Minister, no matter the degree of incompetence in Canadian and British intelligence circles those papers may show, and apart from any internal investigation he is now having, to release those papers today. What national purpose is now served by continually hiding, for almost 40 years, those documents and papers?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, even the hon. member astounds me when he makes such representations in this matter. When he alludes to this convention of not looking at papers of previous administrations, he realizes that is a convention that dates back many decades. It is a convention that presided over the transfer of Mr. St. Laurent's papers to Mr. Diefenbaker, over Mr. Diefenbaker's to Mr. Pearson, over Mr. Pearson and my administration, to Mr. Clark's, and then again from Mr. Clark to myself. The Gouzenko papers belong to another administration, not to mine and not to the Leader of the Opposition. I have no more access to them than the hon. member had when he was solicitor general.

Mr. Lawrence: You hid them for ten years.

Mr. Trudeau: Now the hon. member says I hid them for ten years. Why did he hide them for ten months? He had as much access to them as I do.

REQUEST FOR INVESTIGATION OF ALLEGED ACTIVITIES OF JOHN WATKINS

Mr. Otto Jelinek (Halton): Madam Speaker, I have a question for the Secretary of State for External Affairs. In view of the current inquiry in Great Britain into the activities of Sir Roger Hollis, and the growing evidence that the penetration by the U.S.S.R. into western intelligence operations was and is more extensive than previously believed, will the minister reopen an investigation into the alleged espionage activities of former Canadian ambassador to Moscow, John Watkins, in order to ascertain any possible connection with Sir Roger, or any other current connections which may have arisen as a result of those activities?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I am not personally familiar with that case, but I will certainly look into it.

INVESTIGATION INITIATED BY BRITISH PRIME MINISTER—REQUEST FOR FULL-SCALE INQUIRY

Mr. Otto Jelinek (Halton): Madam Speaker, my supplementary question is to the Prime Minister. As the Prime Minister knows, this country has had a long history of Soviet espionage activities, beginning with Igor Gouzenko's revelations in the forties, right through to last year when the Soviet ambassador was asked to withdraw three officials from his embassy in Canada for abusing diplomatic status to conduct espionage activities against the United States, from here in Canada.

In view of the apparent cover-up of the Watkins' case, which has been going on for some time, and numerous other questionable "diplomatic" activities in Canada, and in view of the Prime Minister's reluctance to table the Gouzenko papers, is he now prepared to follow Margaret Thatcher's example and initiate forthwith a full-scale investigation, not into this alleged specific cover-up that I am talking about but into over-all spy activities in this country and, more important, report them to this House and make them public?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. member, as did his predecessor in question period today, talks about cover-up. "Stark cover-up" I believe was the expression.

Mr. Nielsen: Naked cover-up.

Mr. Trudeau: I repeat the suggestion I made to the hon. member for Durham-Northumberland. That side formed the government for a period of nine or ten months. They had access to these papers as much as I had access to these papers.

Mr. Clark: Not true.

Mr. Trudeau: The Leader of the Opposition says it is not true. Let him stand in this House and say that the convention which is operative somehow gives me access to papers of some previous administration to which he did not have access.

Some hon. Members: Oh, oh!

● (1425)

Madam Speaker: Order, please. The hon. member for Oshawa has the floor.

* * *

THE ECONOMY

WAGE CONTROL PROGRAM—QUERY RESPECTING CABINET STUDY OF REPUTED SECRET DOCUMENT

Mr. Edward Broadbent (Oshawa): My question is for the President of the Treasury Board. On February 24 I asked the Minister of Finance if the government was considering a wage control program. The minister, in his quaint way, neither admitted nor denied it, but said that if he ever had such a document presented to him it would be "swept away mighty fast". Well, I have in my hands a secret document—

Some hon. Members: Oh, oh!

Mr. Broadbent: —from the cabinet, and I would ask him if he would confirm that not only is there such a document outlining wage control methods but, in addition, there is a document that he himself prepared, file no. TBS 108-DP, and would he tell the House what decisions have been reached by the cabinet on these?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I believe the Minister of Finance has responded very directly to a question raised by the hon. member, or by some other hon. member of this House, with respect to wage and price controls. I am not aware of the content of the Treasury Board document which was cited under that reference number. I do not know what the contents of that document might be.

Mr. Broadbent: Well, that is a little bizarre. I understand the document is over the minister's signature, so it is a little unusual that he would not know what was in it, but maybe that is to be expected under present circumstances.

An hon. Member: Not so unusual.

Mr. Broadbent: Related to that question, though, would he confirm that the first document, which lays out in some detail a scenario for possible implementation of wage controls, acknowledges that public servants' salaries are well below average but should be singled out for rigorous control so that they would "provide a demonstration effect on private sector trends"?

In short, does not this document, which the cabinet is now considering, point out that wages are not causing inflation on the one hand, but singles out wages to be controlled as a means of curing inflation?

Mr. Johnston: Madam Speaker, no such document has been presented to cabinet. Furthermore, the inference that the hon. member wishes us to draw, that the public sector rates of remuneration are substantially below those of the private sector, is a subject which I have addressed on a number of occasions inside and outside this House. I have pointed out to members in committee, and in speeches in public forums, that our policy is not to lead the private sector. We have been consistent in that approach.

If one looks at last year you will find that settlements in the public sector federally were something in the neighbourhood of 10.8 per cent as against, as I recall, 11.2 per cent in the private sector. I believe that is a record of achievement by this government in being fair but firm in its bargaining positions, and I also say that, by and large, the public service unions have been most responsible in their demands as well.

Oral Questions

GOVERNMENT ACTION TO COMBAT INFLATION

Mr. Edward Broadbent (Oshawa): Madam Speaker, I would like to go to the Prime Minister with a final question on this matter.

An hon. Member: You were there this morning, Ed.

Mr. Broadbent: There is for cabinet consideration a document that points out that wages have not been the cause of inflation, but instead singles out such items as interest rates and food and energy prices as being the real and principal causes of inflation, and then recommends that public servants' wages should be singled out for attack as a method of dealing with inflation.

Could the Prime Minister tell the House why the government is not zeroing in on the causes of inflation which, the document acknowledges, are interest charges and energy and food prices, and instead is attacking the victims of inflation, namely, ordinary wage earners?

• (1430)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I know nothing of this so-called secret document, but I will recognize that in answer to a question in this House, I think about a month ago, I mentioned that very point to the Leader of the New Democratic Party. I said that the causes of inflation are mainly energy prices and higher food prices and interest rates. The hon. member will recall that I indicated to him that at least the first two of those elements, and probably the third, are not controlled in Canada. We do not control the price of energy we import and, with respect to Canadian energy, he knows we have a policy which is to keep our prices below the world prices.

In so far as food is concerned, the Leader of the New Democratic Party also knows—and I said this a month ago—that when we have a type of controls that democratic countries introduce, they generally do not hit food. They do not hit food at the farm gate, and this is one of the causes now of a higher cost of living.

The same explanation has been given by the Minister of Finance with respect to interest rates. One of the reasons why they are high is because they are even higher in the United States.

This so-called secret document does not seem to be very secret. It says what I said in this House about a month ago.

As to why we would be enjoining—the hon. member shakes his head no. I will see what his supplementary question is.

Madam Speaker: The hon. member for Sherbrooke.

[*Translation*]

GOVERNMENT ADMINISTRATION

REVIEW OF DOSSIER OF MOVEMENT OF CARTOGRAPHY SERVICE TO SHERBROOKE

Mr. Irénée Pelletier (Sherbrooke): Madam Speaker, my question is for the Right Hon. Prime Minister. In 1974 the Government of Canada decided to go ahead with the relocation in the provinces of certain agencies and branches of departments. Two of 23 such projects could not be carried out because the Quebec government refused to substitute the Canada clause for the Quebec clause and thus unilaterally change the agreement between the federal government and the provincial governments under which civil servants moving to any province could have their children educated in the language of their choice. Could the Prime Minister tell the House if acceptance of the constitutional proposals by the House and Mr. Ryan's expressed intention of replacing the Quebec clause by the Canada clause would prompt the federal government to reopen the file on the relocation of mapping in Sherbrooke?

Right Hon. P. E. Trudeau (Prime Minister): Yes, Madam Speaker, the answer is very clear because one of the obstacles preventing the relocation of the mapping branch in Sherbrooke is precisely the fact that the Quebec government does not want to apply the Canada clause. That clause is contained in the charter which is now before the House and, unless I am mistaken, that clause is endorsed as well by Mr. Ryan, the leader of the Quebec Liberal party, who in turn has gained the support of the Progressive Conservative Party in the House. Consequently, considering the circumstances of which we are aware, we hope that in the near future the mapping branch will be relocated in Sherbrooke.

* * *

[*English*]

NATIONAL SECURITY

EXTENSION OF FREEZE ON RELEASE OF GOUZENKO PAPERS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question to the Prime Minister is supplementary to those posed by my colleagues earlier. The Prime Minister will recall that he froze the release of the Gouzenko documents for another ten years, and by that freezing he made it impossible for my administration to have access to those documents. He will recall that fact.

The Prime Minister will also understand that the normal period for which documents are kept frozen is 30 years. He extended it an extra ten years in the case of the Gouzenko papers. Will the Prime Minister tell the House of Commons why he took the extraordinary step of extending, by another ten years, the freeze on the Gouzenko papers, and will he tell the House of Commons by what legislative authority he took that extraordinary step?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, you will have to allow me to answer this at a bit of length because there is confusion here also, and even in the question by the Leader of the Opposition.

The Gouzenko papers were obtained as a result of a royal commission set up by a previous administration.

An hon. Member: In 1948.

Mr. Trudeau: In 1948. It was not mine. It was not the hon. gentleman's administration. If these are the papers hon. members opposite want to have access to—

An hon. Member: They are public.

Mr. Trudeau: Now I am told they are public.

Some hon. Members: No.

Mr. Trudeau: If these are the papers they want to have access to, or see tabled in the House, this is a different matter from the convention which linked various governments. These are the papers of a royal commission. They are not classified as papers of a particular administration. They are classified as papers of a royal commission. They were classified at the time because of security reasons, and because the privacy of individuals was involved.

This matter was reviewed in 1978 because that was when the papers normally would have been released. I was not involved in that review. I did not ask that it be done. I did not follow its sequence. The decision was made. If I was informed, I was merely being informed; I was not consulted.

Since then I did learn that the reason why another ten years were added to the period during which the papers would not be released had not to do with security but had to do with privacy of individuals. Some people were named; it was perhaps not in keeping with our policy to make the papers public for fear of invading their privacy. I repeat that the former solicitor general could, just as easily as I, have asked that this matter be reviewed.

Mr. Lawrence: I did.

Mr. Trudeau: The hon. member says he did. If he did, that is probably the reason the matter is being reviewed now. Another look is being taken at it. Perhaps the Solicitor General could inform us as to dates. Maybe this other review dates from the former solicitor general; maybe not. I could not say. But if that is the case, it is being reviewed now, and we will see once again if the papers can be released without offence to the privacy of certain people who are entitled to that privacy.

Perhaps the Solicitor General can give the information I do not have. Was this review started under our administration, or was it started under the right hon. gentleman's administration? Whichever, the answer is the same. Any administration can review the question of papers which some day are to be made public. This is not a matter of a convention under which he did not have access. This is a matter of knowing if it is in the public interest to release these papers. I am informed that there is no question of security involved; it is another aspect of the public interest that is being looked at.

An hon. Member: Release them.

Mr. Trudeau: An hon. member says "release them." Why did he not release them?

Some hon. Members: Hear, hear!

PROCEDURE AND AUTHORITY RESPECTING GOVERNMENT ACTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, this is not the place for debate, but the reason they were not released was because the action of this Prime Minister precluded our government from having them released.

Mr. Trudeau: When?

Mr. Clark: My question is twofold. Did I understand the Prime Minister to say, and is it his position, that there is no security implication respecting any of the people whose privacy, presumably, would be protected by the failure to publish the Gouzenko papers now? In other words, has the Prime Minister satisfied himself that the only reason is a matter of privacy and not a matter of security?

Second, can the Prime Minister answer my first question as to the legislative authority which allowed a government acting under his authority, even though he claims it acted without his knowledge, to take the extraordinary step of extending by ten years the period in which this series of papers could not be released to the public of Canada?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the right hon. member asks about legislative authority. I do not know if there is any. I believe there is, but I would have to ascertain that.

My recollection is that when I took office there was an exchange of letters with the previous administration. Then there was another between the Right Hon. Leader of the Opposition and myself. Whether this was under legislative authority or a convention, I cannot say, but certainly it is a convention which the right hon. gentleman respected, because he wrote me a letter that he was respecting the papers of previous administrations. I also wrote him a letter to that effect when I took office following him. So I really cannot answer whether it is legislative authority, whether it is just a gentleman's agreement, or what, but certainly I will find the answer.

● (1440)

I recall that when our government, in the late 1960s or early 1970s, reduced the period during which papers should be kept in the Archives incommunicado from 50 to 30 years, it was done at my initiative, and it was done after consultation with the Right Hon. John Diefenbaker and the Right Hon. Lester Pearson. So I imagine it is more of a convention than a law, Madam Speaker.

As to the other part of the question, I only retain that "it was the action of the prime minister which prevented the release" of the documents. I think the answer to that is linked to the first one. When papers are classified, either in the national interest, for security reasons, or in the national interest for other reasons, such as I have said, privacy of individuals, it is done on advice from officials. That was stated quite clearly in a written answer which appeared on the Order Paper—

Answers to questions from the hon. member for Leeds-Grenville were given as to who were the officials involved in this matter.

I think the Leader of the Opposition asked if I had satisfied myself that it was a matter of privacy only rather than of security. I was given this information by the Solicitor General, and I did not look beyond it. The Solicitor General is present in the House. If the Leader of the Opposition wants to ask him whether he is satisfied, if the Leader of the Opposition wants that further answer—

Mr. Hnatyshyn: Who is running the show?

Mr. Trudeau: I do not know what is wrong with the hon. member for Saskatoon West. Has he woken up since yesterday?

QUERY RESPECTING BRIEFING BY BRITISH AUTHORITIES

Right Hon. Joe Clark (Leader of the Opposition): I should like to ask the Prime Minister whether he received any briefing from Britain after the investigation in Britain in the period between 1970 and 1974 into the activities of Sir Roger Hollis, and whether that briefing was delivered to the Prime Minister personally or to any of his officials, with the idea that it would be transmitted to him. I am speaking here of a briefing after an investigation in the period between 1970 and 1974 in Great Britain, into the activities of Sir Roger Hollis. Was there a report on any aspect of that meeting to the Prime Minister, or to officials who could be counted upon to report the contents of that briefing to the Prime Minister?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, in so far as briefings of our officials are concerned, I do not know the answer; I will have to inquire. I can say without equivocation that, as far as I am concerned, I have no recollection of briefings in that period. Certainly if it had been a serious briefing on a matter about which I was supposed to know, I would remember it, but I have no recollection of any such briefing. However, perhaps the Leader of the Opposition received briefings during that period from Great Britain or other countries. I do not know about that. If he has briefings that should cause us to worry, I wish he would inform the House, and I wish the former solicitor general would inform the House. They were the government, after all; they have been concerned about the Gouzenko papers for years and they had questions on the Order Paper. I would have thought that, if they had doubts about the whole matter, they would have made it their duty to inquire into it.

METRIC CONVERSION

REQUEST FOR EXTENSION OF APPEAL DEADLINE

Mr. Bill Domm (Peterborough): Madam Speaker, my question is for the Minister of Consumer and Corporate Affairs and it stems from the fact that in the year 1871 the metric system was recognized as a legal form of measurement here in Canada. I regret to point out to the minister—and I will ask him a question as a result of this—that I learned from *The Canada Gazette* just a few weeks ago that they have made, by order in council, Canadian units of measurement in Canada illegal as of certain dates in 1982. Is it the government's intention to make Canadian units of measurement illegal? The deadline for appeal to his ministry is April 29. Would the minister at least extend that date so that people in the retail food sector who are opposed to this order would have an opportunity to respond to the order in council making Canadian units of measurement illegal as of 1982?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): The answer is no, Madam Speaker. I believe that those who want to express their views have ample time to do so before 1982.

[*English*]

Mr. Domm: Madam Speaker, I have a supplementary question for the same minister. Since, through the same process of order in council, the government has decided that, starting on a certain date, it will impose fines up to $1,000 by order in council on merchants who use any other than metric weighing scales, with or without a conviction, I ask the minister whether, in the interest of democracy, he would agree to remove that fine of $1,000 for the use of imperial weighing scales starting on a date in 1982 and, if he will not do so, would he at least agree to listen to the retail merchants and consumers of Canada and take a look at the test centres, which had the metric system forced on them and which have all reverted back to imperial measurements? Would he or the Minister of State for Small Businesses for once listen to the consumers in the retail food sector in Canada?

[*Translation*]

Mr. Ouellet: Madam Speaker, I have much more confidence in the public spirit of citizens and tradesmen than the hon. member seems to have. I do not believe that these fines should be removed because I am convinced that the tradesmen will obey the law and there will be no need to fine them.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

ALICE ARM, B.C.—DUMPING OF TAILINGS BY AMAX—APPLICATION OF OECD CONTROLS

Mr. Jim Fulton (Skeena): Madam Speaker, my question is for the Minister of Fisheries and Oceans. I am sure that the

minister is aware of the fact that one week from today Amax Limited intends to start dumping toxic waste into Alice Arm in British Columbia. Yesterday I received a letter from Dr. Mercier, head of the international program on chemical safety of the World Health Organization in Geneva. Dr. Mercier confirmed to me that the dumping of toxic waste at Alice Arm is subject to OECD controls. Has the minister filed a report or received approval from the OECD?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I am not sure I accept the use of the word "toxic" as the hon. member uses it. This might spread a fair amount of fear in a situation where reputable scientists have already made a judgment. But to make sure, I have asked three distinguished scientists from British Columbia to review the matter and give me their advice. As soon as they have given me their preliminary report, I will, of course, try to act on their recommendations.

Mr. Fulton: The minister did not answer my question as to whether or not anything has been filed with OECD. I think the House can safely assume that it has not, and if there is anybody around here who should be afraid of something, it should be the minister.

During the summer and fall of 1978 four federal government scientists, whom the minister knows well, namely, Darcy Goyette with EPS, Mike Nassichuck with Fisheries and Oceans, Pat Nasmyth with the Institute of Ocean Sciences, and Don Trethewey of the Canadian Wildlife Service, looked at the existing information on the proposed dumping of toxic tailings into Alice Arm. My understanding is that they were pretty well unanimously opposed to the project. On just whose scientific advice did the minister and the cabinet put through that special order in council?

Mr. LeBlanc: Madam Speaker, I am not familiar with the report which the hon. member uses as a basis for his question, if there is a report. The fact is that the scientists from my department, who are responsible for advising me on matters affecting fish, advise me that in their judgment they were willing to let the regulations, which were promulgated by order in council, go ahead. They reviewed their recommendations.

To ensure that my own department does not examine itself, I have recommended that a scientific panel of distinguished outsiders look at the matter and give me their advice. I will await their report.

* * *

● (1450)

[*Translation*]

THE CONSTITUTION

INQUIRY WHETHER GOVERNMENT STUDIED KERSHAW REPORT

Mr. René Cousineau (Gatineau): Madam Speaker, my question is for the Minister of Justice. A few weeks ago the minister stated in the House that he would examine the report of Mr. Anthony Kershaw. Has he had time to examine this report, and if so, is he ready to comment on it?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, when I appeared before the committee, I said that we would examine the legality of the situation. Later today, I shall table a paper in the House explaining the position of the Canadian government.

* * *

[*English*]

CANADIAN ARMED FORCES

REVIEW OF SALARY AND ALLOWANCES

Mr. Howard Crosby (Halifax West): Madam Speaker, my question concerns pay increases for the Canadian Armed Forces, notice of which I gave to the Minister of National Defence. In his absence I will direct my question to the acting minister, who is the Secretary of State for External Affairs; or perhaps the President of the Treasury Board can provide information on this matter.

I believe the salaries and allowances payable to members of the Canadian Armed Forces are under review at the present time. The current rates apply only to the end of March, 1981. Can the responsible minister indicate whether there is a salary review under way? If so, when will it be completed, and when can members of the Canadian Armed Forces expect to know about and receive pay increases for the next fiscal year?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, indeed there is such a review, actively under way. I hope the government will be in a position to announce the pay increases within the very near term, hopefully before April 1.

COMPARABILITY WITH PUBLIC SERVICE

Mr. Howard Crosby (Halifax West): Madam Speaker, the President of the Treasury Board indicated public service pay increases were in the area of 10.8 per cent. I hope that the pay increases for members of the Canadian Armed Forces will at least equal that figure.

There is another complaint concerning members of the Canadian Armed Forces. It is with respect to their pay levels falling below those prevalent in the public service. In fact some tradesmen receive less than their equivalents in the public service. Can the minister indicate whether any steps are being taken to rectify this disparity and provide pay comparability for members of the Armed Forces, which will effectively relate them to the members of the public service, even though they do not expect to receive the same pay levels as those in the private sector?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, it is the policy to establish such comparability. The pay in the public service is, of course, a matter which will be taken into account.

I would also point out that when I made the reference to 10.8 per cent I was talking about an average. With any particular group the figure might be higher, or it might be lower, depending on where that group finds itself relative to the external market, so that should not be taken as a figure which is to be applied across the board.

* * *

ENERGY

EFFECT OF ALBERTA COURT OF APPEAL DECISION RESPECTING NATURAL GAS—GOVERNMENT POSITION

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. Yesterday the minister responded to questions by me with respect to the natural gas reference in the Alberta Court of Appeal, saying that the matter of appeal was under consideration and that he would give a statement to the House in due course. He did not answer my question, though. He attempted to avoid answering the question with respect to the position being taken by the government as to whether it is prepared to adjust, amend, or bring in new taxation measures in discussions with the producing provinces.

Now that the minister has had a day in which to discuss the matter with his mentor, the Minister of Finance, can he now address the question as to whether or not the government, the minister in particular in his discussions with the producing provinces, is prepared to make any kind of changes in terms of the taxation regime and the sources of revenues for the federal government, in order to bring the discussions with the producing provinces to a satisfactory conclusion?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the judgment of the court of appeal, which I am sure the hon. member has read, states quite specifically that the judgment is on a very narrow point. As a matter of fact the judgment deals with two or three wells which are not producing at the present time and which are not exporting any gas. So, in terms of substantive impact, there is none at the present time. Therefore the question that the hon. member raises does not seem to require the necessity of changes at the present time. Again, this is a matter which the Minister of Finance will have under consideration. I am sure he will advise the House if any additional adjustments are required to taxation.

Mr. Hnatyshyn: Madam Speaker, the decision itself reaffirmed the ownership and the lack of jurisdiction and ability of the federal government to tax property owned by the Crown in right of the province. In view of the fact that this matter has been challenged not only in Alberta but that Saskatchewan will bring an action with respect to the direct taxation imposed by the federal government at the wellhead, and in view of the desirability of having this matter resolved as quickly as possible by the courts, can the minister say whether or not he is advising the Minister of Justice, or his cabinet colleagues, to bring the issue before the Supreme Court of Canada so that these matters being raised by the provinces can be adjudicated at the highest level? Is the minister considering that option, or will he consider it?

Mr. Lalonde: Madam Speaker, the government considers all options. As to advice which I may give, it is obviously given inside cabinet and it is of a privileged nature.

* * *

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, my question is for the Minister of Agriculture, who is responsible for the compensation being paid to Canadian wheat producers affected by the grain embargo. Can he tell the House whether the federal government is prepared to pay the $152 million, a figure arrived at in a study released by the New Democratic Party yesterday?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I saw the amazing figure the hon. member says he obtained through library research. It was arrived at by a different avenue than the one we followed. If he has any new ideas that he has been able to obtain from the Parliamentary Library, I would like to know of them. We do hope a decision will be made very soon with respect to the program.

Mr. Hovdebo: Madam Speaker, the minister is quite welcome to disagree with our figures, if he wishes. He is entitled to do so. Could the minister at least indicate to the House his method of calculation of compensation, which I understand has been completed for some time now? After 14 months, will the minister either put up or shut up? So that the farmers will finally get what is due to them in compensation, will the minister at least put before the House those figures so that there can be intelligent public debate with respect to what they should be?

Mr. Whelan: The figures we used were figures presented by all the different people in the different departments concerned with grain marketing, by compiling all the information available in the grain trade and putting it together in a very thorough manner. When a decision is made, these figures will be tabled. The figures will be put up, but it will take more than the hon. member to tell me to shut up.

INDIAN AFFAIRS

PAYMENTS TO BAND MEMBERS IN ALBERTA

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. It arises out of the decision taken by the regional office in Edmonton which affects payments to band members under the age of 18 years, under the per capita distribution program. These are funds which accrue to the respective bands through royalty revenues from resources. I would like to ask the minister why the department took this decision unilaterally and whether it is, in fact, just an interim decision, or whether it intends to consult further with the Indian bands and the Indian community before it becomes a permanent fixture?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, my understanding is that there has been consultation with respect to the policy taken by the department leading to this decision. I will check to see if the consultation has been inadequate, but that is certainly my information.

Mr. Mazankowski: The fact of the matter is there has not been any consultation. It was a unilateral decision. Surely the Minister of Indian Affairs and Northern Development is not suggesting that his departmental officials have a better command of handling these funds, rather than the funds being in the hands of the parents? Surely he is not telling the House that?

● (1500)

Mr. Munro (Hamilton East): The president of the Alberta Indian Association spoke to me this morning and indicated that he wished to cover a whole agenda of matters with me. He did not indicate any lack of consultation with respect to what the hon. member is talking about; rather, he wishes to talk about a whole range of other matters which do not include this at all. Therefore I think it is reasonable to assume that perhaps the hon. member is criticizing the policy; but certainly the president of the Alberta Indian Association is not, at this particular time.

* * *

PETITION

MR. WILSON—POSSIBLE INVASION OF POLAND BY U.S.S.R.—REQUEST FOR CLARIFICATION OF GOVERNMENT POSITION

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the forty-fourth report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Etobicoke Centre (Mr. Wilson) and finds that it meets the requirements of the Standing Orders as to form.

PRIVILEGE

MR. LAWRENCE—COMMENTS OF MR. TRUDEAU RESPECTING RELEASE OF TASCHEREAU PAPERS

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my question of privilege relates to certain comments made in the House today by the Prime Minister (Mr. Trudeau) regarding the failure of this government to release the Gouzenko papers or the in camera proceedings of the Taschereau Commission, and the alleged failure, as indicated by the Prime Minister, by any member of the Clark administration to attempt to obtain those papers. It also relates to the actual means and methods of the previous Trudeau administration in locking up and hiding these papers for a further ten years, with no legislative authority or jurisdiction to take that extraordinary step.

As I understand the whole gist of the Prime Minister's remarks, he said that as the solicitor general and as a minister of the Crown in the Clark administration, I had the full power and authority to obtain the release of those in camera proceedings; that if I was so anxious to obtain those papers, somehow or other I neglected to do so or failed to do so, and the blame for this lay on my shoulders.

I believe that that is an absolutely incorrect interpretation of the events; that interpretation, I believe, is a falsehood. I gather it would be unparliamentary for me to say that that incorrect interpretation is false to the knowledge of the Prime Minister; therefore, I shall not go that far. But I do say to the House, and to you, Madam Speaker, that because this matter has been in the forefront of many questions in this House, both written and otherwise, if the Prime Minister did not know that we were attempting to obtain the release of those papers, then he should have known. It is obvious that we were attempting to obtain the release of those papers.

My point of privilege really gets down to the basic fact that he has misled the House today.

Some hon. Members: Order!

Mr. Andre: Tell those Liberals to keep quiet!

Mr. Lawrence: He has misled this House today and has tried to leave the impression that no attempt was made to release those papers. First of all, may I go back to the actual—

Madam Speaker: Order, please. There are a lot of conversations going on between hon. members and—

An hon. Member: It is on both sides of the House.

Madam Speaker: I said there were a lot of conversations going on between hon. members in the House. If they could carry on those conversations behind the curtains, it would be helpful.

Mr. Lawrence: Madam Speaker, may I just cite some short history, because the history of the matter is relevant to the understanding of the point of privilege.

Madam Speaker: I just want to remind the hon. member that he must be short on the history of the matter, and he must also be extremely short on what constitutes—from what he has said up until now—a divergence of opinion on how a certain matter was conducted. I have to hear the point of privilege, and I would urge the hon. member to come to it very quickly.

Mr. Lawrence: I understand that the burden is on me to prove to you, Madam Speaker, that it is not merely a divergence of opinion but an actual misstatement of the facts made today in this House by the Prime Minister. That is the burden which is on me, and that is the burden which I will attempt to discharge.

First of all—

Madam Speaker: Order. Even that does not constitute a question of privilege. If that is the argument which the hon. member is going to pursue, I would advise him to come more closely to the arguments related to the privilege. If one hon. member states facts which another hon. member does not think exactly reflect the reality of things, this does constitute a divergence of opinion on what they both interpret the facts to be; there is a lot of room for interpretation there. A question of privilege cannot address itself to that kind of argumentation. It must be indicated to me that the privilege of the hon. member has really been breached.

Mr. Lawrence: Madam Speaker, I am always very cognizant of your rulings, obviously because we have to be; but I am also very cognizant of the suggestions and help which you give to us when we are struggling, in a matter that was unforeseen, to come up with arguments. However, as I understand my rights as an hon. member in this House, if another hon. member—whether he is the Prime Minister or the farthest backbencher in the House, it matters not—makes a misstatement of fact which alleges that an hon. member did something, or did not do something which he should have done, then that is a question of privilege. That is the allegation I am making here today.

Mr. Trudeau: You are doing that every day. Wake up, you guys!

Mr. Lawrence: If I may go back and make a very short summary of facts in this matter, Mr. Gouzenko defected in 1946 from the embassy of the Soviet Union in Ottawa, and made extremely serious allegations to a number of officials of the government and a number of people outside the government. As a result of those allegations, a royal commission was set up. The full report of the royal commission and the proceedings before that commission have never been made public. I do not question the authority of the government of the day in its decision not to make those papers public if it did not so desire. They were sent to the archives on the understanding that they were to be sealed for 30 years. That 30-year period ended in 1978.

I come now to the crux of the matter. In 1978, when all of the security provisions, and I respectfully suggest to you, Madam Speaker, all of the privacy problems relating to the testimony before the Taschereau commission were long since over and done with, the administration preceding the Clark administration took it upon itself, illegally, with no justification and with no legislative authority whatsoever, to send those documents back to the National Archives and reseal them for another ten years.

Now I come to my question of privilege.

Madam Speaker: I am sorry, I must call the hon. member to order. The hon. member is debating the question. He is stating a different set of facts—

Mr. Trudeau: And making falsehoods!

Madam Speaker: —from those stated by another hon. member. That does not constitute a question of privilege. I would like the hon. member to come to those arguments.

Mr. Lawrence: If not for your benefit, Madam Speaker, for the benefit of the House, I was attempting very briefly to summarize the history of this matter, which goes back 35 years. As I have completed it in approximately three and a half minutes, I do not think that is bad.

The Prime Minister now alleges that, as solicitor general, I could have obtained the release of those documents but I made no attempt to do so. That is the nub of my question of privilege. With the full cognizance of the government of the day I attempted to obtain the release of those papers, as the minister of the Clark administration who was primarily in charge of security for this country. I attempted verbally through my own officials and I attempted verbally through Dr. W. I. Smith, the Dominion Archivist, when he informed me that these matters were sealed as the result of a cabinet deliberation of the previous administration.

● (1510)

I then attempted to find out the reason for that and whether the Clark administration could overrule that cabinet directive. I was informed that the reason for it came under the jurisdiction of an undertaking given by the then prime minister, the present Leader of the Opposition (Mr. Clark), to the then leader of the opposition, now the Prime Minister of Canada.

I then insisted that I be given something in writing by Dr. Smith, which I received. I will read it to you, Madam Speaker; it is a letter addressed to me dated November 13, 1979. The only reason that I feel I can now release this letter to the House is that the Prime Minister indicated today that I would not be in breach of any rule of confidentiality or any oath of secrecy by doing so.

In a letter dated November 13, 1979, addressed to me as solicitor general of Canada, he wrote:

Dear Mr. Lawrence: In reply to your letter of 31 October, 1979—

I had asked for either the release or the right to inspect those documents.

—I enclose copies of documents relating to control of access to the transcript of the hearings of the Taschereau-Kellock Commission of Inquiry. This transcript is in the custody of the Public Archives—

This letter is from the Dominion Archivist.

—for permanent preservation, but access to it is controlled by the Clerk of the Privy Council. These records were declared "exempted" by the Clerk as allowed for by Section 1 (v) of the Access Directive (please refer to attachments: P.M. Pitfield to W.I. Smith, 3 February 1978; Access Directive of June 1977).

The Access Directive policies, dating originally from 1969, deal with both the transfer of federal government records to the Archives and access to records. I understand that these policies will be extensively revised in the light of proposed new privacy and freedom of information legislation.

If there is any further information I can provide, please let me know.

He enclosed copies of Mr. Pitfield's letter of 1978 to him and also an access directive from the Privy Council office dated November 14, 1978. All those measures were taken during the regime of the present Prime Minister of Canada who was also the then prime minister. Nowhere is there any legislative authority for those directives; nowhere is there any indication that legislation was passed by the Parliament of Canada enabling Mr. Pitfield or those from whom Mr. Pitfield took orders to do what he did.

When I complained about this verbally through my officials to Dr. Smith, the answer that came back to me, undeniably, was that these things were sewn up tight as the result exclusively of cabinet deliberations, and that these cabinet deliberations could not be challenged by me now as a result of the undertaking given by the then prime minister to the previous prime minister.

In the last few months of the Clark administration, and since I was not happy with that answer in any shape or form, I then caused an investigation to be started in conjunction with the Department of Justice to find out if there was any legislative authority for an action which I believed the previous government had undertaken that was absolutely illegal and without any authority whatsoever.

My colleague, the hon. member for Leeds-Grenville (Mr. Cossitt) put a number of questions on the Order Paper that I wanted to ask after our government fell and we were back in this House. One of them was an inquiry whether there was any legislative authority for these actions. The written answer given to the hon. member for Leeds-Grenville was so evasive, as most of them are, that it is apparent to me today that there is still no legislative authority for this very extraordinary action.

I honestly felt, before becoming solicitor general, during my term in office and since then, because of the gross errors that were made at one time by a previous administration and by others who were our allies, that after 35 years the release of this documentation would certainly show those faults, those errors and that negligence so that this type of activity could be prevented in future by using a little bit of hindsight.

To return to the question of privilege, Madam Speaker, I honestly feel that my rights as a member of this House have been transgressed by the Prime Minister. I hope he will now be big enough to stand up and apologize. He should appreciate now that I made attempts, and that I am still making attempts outside this House, to obtain the release of those papers. I ran into a brick wall; I was frustrated by bureaucrats and I was also frustrated by the actions of his previous administration. I hope he will be big enough now to stand up and apologize to the House.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I do not think that was a question of privilege, but I will let you rule on that. I want you to accept the invitation to stand up and speak on this matter. What I want to do is to try to clarify a little bit the law and the conventions as I see it.

The hon. member keeps saying—

Mr. Andre: Since when do conventions matter to you?

Mr. Trudeau: —that illegally we extended the confidentiality provision by ten years because there is no legal provision to that effect. I indicated in answer to an earlier question that I knew not about the law in this matter but I did know about the convention. After the Taschereau papers were closed, I believe the convention was established—long before my time—that papers so classified would be classified and held by the archives for 50 years. Whether that was by law or by convention I cannot say. But I do know that in response to historians in many parts of the country, and representations from public servants, that I thought 50 years was too long. If the original 50 years had remained the rule, the Taschereau papers would be in the archives until some time in the late 1980s.

I intervened, as I explained earlier, after consultation with the Right Hon. Mr. Diefenbaker and the Right Hon. Mr. Pearson. I said, "Look, can we not agree that 50 years is too long? We could shorten it to 30 years." After some discussion and hesitation I got their agreement to shorten the period to 30 years.

The reason I needed their agreement was the reference to papers that had been classified not only under their administration but under the administration previous to theirs, that of Mr. St. Laurent's. Having received the approval of the surviving former prime ministers, then either in cabinet or by an order—I believe it must have been in cabinet since the hon. member is referring to a cabinet decision—we issued a directive that henceforth the 50 years would be reduced to 30.

The point I was making in my earlier answers is that the right hon. gentleman, the Leader of the Opposition (Mr. Clark), when he was prime minister could have done what I did: He could have said that 30 years is too long or 30 years plus the additional ten that were given by directives in 1970 is too long and that the period should be reduced to 20 years, say, or ten, or five, or one—I don't care. That is the point I am making to the Right Hon. Leader of the Opposition. I am not saying that the former solicitor general could have access to those papers any more than I am saying that my own Solicitor General (Mr. Kaplan) could have access to those papers.

The point I am making is that it is the government of the day, under law or under convention, that decides how long papers will be classified. I am sure the Right Hon. Leader of the Opposition knows that. When the privacy legislation has

been passed and this Parliament has accepted it, we may change the rules again. But it is the government of the day which issues cabinet directives or directives of the Prime Minister saying that we will reduce the 50 years to 30 years, as I did, or increase it by ten on one particular point or reduce it by 20 on some other point. That is all I am saying.

● (1520)

If the Clark administration had wanted to reduce the period when these papers were held incommunicado, it had that privilege. They were the government. They could have said: "We declassify everything, except the papers relative to an administration before ours". That is a distinction I tried to make in this House. Royal commission papers are not papers of an administration. A royal commission reports to the Prime Minister of the day. It is a royal commission. Papers from a royal commission, as I understand it, are not subject to the convention of transfers of administration. That is why I repeat the point: I was not Prime Minister when the Taschereau papers were given to the then Prime Minister.

Nonetheless, as Prime Minister in 1978, under my authority, and I must say without my recollection of it—I cannot say that because I recollect that at one point we said, "Okay, another ten years, if that is the advice we are getting." But the point I am making is that an administration can take that decision, and we did. Our administration is now looking into the matter to see if we can reverse the decision.

I am saying that the Government of Canada decides the length during which papers will be held in the archives and held incommunicado. That is all. The challenge I put to the Right Hon. Leader of the Opposition is, why did he not release the papers? He could have had a cabinet meeting and said that henceforth they would reduce the incommunicado period from 30 years to 20 or to ten years. I imagine he would have then done what I did, namely, consult the previous surviving prime ministers. He could have checked to see what I would have said. The point is that he did not. My recollection is that he did not because the Right Hon. Leader of the Opposition was advised, not that he could not release them, but that it was not in the public interest to release them. He shakes his head as if to say no. I do not know, but maybe he did not ask.

Some hon. Members: Oh, oh!

Mr. Trudeau: Or maybe had he asked, he did not get an answer. I am stating in this House what the laws and the conventions are. I am stating that, just as in 1978, the government of the day prolonged the period of confidentiality for ten years in the same way this government or the preceding government could reduce that period.

I have said that we are having the matter reviewed. If we find this material can be released without contravening the public interest, we will do so. We will not need to look for any obscure law or get permission from anyone. We will just be changing the convention, reducing it from a further ten years to something less than ten years.

That is how the matter stands, Madam Speaker. I repeat, I fail to see how—

Mr. Andre: You sure whomp that straw man! What about the question raised?

Mr. Trudeau: Now I am asked by the hon. member for Calgary Centre (Mr. Andre)—

Madam Speaker: Order, please. The Right Hon. Prime Minister has the floor. He should be allowed to finish his intervention.

Mr. Trudeau: Madam Speaker, I think the suggestion is that I did not answer the question why we had prolonged the matter for ten years. I answered that during question period. It is also answered in *Hansard* in reply to a question asked by the member for Leeds-Grenville (Mr. Cossitt) as to why an extra ten years was given. The extra ten years was given because officials within the government looked at these papers. A study was made of them and a recommendation came forth. I said in the House that a recommendation was made that it was not only the security of the state but the privacy of individuals that would be infringed upon. That is why, as I understand it, the recommendation came to wait another ten years. That is the end of the matter as far as I know it, Madam Speaker.

Some hon. Members: Hear, hear!

Madam Speaker: I will recognize the Right Hon. Leader of the Opposition (Mr. Clark). However, just before I do I want to caution him. When the first speaker does not convince me there is a breach of privilege, I tend not to listen to many other interveners. In order to help the Chair, I would like the hon. member to address himself to the question of privilege. From Beauchesne I read that a question of privilege ought really to come up in the House and that a genuine question of privilege is a most serious matter and should be taken seriously by the House.

I do want to take questions of privilege seriously, but then, if they are to be serious, they must be addressed with the proper arguments and be treated as questions of privilege and not in any other manner. Therefore, I will recognize the Right Hon. Leader of the Opposition, having cautioned him about this.

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I will naturally accept that caution knowing full well that you were directing it more pointedly at my predecessor who did not address the question of privilege at all in his remarks.

Some hon. Members: Hear, hear!

Mr. Clark: The question of privilege is very clear. The Prime Minister of Canada (Mr. Trudeau) today in his place, in answer to questions in question period, accused the member of Parliament representing the riding of Durham-Northumberland (Mr. Lawrence) of having failed to exercise his responsibility as a minister and as a member of the House of Commons—

An hon. Member: It is done every day in the House.

Mr. Clark: —in relation to the pursuit of the publication of a document which had been held secret. That was the accusation made by the Prime Minister of Canada. He said that the hon. member for Durham-Northumberland had not made any effort to carry out his responsibility as a minister to have those documents revealed.

Mr. Trudeau: He said that I had covered up.

Mr. Clark: That, in my submission, Madam Speaker, is a question of privilege that is not only a grievous charge because it accuses a Member of Parliament, in his capacity as a Member of Parliament, of failing to carry out parliamentary responsibilities—

Some hon. Members: Oh, oh!

Mr. Trudeau: He accused me of covering up, Joe. Answer that.

Mr. Clark: That was a clear charge—but he also extended that charge to include the activities of the hon. member when he was a minister of the Crown.

The hon. member for Durham-Northumberland has just read into the record proof indicating that in fact he did take those actions which the Prime Minister denied he took, that those actions were not successful, not because of a failure to take them but because of a combination of actions taken by a previous administration headed by the present Prime Minister.

The present Prime Minister in the guise of dealing with the question of privilege, although he did not address it, spoke instead of different conventions that might or might not apply to the length of time during which documents will be held confidential. I agree with you, Madam Speaker, that while that is an interesting subject and one in which I will be pleased to join debate at another time, it is not the matter which is at issue here in the question of privilege raised by my colleague from Durham-Northumberland.

His question was, quite narrowly and specifically, that the Prime Minister of Canada had accused the hon. member for Durham-Northumberland of failing to do his duty as a member and as a minister. That was an accusation which the facts do not bear out. The member for Durham-Northumberland did not suggest—

Some hon. Members: Oh, oh!

An hon. Member: Erik, he needs your help.

Mr. Clark: There is a great deal of shouting on the other side, Madam Speaker, because they do not much like having their Prime Minister caught out in a situation of this kind.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Clark: I rise at this point because the Prime Minister, in my judgment, has now compounded what may well be a breach of privilege. He has accused the Member of Parliament for Durham-Northumberland of a failure, which accusation is not correct. When he had the opportunity, he refused to take the simple, gentlemanly course, a course which, when it is respected, makes this Parliament a place where business can be done and progress can be made. He declined to do the courteous thing and admit that he was mistaken and that his charge against the hon. member for Durham-Northumberland was wrongly based.

● (1530)

If the Prime Minister would be courteous enough to stand up and say that he was wrong, that the accusation he made was not founded on the facts, the issue could rest there. If not, Madam Speaker, I think you will find there has been a very serious breach of the privileges of the hon. member for Durham-Northumberland—

Mr. Trudeau: Baloney.

Mr. Clark: —both in his capacity as a private member and as a former minister of the Crown. Because he has been accused of a failure to act in his ministerial capacity when in fact he did everything possible to act, and was frustrated in the success of that attempt by actions taken by the previous Trudeau administration.

Some hon. Members: Hear, hear!

Mr. Cossitt: Madam Speaker, I have been standing for the last 15 minutes trying to get recognized so I can speak to this same question of privilege.

Madam Speaker: Order.

Mr. Cossitt: In fact, I have been trying for an hour.

Madam Speaker: I know the hon. member is asking to be recognized on a point of order.

Mr. Cossitt: No, Madam Speaker, on the same question of privilege we are now dealing with.

Madam Speaker: I am ready to rule on this question of privilege.

Mr. Nielsen: Surely, Madam Speaker, the hon. member has the right to be heard.

Madam Speaker: Order.

Mr. Cossitt: I have been ignored for three weeks.

Madam Speaker: Order, please.

Mr. Cossitt: I am sorry, Madam Speaker, but I want the opportunity to set the record straight.

Madam Speaker: Order, please. I am disposed to rule on this question of privilege. Before ruling, I want to make a

comment which I hope the House will accept in good faith. I did not comment on the kind of argument which the Prime Minister offered in response to the question of privilege raised by the hon. member for Durham-Northumberland. The reason was that neither of them addressed the matter of privilege, except for one saying that he had a question of privilege and the other one saying there was no question of privilege.

I do not want to unduly charge the hon. member, but I feel that since he did not address the question of privilege in a way that was satisfactory to me but aligned facts in order to expose what kind of divergence existed between the two points of view, the other intervener had no choice but to respond to those facts and align a new series of facts which he thought were related to the particular question.

However, that is not part of the ruling. I just wanted to make that remark since I do not want anyone in the House to feel that I am trying to unduly protect the Right Hon. Prime Minister; I do not think any member of the House needs that.

I quote Section 19 of Beauchesne:

A dispute arising between two members,

The kind of debate we have had this afternoon indicates quite clearly that this is a dispute between two members.

—as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

The failure of a minister of the Crown to answer a question does not constitute a question of privilege. Nor does the fact that a former minister did or omitted to do something that he should have done during the course of his mandate constitute a question of privilege.

Charges in respect of that former responsibility can be made and are acceptable as long as they are made in a parliamentary way. We are talking about the responsibility of the hon. member for Durham-Northumberland in his capacity as a former minister. References were not made to his present role as a Member of Parliament. That does not constitute a question of privilege. It might be something which the hon. member would want to explain, and I think he did that abundantly today. I listened to him very carefully to see whether there was anything else but those explanations of his actions when he was a minister.

Even evasive answers, a matter which was raised during the course of debate, do not constitute a question of privilege. They are merely an invitation to probe the matter further. There are, of course, many occasions in this House to pursue matters in debate, but not by raising a question of privilege.

Therefore I must rule that in this case it is a matter of a difference of opinion, a dispute between members, but certainly not a question of privilege. I find no prima facie case.

MR. COSSITT—ALLEGED DENIAL OF RIGHT TO SPEAK

Mr. Tom Cossitt (Leeds-Grenville): I rise on a question of privilege, Madam Speaker.

Madam Speaker: The hon. member for Leeds-Grenville on a point of order.

Mr. Cossitt: It is a question of privilege, Madam Speaker, not a point of order. I know that you would probably prohibit me from speaking on a question of privilege on which you have apparently already ruled. I would like to raise this point as my question of privilege, that in effect I am being prohibited from speaking in this House—

Mr. Nielsen: "My mind's made up, don't confuse me with the facts."

Mr. Cossitt: —on an issue on which I have as much right to speak as anyone else because I raised the matter of the Taschereau papers at least three years ago and on a continuous basis since that time. I had information available which I could have used if you had recognized me on the previous question of privilege—

Mr. Trudeau: Give it to the press.

Mr. Clark: He will.

Mr. Cossitt: —showing that on October 16, 1979, the then solicitor general replied to me by saying that he had ordered an investigation—

Madam Speaker: Order, please. As the hon. member himself stated, it is not possible for me to hear him on this matter since I have already ruled.

I remind the hon. member that it is in the discretion of the Chair whether to continue to hear interveners on a particular question of privilege. It has been my inclination when the first speaker had not convinced me that there was a foundation for a question of privilege that I would not go to any further speaker. If the member who feels that his or her privilege has been breached cannot bring forward arguments to prove that there is a question of privilege, it does not make sense that another person not involved in the privilege would be able to muster arguments in favour of that privilege. It is for the first member who raises the question of privilege to convince me there is a prima facie case. That has been my inclination. That is the way I want to deal with questions of privilege, and it is in the interests of the entire House to do so because every member of this House has things to say. Every member's right to say those things has to be protected within the confines of our rules.

Mr. Cossitt: On a point of order, Madam Speaker.

Madam Speaker: Is the hon. member rising on a point of order?

Mr. Cossitt: I would like to conclude what I started a moment ago.

Madam Speaker: I am sorry.

Mr. Cossitt: This is a point of order, Madam Speaker.

Madam Speaker: I am sorry.

Mr. Cossitt: I rise on a point of order, Madam Speaker.

Madam Speaker: Well, if it is a point of order, the hon. member was up on a question of privilege before I interrupted him. Now he is up on a point of order. I can accept that. What is the point of order?

Mr. Cossitt: If I may paraphrase your words, Madam Speaker, you said something to the effect that it is the right of every member of this House to be heard. I have not seen that right exercised in the last half hour.

Some hon. Members: Shame!

Mr. Cossitt: I have to say that. I am not criticizing the government, I am not criticizing the opposition, but I am saying, Madam Speaker, that there is an element of fairness—

Madam Speaker: Order, please.

Mr. Cossitt: You have known for a long time—

Madam Speaker: Order. I have to object to that expression of the hon. member. We are on pretty slippery ground here. If I prevent one member from speaking at a certain time, it is because I am protecting the rights of other members. Of course, one or two members are frustrated at that particular moment, but freedom of expression is protected in this House by the strict application of the rules to the best of my knowledge.

• (1540)

Is the hon. member for Yukon (Mr. Nielsen) rising on this point of order, because I do have another point of order?

Hon. Erik Nielsen (Yukon): On a point of order, Madam Speaker. I will be very brief with it.

There appears to be a question raised by the hon. member for Leeds-Grenville (Mr. Cossitt). Obviously he and several hon. members on this side are not happy with the manner in which it has been treated. I simply rise now to file notice with the Chair that, after considering the matter, the hon. member may well wish to raise tomorrow the specific matter raised by him today by way of a substantive question of privilege, with the usual motion moved in support of it.

I simply provide the Chair with that notice now, and if the hon. member wishes to pursue it tomorrow, that is the procedure which will be adopted.

Madam Speaker: That is quite in order. If the hon. member for Leeds-Grenville has a new, substantive question of privilege to raise in the House at a later date, it will be examined on its merits. It is perfectly open to him to do that.

Mr. Cossitt: On a point of order, Madam Speaker. Could you clarify for the House why a member who has dealt with any specific subject, whether it is the Taschereau papers or anything else, over a period of many years, and who probably possesses more information on it than anyone else in this House at this time, is denied the floor?

Point of Order—Mr. Andre

Madam Speaker: The hon. member could have the floor at any time this question is being debated. I do remind hon. members that what happened this afternoon is that one hon. member raised a question of privilege. I heard that question of privilege and a second intervener on that question. It is my discretion to determine when the Chair is sufficiently informed and ready to rule, and I have done just that.

I recognize the hon. member for Central Nova (Mr. Mackay) on a point of order.

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I will address the Chair very briefly. Perhaps you will forgive me if I make a suggestion which might involve reverting to motions, but I feel that most hon. members in this chamber would agree that we are seized today with a matter that has a great deal of significance, both in the national and international scene.

The Right Hon. Prime Minister (Mr. Trudeau) referred in the House to the fact that the Solicitor General (Mr. Kaplan) had some information on this matter. I suggest with great deference to the Chair, Madam Speaker, that the House, which can do anything it wishes with unanimous consent, may be disposed to—

Mr. Trudeau: Question period tomorrow.

Mr. MacKay: Question period tomorrow?

Mr. Trudeau: Yes, we will be here. Get on with the business.

Mr. MacKay: We have just heard from the oracle, so I gather there is not much point in pursuing the question any further with the Chair.

* * *

POINT OF ORDER

MR. ANDRE—USE OF DOLLAR ITEMS IN SUPPLEMENTARY ESTIMATES (C)

Mr. Harvie Andre (Calgary Centre): Madam Speaker, last Thursday I wrote to you indicating my intention to raise a point of order with respect to the Supplementary Estimates (C) and certain items in the supplementary estimates. You will recall it was my intention to raise the matter yesterday but in deference to the Prime Minister's intention to speak I postponed it until today. Therefore, with the permission of the Chair I would like to proceed with the point of order at this time.

As the House knows, Madam Speaker, the estimates lay out government spending plans and in their organization group these according to department and program in the form of votes. After the time allotted by the Standing Orders for committee study of the estimates, called the supply period, an appropriation bill is introduced and passes through all stages without debate. At some time in the past the government began the procedure of using votes on estimates to seek authority to undertake actions quite beyond the mere appro-

priation of funds. This may have been reasonable in the distant past when the appropriation bill was subject to full and complete debate with first and second reading, committee and report stages and third reading. However, since the rule changes in 1969 wherein the appropriation bill is passed through all stages with no debate, this procedure is no longer appropriate.

Now, over the last decade numerous members have raised points of order respecting the use of the estimates and the appropriations procedure to seek legislative authority by way of dollar items. Your predecessors, Madam Speaker, have ruled on these points a number of times, including on March 10, 1971, December 10, 1973, and March 6, 1974, by the Hon. Speaker Lamoureux; on June 22, 1976, March 22, 1977 and June 7, 1977 by the Hon. Speaker James Jerome.

On December 7, 1977, Speaker Jerome, referring to the supply procedure, said as reported on page 1642 of *Hansard*:

> This is a process which has long been adhered to by the House which provides for an examination of the estimates in rather great detail, but does not provide for extensive debate between the various stages of the supply bill. As a result of that, it has long been a tenet of the House that supply ought to be confined strictly to the process for which it was intended, that is to say, for the purpose of putting forward by the government the estimate of money it needs, and then in turn the voting by the House of that money to the government, and not to be extended in any way into the legislative area, because legislation and legislated changes in substance are not intended to be part of supply, but rather ought to be part of the legislative process in the regular way which requires three readings, committee stage, and, in other words, ample opportunity for members to participate in debate and amendment.

Perhaps the most definitive ruling, again by your immediate predecessor is to be found on page 4221 of *Hansard*, March 22, 1977, wherein he stated:

> On the general question, it is my view that the government receives from Parliament the authority to act through the passage of legislation and receives the money to finance such authorized action through the passage by Parliament of an appropriation act. A supply item, in my opinion, ought not, therefore, to be used to obtain authority which is the proper subject of legislation.

The rulings of the Hon. Speaker Jerome are unambiguous and precise, Madam Speaker. In my view, therefore, to show that the items or votes in Supplementary Estimates (C), which I will soon identify, are improper and out of order, it is only necessary to show that these are not truly supply items, but rather that they seek to go beyond the simple and limited scope of the supply procedure, which is the appropriation of specific funds for specific purposes and nothing more.

I would like first to bring to your attention Vote 5c under the Department of Energy, Mines and Resources, at page 24 of the Supplementary Estimates (C), 1980-81. I will not read this rather long item into the record, but what it does is grant to the governor in council authority to establish what is termed the Canadian ownership account, a non-budgetary trust account, and give the governor in council authority to transfer funds from what will be a Canadian charge, if and when that is approved by this House, into such account. It gives the government authority to spend that money on the shares of Petrofina up to a maximum of, interestingly enough, $1.7 billion. Then, Madam Speaker, the item in the final line concludes with the following words: "and to provide a further sum of $5,382,000." Last Thursday, the Minister of Energy, Mines and Resources (Mr. Lalonde) attended the Standing Committee on National Resources and Public Works. He outlined in detail what the $5,382,000 was for. It consists of ten different items. The testimony is in the committee records and is available. The items are: $600,000 to implement the Canadian oil and gas substitution program; $81,000 for professional services; $195,000 for studies; $170,000 for capital costs of vehicle conversion; $250,000 for an energy audit; $50,000 for some contracting out; $20,000 for consulting fees; $2,259,000 for scientific equipment; $1,134,000 to supply resources to administer the petroleum incentives program; $623,000 to provide additional managerial authority.

• (1550)

Those ten items which are accounted for in the last seven words of the estimate add up to precisely $5,382,000, so that all of the vote described in the words preceding the last words of this vote do not have even a single dollar attached to them. In other words, if this vote were not seeking authority to set up this fund and to give the governor in council authority to administer it, it could have been taken care of by the simple words "to provide an amount of $5,382,000", the details of which were supplied by the minister.

The entire intent of that vote and that wording is clearly to seek authority for the establishment of this special fund, and it is described as a non-budgetary account. Those words are important in that they indicate that this account and the funds transferred in and out will be beyond the reach of the public accounts procedure, that is, the funds are collected by the Canadian ownership charge and will not go into the Consolidated Revenue Fund, be reported in the public accounts and thereby in fact show up in the blue books of estimates. In fact, they will go into this non-budgetary account, and Parliament will have no opportunity to examine them in the same way as we have the opportunity to examine the gathering and expending of normal taxation funds through the consolidated revenue fund.

Without these checks and balances which are normally provided, I think it falls upon us as a responsible Parliament to give even more consideration to what the government is attempting to do here.

If I may quote again the words of Mr. Speaker Jerome of March 22, 1977, he said:

> —the government receives from parliament the authority to act through the passage of legislation and receives the money to finance such authorized action through the passage by Parliament of an appropriation act.

The government in this instance is clearly seeking legislative authority through a parliamentary act to set up this account, but in this instance it has not even sought the nominal one dollar which has been the traditional device used in order to establish an account.

If there is any question in the mind of the Chair with regard to the points I have raised, I would be pleased to elaborate. There are ample precedents in the rulings of Your Honour's immediate predecessors to establish beyond doubt that what the government is attempting to do is something which ought

to be done through legislation and not through the appropriations procedure established by Your Honour's predecessors.

I would like to draw attention to three different votes in the supplementary estimates which are similar enough in their intent that I can deal with them all at the same time and in the same argument. I refer first to Vote L18c on page 48 of Supplementary Estimates (C), which is a vote of the Department of Finance. It seeks by way of a one dollar item to authorize the Minister of Finance (Mr. MacEachen) to issue non-interest bearing, non-negotiable demand notes, in such form as the minister may determine, in an amount not exceeding $11,500,000 in respect of Canada's commitments to replacement of the sixth replenishment of the resources of the International Development Association. In essence, what that item does is place or seek to place in the hands of the International Development Association a debt instrument or instruments which obligate Her Majesty in right of Canada to payment of sums up to $11,500,000.

I would like also to draw attention to Votes 7c and 8c of the Department of Industry, Trade and Commerce which appear at page 66 of Supplementary Estimates (C). Vote 7c seeks authority for the governor in council to guarantee loans of up to $450 million to de Havilland Aircraft of Canada, a Crown-owned corporation but not a Crown corporation as defined by the Financial Administration Act. Vote 8c seeks authority for the governor in council to guarantee securities of Massey-Ferguson Limited up to an amount not exceeding $130 million.

The question the Chair must consider is whether these three votes—L18c of the Department of Finance and Votes 7c and 8c of the Department of Industry, Trade and Commerce—are in fact items for which parliamentary authority should be sought through the usual legislative process. It is my view that they most certainly are items for which authority must be sought through the legislative process.

In support of this position I bring the attention of the Chair to Section 22 of the Financial Administration Act, Chapter F-10, Statutes of Canada, which reads, and I quote:

> Where a guarantee has been given under the authority of Parliament by or on behalf of Her Majesty for the payment of any debt or obligation, any amount required to be paid by the terms of the guarantee may, subject to the Act authorizing the guarantee, be paid out of the Consolidated Revenue Fund.

Notice that the language is very clear and precise. It refers to a guarantee given by Her Majesty—given by Canada—which requires an act of Parliament. That is what Section 22 says very specifically.

The appropriation of Vote L18c, which deals with the $11,500,000 debt instrument to be given to the International Development Agency, is clearly an obligation of Her Majesty. It places an obligation on Her Majesty in right of Canada, and it is an obligation which can only be placed there, according to Section 22 of the Financial Administration Act, by an act of Parliament. Legislative authority must be sought to impose that obligation on Her Majesty. It is not the requisition of money at this stage because at a later stage—as I will demonstrate with another section of the FAA—when the IDA seeks funds based on these debt instruments, it will be necessary for the government to seek through the estimates procedure an allocation from the consolidated revenue fund. At this point in time with that dollar item it is not a requisition of funds; it is an attempt to seek legislative authority for a guarantee which, as Section 22 says, can be sought and obtained only through an act of Parliament.

I refer to Section 36 of the Financial Administration Act, Chapter F-10, which says, and I quote:

> No money shall be borrowed or security issued by or on behalf of Her Majesty without the authority of Parliament.

That is very clear and specific. The authority of Parliament must be obtained in order to grant a guarantee. The supply procedure and appropriation procedure is to grant funds for programs, not to grant legislative authority. This clearly establishes that Vote L18c of the Department of Finance is out of order, and the authority being sought by the minister must be sought by way of an act of Parliament and not by the use of this supply item.

With respect to Vote 7c dealing with de Havilland Aircraft and 8c dealing with Massey-Ferguson Limited, I refer the Chair to Section 79 and 80 of the Financial Administration Act. Section 79 provides definitions for that part of the act and defines a Crown debt as follows:

• (1600)

> "Crown debt" means any existing or future debt due or becoming due by the Crown, and any other chose in action in respect of which there is a right of recovery enforceable by action against the Crown;

That is the definition of a Crown debt.

Section 80 of the Financial Administration Act, Chapter F-10 of the Statutes of Canada, states:

> Except as provided in this act or any other act of the Parliament of Canada,
>
> (a) a Crown debt is not assignable, and
>
> (b) no transaction purporting to be an assignment of a Crown debt is effective so as to confer
>
> on any person any rights or remedies in respect of such debt.

Therefore, clearly any government guarantees by that definition are Crown debts as defined by Section 79 of the Financial Administration Act; and Section 80 states that no Crown debt is assignable except where an act of Parliament provides that authority to the government. The government is seeking authority by this procedure to perform something requiring an act of Parliament. It is not seeking funds, which is the sole and exclusive route through which an appropriation bill can be put.

I would not want the House or anyone speaking after me to imply that I had not been thorough. I recognize that Section 83 of the Financial Administration Act does say, respecting Section 80:

> This part does not apply
>
> (a) to any negotiable instrument, or
>
> (b) to any Crown debt incurred by or in the name of a corporation set out in Schedule C or D.

In other words, incurred by the Crown corporations set out in Schedules C and D. The Financial Administration Act

defines "negotiable instrument" as any cheque, draft, travellers' cheque, bill of exchange, postal note, money order, postal remittance and any other similar instrument. In other words, in no way are the guarantees of these instruments described herein negotiable instruments. Most certainly they are not.

I hardly need to point out that Massey-Ferguson is not a Crown corporation under Schedules C and D, at least not yet. While de Havilland Aircraft is a Crown-owned corporation, it is not one of those corporations set out in Schedules C and D as required by the Financial Administration Act. For authority here I refer to a document produced by the financial administration branch, office of the Comptroller General of Canada, revised in July of 1979, which lists under "other government corporations", corporations which have not been designated as Crown corporations, de Havilland Aircraft of Canada Limited. So de Havilland is not a Crown corporation, and therefore for the Crown to guarantee its debt instruments according to the Financial Administration Act it is necessary for the government to seek legislative authority.

Finally, I should like to deal with another class of dollar items which I believe are also out of order. These are items whose purpose it is to cancel certain debts to Her Majesty. The votes in question are Vote 5c of the Department of Agriculture in the amount of $29,208.12, Vote 30c of the Department of National Health and Welfare in the amount of $153,207.67, Vote 1c of the Department of National Revenue in the amount of $3,630,492.81, Vote 5c of the Department of National Revenue in the amount of $24,770,219.53, Vote 10c of the Department of Public Works in the amount of $206,236.38, Vote 20c of the Department of Public Works in the amount of $185,660.93, Vote 1c of the Department of Regional Economic Expansion in the amount of $13,216,170, and Vote 5c of the Department of Supply and Services for $5,254.

As I indicated, all these items deal with the deletion or cancellation of debts owed Her Majesty. Madam Speaker, I would like to refer you to Section 18(1) of the Financial Administration Act, which states:

> The governor in council, on recommendation of Treasury Board, may make regulations authorizing deletion from the accounts, in whole or in part, of any obligation or debt due to Her Majesty or any claim by Her Majesty that does not exceed five thousand dollars.

Thus, Section 18(1) of the Financial Administration Act grants legislative authority for the government to cancel debts, provided they are less than $5,000. There is no legislative authority for the government to cancel debts in excess of $5,000. To cancel such debts, legislative authority must be sought from Parliament, which is clearly what the government is attempting to do through the votes I have previously identified.

To seek such legislative authority through the use of an appropriation act is clearly in violation of the ruling established by your predecessors, Madam Speaker, Mr. James Jerome and Mr. Lucien Lamoureux. It would be clearly unreasonable to have a situation whereby for debts of less than $5,000 authority is granted through the Financial Administration Act, an act which has been subjected to the full legislative process of first and second readings, committee study, report stage and third reading, whereas for the deletion of debts in excess of $5,000, the larger debts, one merely needs to pass a $1 item in an appropriation bill which is passed through Parliament with no debate at any stage. Clearly that would be an unreasonable proposition, and I think, Madam Speaker, that the rulings of your predecessors have established that.

I have covered a few points here, Madam Speaker, and I feel that the subject being raised is important. Any fair minded reading of the rulings of your predecessors would establish beyond a doubt the importance of what has occurred. If this procedure is not challenged by the Chair, we will very soon be in a situation where, by virtue of $1 items in an appropriation bill which Parliament cannot debate or amend, the government could seek authority to spend almost any amount.

Clearly the role and responsibility of government when it seeks to do something which it does not have the authority to do is to submit legislation to the House of Commons, and the House of Commons must have the opportunity to debate it, to amend it, and to vote on it through all of its stages. We have a long history of a procedure which has served us well and which I believe we should retain if we are going to fulfil our responsibilities.

Let me say by way of explanation that I can certainly understand the frustration of the public service and the government which want to do all of these things, and really none of them is particularly unreasonable and I do not object to them. I would argue about some of them, but I would not object to them in substance. What is being attempted here is not unreasonable. I raise objection for the reason that, if we do not challenge the government in this regard, it will clearly seek to open that door wider.

• (1610)

As I started to indicate, I can understand the frustration of the minister's senior civil servants wanting to seek some authority to undertake these actions, which are not unreasonable actions. But if we are to protect this institution from the Crown—and surely it is the role of Parliament to protect itself from the Crown and from the intent of the Crown to rule without what must be an annoying interference by the commoners—we must follow proper procedures. I understand their frustration and their attempts to define these easy ways in which to grant legislative authority. The straightforward way is not easy. On the other hand, I think the responsibility of the members in this chamber, and of Your Honour in the chair, is to ensure that proper procedures are followed, and that we do not simply turn a blind eye to what are inappropriate procedures because they are easy and because the items dealt with are not particularly offensive.

I submit that the votes I have just recited to the Chair are, in fact, all out of order, and I respectfully suggest that you so rule, Madam Speaker.

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I respect the concern of the hon. member for Calgary Centre (Mr. Andre) to ensure that the sanctity of parliamentary procedures is observed. I can assure you, Madam Speaker, and this House, that there is nothing in Supplementary Estimates (C), which has been tabled by the government, which in any way departs from well-established precedent with respect to all the items to which the hon. member has made reference.

The first point I would like to make—and it is one that all hon. members should bear in mind—is that an appropriation act is an act of Parliament. It seems to me that in the course of his remarks the hon. member has ignored that very fundamental principle.

Beginning with the first item raised by the hon. member for Calgary Centre, namely, Vote 5c of Energy, Mines and Resources on page 24 of Suplementary Estimates (C), I would point out to the House and to the hon. member that the definition of any appropriation item is that it is an authority to expend moneys for its purpose, specifically a purpose as set forth in the estimates. Clearly, if one looks at the language of Vote 5c it is apparent that it is a proper appropriation within the meaning of that definition. It establishes an authority to expend money, as the hon. member has pointed out, up to a fixed amount of $1.7 billion, for a very specific purpose, namely, the acquisition of Petrofina by Petro-Canada. Therefore, it is not at all correct to maintain, as does the hon. member for Calgary Centre, that this account will in any way be outside the estimates procedure. To effect any change in the upward expenditure limit would require a further authority, and it would have to be obtained through the estimates or some other legislative authority.

Beyond that, the hon. member is under the mistaken impression, apparently, that this fund which is being established by Vote 5c to which I have made reference and which is found at page 24 of the Supplementary Estimates, is somehow outside the Consolidated Revenue Fund. Indeed, this is merely an account within the Consolidated Revenue Fund. It will be established in the manner described in the vote. It is clear from an accounting point of view that the levies will be gathered in the fund and accounted for in respect of the accounts of Canada as part of the Consolidated Revenue Fund. What is particularly significant is that there is no attempt in any way to change any existing legislation, as suggested by the hon. member. Every appropriation item is clearly a legislative item; every vote in the estimates is a legislative item. There is no attempt here to amend existing legislation.

I can assure you, Madam Speaker, that the well-established precedents which are followed by the government and by Treasury Board in preparing estimates is to ensure that no items are to have that effect. In that regard, it might he helpful to the House, in terms of this particular item and the other items with which I will deal in a moment, to outline the circumstances in which one dollar votes are, in fact, used and will, in fact, continue to be used, and also to deal specifically with some situations where one dollar votes are inappropriate and are not used.

First, one dollar votes will be used in the following cases: the transfer of budgetary funds between votes and programs of the same department. This is to provide operating flexibility consistent with the accountability of heads of departments and agencies.

The second is in the area of new and increased grants, since parliamentary authority is required for new and increased grants even when funds are available within the vote. That, of course, requires a one dollar item.

The third is in the deletion of debts, which is a point to which the hon. member has made reference at some length, specifically with respect to the deletion of debts which appear in Supplementary Estimates (C). The Financial Administration Act, as the hon. member points out, requires that the deletion of operating debts in excess of $5,000 be approved by Parliament although no additional funds may be required. Hence, the deletion of debts is a proper application of the estimates procedures.

The amendment of previous appropriation acts is a fourth area where one dollar votes are used, and this is to effect changes to previous votes authorized through appropriation acts. One example which comes to mind would be increasing the limits of revolving funds.

Finally, there is a general miscellaneous category to provide financially-oriented authority in instances where separate legislation would not appear to be warranted. This is to authorize guarantees or to deem an individual to come within the ambit of existing legislation.

I suggest to you, Madam Speaker, that every single item to which the hon. member for Calgary Centre has made reference, that is to say with respect to guarantees in the cases of both de Havilland and the IDA, clearly falls within existing authorities. With respect to deletion of debts, again this clearly is within accepted practice for which there are many precedents.

However, I would like to complete my comments on this particular point, which is the use of one dollar items, by citing some instances where the government does not consider one dollar items to be appropriate. The first case is the transfer of budgetary funds between departments and agencies. This is not a concern with operating flexibility. It would be acceptable if there was a related transfer of a function between departments and agencies, but in the absence of the transfer of such a function, that kind of transfer is not acceptable.

The second case is the transfer of non-budgetary funds. This is because of the specific nature of the non-budgetary vote. I notice that the hon. member for Calgary Centre is not listening and, perhaps, I should send him a note on this aspect afterwards so that he will clearly understand the practices of the Treasury Board and of the government, which we submit are completely in accordance with precedents and the law.

Finally, the point to which the hon. member makes reference, one on which we would have agreement, is that there can

be no amendment of existing legislation other than an appropriation act, since the relevant act itself would normally be amended.

I believe in the course of these comments I have covered the specific objections raised by the hon. member for Calgary Centre and the specific definitions which clearly fall within established precedent, a practice which has been carried on for many years. The guarantees the hon. member referred to are, of course, ones with respect to de Havilland and are within the program of the Department of Industry, Trade and Commerce and the IT&C votes. Industry, Trade and Commerce votes do require parliamentary approval, as do other votes. In the past this has always been obtained through appropriation acts in this House. So I submit that in all these items we are following precedent and the law.

● (1620)

I would like briefly to re-emphasize the importance with respect to vote 5c, which was the first item raised by the hon. member. It is a normal appropriation item in every sense of the word since it merely establishes an authority to spend a specific amount of money for a clearly specified purpose. Second, it is obviously not an attempt to legislate through the estimates, since it contemplates no amendment to existing legislation; it is simply an expenditure item.

So far as the income side of that equation is concerned, the levy itself will be authorized by legislation in this House, and hon. members will have full opportunity to debate that particular provision in committee and in the House.

Some hon. Members: Hear, hear!

Mr. Jim Hawkes (Calgary West): Madam Speaker, I rise on the same point of order, which really relates to the rights and responsibilities of Members of Parliament to examine the spending plans of the government. It is a pleasure to follow the speech of the President of the Treasury Board (Mr. Johnston).

It is important to begin by pointing out to you, Madam Speaker, that in our normal daily lives, the fact that we have done a certain thing before, whether it is illegal or immoral, is no justification for continuing to do it in the future. The point of order raised by the hon. member for Calgary Centre (Mr. Andre) requires every consideration, and the previous practice of the government should not be taken into consideration in your ruling.

I want to broaden the issue raised by the hon. member for Calgary Centre. It is incumbent upon all hon. Members of Parliament to take responsibility for examination of the government spending plans very seriously. The Standing Orders of the House of Commons should be—perhaps they are not—clearly phrased so that we, as elected representatives of the people, responsible for trying to keep taxes down, can undertake that responsibility.

Madam Speaker, I believe that one of the unfortunate consequences of your assuming the Chair of this House is that sometimes you are not totally aware of what happens to those of us who carry on the daily business of the House in relation to its standing committees. However, my desire to broaden this question is related to one of the Standing Orders of the House, in particular Standing Order 58(15). As it is directly relevant to the arguments I wish to make, I would like to read it:

> Supplementary estimates shall be referred to a standing committee or committees immediately they are presented in the House. Each such committee shall consider and shall report, or shall be deemed to have reported, the same back to the House not later than three sitting days before the final sitting or the last allotted day in the current period.

I would assume that the terms of that Standing Order must be met or the estimates cannot be passed by the House of Commons. We are now reaching the end of the supply period. I can speak of my own personal experience. In that context, I want to re-emphasize the words "each such committee shall consider". What they shall consider in this context is the supplementary estimates. Madam Speaker, you are well aware of the fact that the standing committees of the House of Commons are controlled by the chairman and the vice-chairman who, in almost all instances, are members of the governing party from which comes the majority membership.

I was appointed by the leader of my party to be the manpower critic in this House of Commons. Part of that responsibility is to sit as a member of the Standing Committee on Labour, Manpower and Immigration. When I examined the supplementary estimates, I found four pages devoted to a revision of estimates for Employment and Immigration, and two relating to the Department of Labour. It is the responsibility of the standing committee to consider those estimates, but it cannot consider the spending plans of the government unless the chairman calls a meeting. From personal experience, I can say that the Standing Committee on Labour, Manpower and Immigration has not called a meeting to consider the supplementary estimates of the Department of Employment and Immigration and the Department of Labour. I cannot indicate whether the same situation exists with respect to other standing committees of the House.

When I look through the supplementary estimates, I see that the Department of Employment and Immigration wants to change Vote 1c to move some $2,621,999, which I presume is a saving, from one vote to another. I cannot tell the House with accuracy whether that is the intent and purpose of that vote because the standing committee has not met to consider this supplementary estimate. I suggest that it would therefore be illegal for this House to pass this supplementary estimate.

I draw your attention to Vote 5c contained in the administrative part of the supplementary estimates for employment and immigration. Again, the department wants to transfer the sum of $5,535,999 from one appropriation to another. Once more it appears that there is a saving, but in fact the government wants to spend the money elsewhere. I cannot say whether this is the case because the Standing Committee on Labour, Manpower and Immigration has not yet met to consider the supplementary estimates. I think you will agree, Madam Speaker, when the government controls the chairmanship and the vice-chairmanship and has the largest part of the voting membership, that if the government is truly serious about its

supplementary estimates, it has the responsibility to call the standing committee and give it an opportunity to examine the spending plans of the government.

I also draw attention to Vote 20c found under employment and immigration, which wants to transfer the expenditure of $686,999 from one vote to another. Again I suggest that some money is saved, but the government still wants to spend it. However, I cannot give a definitive statement because a standing committee has never been called and has not had an opportunity to consider the supplementary estimates.

Vote 25c is a very large one dealing with immigration. It transfers $18,304,999 from employment and immigration, vote 15, to be used for another purpose, and the government is doing it under the guise of a one dollar supplementary estimate. Again, I cannot say whether this move is wise because the chairman of the standing committee, the vice-chairman and the majority of the voting members are members of the government party and they have not given the opposition an opportunity to consider the supplementary estimates of this department.

If I turn to the Department of Labour, I find a similar pattern. Vote 1c is a supplementary estimate of $105,000; vote 5c is for $370,000. This is a statutory payment increase of $1,500,000, for a total change of $1,975,000. I am embarrassed to be standing in this House not able to say whether that is a wise expenditure decision or not, because the chairman and vice-chairman of that committee are members of the governing party, the majority of committee members are members of the governing party, and they have not called a meeting or given the opposition an opportunity to examine the wisdom of these spending estimates.

● (1630)

I suggest that the protection of members of this House, on behalf of the constituents they represent, lies in Standing Order 58(15), which clearly provides that no supplementary estimate can be passed by this House without at least the condition being met that the standing committee of the House be given the opportunity to consider it and to ask questions of the minister and his officials about the planned expenditure.

I have just received a note from the lobby, Madam Speaker, stating that members who sit on the Standing Committee on National Resources and Public Works have been similarly treated by the government. Therefore, so far as the estimates which relate to the functioning of the Department of Public Works are concerned, if you rule as I think you must on the point that I raised, then it would not be appropriate for this House to pass the estimates of that department either.

The two departments whose estimates I had the obligation to examine in committee, if that committee had been called, dealt with taxpayers' money in excess of $35 million. That figure is not taken from the main estimates, which run into hundreds of millions of dollars, but from the supplementary estimates. The government chooses to spend some $35 million, money that it was saving but now wants to spend in some other fashion. It chooses to do so in a manner which does not allow me to question the wisdom of that spending on behalf of my constituents.

I have been informed by a voice in the chamber that the Standing Committee on Communications and Culture has not met either. I therefore suggest that any supplementary estimates relating to the functioning of that committee must also be found ineligible to be passed by this chamber, based on Standing Order 58(15) which requires that members of Parliament be given the opportunity to consider supplementary estimates.

I would encourage you, Madam Speaker, to inquire from the Clerk of the House whether the three situations that I have brought to your attention are the only situations of that kind or whether there are others.

Mr. Bill Clarke (Vanvouver Quadra): Madam Speaker, I want to intervene briefly at this point. I will not repeat the very sage and cogent arguments made by the hon. member for Calgary Centre (Mr. Andre). The hon. member for Calgary West (Mr. Hawkes) covered some points that I had intended to make so I shall deal with one or two that have been missed, particularly with regard to the Department of Agriculture's Supplementary Estimates (C) at page 10. There is a suggestion that the gross program supplement of $62,803,000 should be reduced by funds transferred to other votes. In other words, we are being asked to approve a net amount of $58,613,000 instead of the gross expenditure of $62,803,000. This involves the principle referred to earlier of transferring credits from one area to another when approval has not been given for the gross expenditure requested.

On pages 32 and 34 the estimates of the Department of Energy, Mines and Resources suggest that Eldorado Nuclear Limited, under a $1 vote, be authorized to increase its borrowing limits from $130 million to $280 million. This is an increase of $150 million under the guise of a $1 vote. This will increase the debts of the Government of Canada by that amount in the manner referred to by the hon. member for Calgary Centre. The normal procedure is to pass a specific bill for borrowing or for increases in government debt of this kind.

There is an item on page 32 which I do not fully understand. It purports to be a transfer of title by the minister to Eldorado Nuclear Limited in the uranium stockpiles recorded in the accounts of Canada at a value of $76 million. In other words, under a $1 vote the minister would be able to turn over $76 million to Eldorado Nuclear Limited.

Page 34 deals with the Department of the Environment and shows the transfer of $2,371,000 from a different vote to vote 5c under the guise of a $1 item.

I think you have had enough examples, Madam Speaker, and I do not need to go on; the point has been well made. I support the comments of my two colleagues from Calgary and ask that you declare this procedure to be beyond the powers of the government.

Madam Speaker: Far from being a new matter, this is one which has been brought before the House from time to time.

Order Paper Questions

There are several precedents set and rulings given by my predecessors which deal with this matter. I would have to look into the arguments and the nature of the objections brought forward by hon. members, so I shall take the question under advisement and rule upon it later.

ROUTINE PROCEEDINGS

[*Translation*]

THE CONSTITUTION

TABLING OF DOCUMENT ENTITLED "THE ROLE OF THE UNITED KINGDOM IN THE AMENDMENT OF THE CANADIAN CONSTITUTION"

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Madam Speaker, at the request of many hon. members and pursuant to Standing Order 41(2), I have the honour, in the name of the Minister of Justice, to table a document entitled "The role of the United Kingdom in the amendment of the Canadian Constitution."

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,976, 2,062, 2,063, 2,064, 2,065 and 2,152.

[*Text*]

RETIRED RCMP—PENSIONS

Question No. 1,976—**Mr. Knowles:**

1. How many retired Royal Canadian Mounted Police personnel are receiving pensions, including their basic pensions and any supplement or supplements added thereto, of amounts within each of the following brackets (a) less than $20.00 per month (b) $20.00 to $29.99 per month (c) $30.00 to $39.99 per month (d) $40.00 to $49.99 per month (e) $50.00 to $59.99 per month (f) $60.00 to $69.99 per month (g) $70.00 to $79.99 per month (h) $80.00 to $89.99 per month (*i*) $90.00 to $99.99 per month (j) $100.00 to $149.99 per month (k) $150.00 to $199.99 per month (l) $200.00 to $249.99 per month (m) $250.00 to $299.99 per month (n) $300.00 to $399.99 per month (o) $400.00 to $499.99 per month (p) $500.00 to $599.99 per month (q) $600.00 to $699.99 per month (r) $700.00 to $799.99 per month (s) $800.00 to $899.99 per month (t) $900.00 to $999.99 per month (u) $1,000.00 to $1,499.99 per month (*v*) $1,500.00 per month and over?

2. How many widows of RCMP personnel or of retired RCMP personnel are receiving pensions, including their basic pensions and any supplement or supplements added thereto, of amounts within each of the brackets indicated in the above question?

3. What is the number of retired RCMP personnel and also the number of widows of RCMP personnel or of retired RCMP personnel presently residing in each province?

4. In respect of how many orphans of RCMP personnel are pensions being paid and what is the average amount thereof?

Hon. Bob Kaplan (Solicitor General): 1 and 2.

	Retired RCMP Personnel	Widows
Less than $20.00 per month	0	3
$ 20.00 to $ 29.99 per month	0	4
30.00 to 39.99 per month	0	3
40.00 to 49.99 per month	0	2
50.00 to 59.99 per month	1	6
60.00 to 69.99 per month	2	3
70.00 to 79.99 per month	3	2
80.00 to 89.99 per month	1	9
90.00 to 99.99 per month	1	7
100.00 to 149.99 per month	28	44
150.00 to 199.99 per month	90	39
200.00 to 249.99 per month	160	56
250.00 to 299.99 per month	182	59
300.00 to 399.99 per month	429	88
400.00 to 499.99 per month	418	67
500.00 to 599.99 per month	430	46
600.00 to 699.99 per month	440	22
700.00 to 799.99 per month	503	7
800.00 to 899.99 per month	279	6
900.00 to 999.99 per month	171	2
1,000.00 to 1,499.99 per month	294	12
1,500.00 per month and over	197	0

3.

Province	Retired RCMP Personnel	Widows
Newfoundland	60	15
Prince Edward Island	25	4
Nova Scotia	265	26
New Brunswick	127	15
Quebec	250	22
Ontario	781	110
Manitoba	185	18
Saskatchewan	192	28
Alberta	595	63
British Columbia	1,063	177
Yukon	10	1
Northwest Territories	30	2
Outside Canada	46	6

4. There are 216 orphans of RCMP personnel being paid pensions. The average amount is $69.12 per month.

STE-ANNE-DE-BELLEVUE, QUE.—MUNICIPAL GRANT

Question No. 2,062—**Mr. Herbert:**

What is the estimated amount that is to be paid in 1981 to the town of Ste-Anne-de-Bellevue, Quebec, under the Municipal Grants Program?

Hon. Paul J. Cosgrove (Minister of Public Works): $395,000 is the estimated amount to be paid in 1981 to the town of Ste-Anne-de-Bellevue, Quebec under the Municipal Grants Program.

SENNEVILLE, QUE.—MUNICIPAL GRANT

Question No. 2,063—**Mr. Herbert:**

What is the estimated amount that is to be paid in 1981 to the town of Senneville, Quebec, under the Municipal Grants Program?

Hon. Paul J. Cosgrove (Minister of Public Works): $28,870 is the estimated amount to be paid in 1981 to the town of Senneville, Quebec, under the Municipal Grants Program.

STE-MADELEINE-DE-RIGAUD, QUE.—MUNICIPAL GRANT

Question No. 2,064—**Mr. Herbert:**

What is the estimated amount that is to be paid in 1981 to the municipality of Ste-Madeleine-de-Rigaud, Quebec, under the Municipal Grants Program?

Hon. Paul J. Cosgrove (Minister of Public Works): $72,247 is the estimated amount to be paid in 1981 to the municipality of Ste-Madeleine-de-Rigaud, Quebec, under the Municipal Grants Program.

DORION, QUE.—MUNICIPAL GRANTS

Question No. 2,065—**Mr. Herbert:**

What amount was given in 1980 under the Municipal Grants Act to the town of Dorion for the (a) post office building (b) employment office building and what are the estimated grants for 1981?

Hon. Paul J. Cosgrove (Minister of Public Works):

In 1980, under the Municipal Grants Act, the town of Dorion received for:

(a) post office building	$7,663
(b) employment office building	$2,166

The estimated grants for 1981 are:

(a) post office building	$9,475
(b) employment office building	$2,690

EXCHANGE AGREEMENTS—CHINESE DELEGATIONS

Question No. 2,152—**Mr. Herbert:**

1. Have any scientific, cultural or technical exchange agreements been signed with China in the past three years?

2. Did Chinese government delegations, during this period, visit Canada to discuss engineering, educational and medical subjects and, if so, does the government send representatives to such discussion sessions?

Hon. Mark MacGuigan (Secretary of State for External Affairs): 1. The Canadian government has signed no scientific, cultural or technical exchange agreements with the People's Republic of China during the past three years nor are there any at present under active consideration.

2. A number of official government delegations from the People's Republic of China have visited Canada during the past three years to discuss a broad variety of subjects in such areas as engineering, education and medicine. When Chinese delegations visit Canada at the invitation of Canadian government departments, representatives of the latter host the visitors throughout their stay and are usually the primary interlocutors. They also normally accompany the delegations on calls on private industry. On the other hand, when Chinese delegations are invited by private industry or other levels of government, the federal government ordinarily plays a facilitative role but only on occasion attends these meetings.

Order Paper Questions

Below is a list of official government delegations from China arranged chronologically. Each entry is followed in parenthesis by the host organization.

1978	
Sept.	Harbour Facilities and Equipment Mission (DOT)
Sept./Oct.	Delegation to attend the International Electricity Conference in Ottawa (EMR)
Sept./Oct.	Gas Pipeline Survey Delegation (EMR)
Oct.	Satellite Mission (ITC)
Oct.	Vice-Minister of Education (EA)
1979	
Apr./May	Higher Education Study Group (CIDA/UNESCO)
Apr./May	Vice-Minister, Second Ministry of Machine Building-Nuclear Energy and Hydroelectricity Delegation (AECL)
1980	
May	Chinese W.H.O. Fellows to McGill and McMaster Universities (HWC)
May	Four-Member Chinese Delegation from the Ministry of Public Health (HWC)
Aug.	Atomic Frequency Delegation (NRC)
Aug.	Steel Engineering Delegation (NRC)
Aug.	Three-Member Religious Studies Delegation from the Chinese Academy of Social Sciences (University of Montreal)
Aug.	Two-Member Delegation from the Chengdu Blood Research Institute (Canadian Red Cross Society)
Aug.	Two-Member Delegation from the Research Institute of Petroleum Processing (NRC)
Oct.	Three-Member Delegation from the Xian Institute of Metallurgy and Construction Engineering (University of Alberta)
Oct.	Education Delegation to the Province of Quebec (Quebec Government)
1981	
Jan.	Two-Member Delegation from the Peking Blood Transfusion Research Institute (Canadian Red Cross Society)

[*English*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Shall the remaining questions stand?

Mr. Beatty: Madam Speaker, I want to bring two questions to the attention of the parliamentary secretary. The first is question No. 1,439 dated July 11; the second is question No. 1,450 dated July 16. These questions deal with the government's advertising budgets for the last several years. They ask about the government's advertising plans during the Quebec referendum as well as contracts given to various advertising agencies in the country. They also inquire whether purchases have been made in the name of one government organization with the intention of turning space and time over to other government organizations.

When you consider that the first question I asked was about the government's total advertising budget for the fiscal year 1979-80 and the proposed budget for the fiscal year 1980-81 and that the estimates have already been tabled for fiscal year 1981-82, it raises questions about the government's seriousness in dealing with these issues. We will be into a new fiscal year before I learn about the advertising budget of two years ago.

The first part of question No. 1,450 asks the government to go back in time and give information about its advertising budget, and it may be the case that the government feels it is not possible to give that information or that it would be too costly to do so. What the government should be doing is simply to say so in a direct way as part of an order for return or as part of a response to this question.

● (1640)

I think the other elements of the two questions asked are fairly easily answerable and that the House is entitled to an answer to them. I would appreciate the parliamentary secretary giving some priority to answering these questions, which have stood on the Order Paper for more than half a year.

Mr. Collenette: Madam Speaker, I take note of the suggestion made by my colleague opposite. I want to assure him sincerely that the government is not dragging its feet in answering these questions. I have been pursuing the matter quite diligently. We have a number of the answers, but there are five or six pieces of information required to complete the picture, so to speak. As soon as we have the whole picture, we will table the answers in the House.

I should inform the hon. member that we did answer a series of questions asked by his colleague, the hon. member for York-Peel (Mr. Stevens). I believe No. 1,740 was answered and a few more after that in that series. That was a few weeks ago. The answers dealt with this question but on singular issues involving singular departments.

We have also answered questions about the media-buying contract, as it is known. This clearly illustrates that we are not trying to hide anything. We are certainly committed to getting these answers before the House. I realize there has been some press speculation about delay in answering these two questions, but I can assure you, Madam Speaker, and all other members that we shall be answering these questions soon.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Victoria (Mr. McKinnon)—Royal Canadian Mounted Police—Reported removal of "E" Division from Victoria, B.C.; the hon. member for York-Sunbury (Mr. Howie)—Energy—New Brunswick oil shales development; the hon. member for Winnipeg-Birds Hill (Mr. Blaikie)—Health care—Request for legislation to ban extra billing by doctors.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF THE HOUSE

MOTION TO EXTEND SITTINGS DURING DEBATE ON CONSTITUTION

On the order: Government Notices of Motions:

March 19, 1981—The President of the Privy Council:

THAT WHEREAS the Prime Minister tabled in the House of Commons on October 6, 1980 a document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada";

AND WHEREAS the motion to refer the said document to a Special Joint Committee of the House and Senate was debated in the House on 11 days between October 6 and October 23, 1980, allowing some 78 members to speak;

AND WHEREAS the Joint Committee, on which some 132 members of this House served, held 106 meetings, sat for 267 hours, received over 1,000 written submissions and heard testimony from 95 groups and 5 individuals;

AND WHEREAS the Joint Committee, having had its reporting date extended twice, reported on February 13, 1981 with the recommendation that the government introduce a motion for the presentation of the Address as modified by the committee;

AND WHEREAS the motion of the Minister of Justice implementing the Joint Committee's recommendation was moved on February 17, 1981;

AND WHEREAS the honourable member for Provencher moved an amendment to that motion on February 17, 1981;

AND WHEREAS the said amendment has been debated by this House for some five weeks, with the result that as of March 18, 1981 there have been 52 speakers on behalf of the official opposition, 15 speakers on behalf of the New Democratic Party, and 31 speakers on behalf of the government;

THEREFORE until the motion of the Minister of Justice for an Address to Her Majesty the Queen respecting the Constitution of Canada and any amendments thereto have been finally disposed of, Standing Order 6(1) and Standing Order 40 shall be suspended and, notwithstanding any other Standing Order, Private Members' Business shall be suspended, and the House shall sit from 10.00 o'clock a.m. to 1.00 o'clock p.m. on Mondays, Tuesdays and Thursdays for the consideration of government business; and Standing Order 6(3) shall be read as if it said "At 11.59 o'clock p.m. on Mondays, Tuesdays and Thursdays, at 10.00 o'clock p.m. on Wednesday and at 7.00 o'clock p.m. on Fridays, Mr. Speaker shall adjourn the House until the next sitting day."

AND during debate on the said motion of the Minister of Justice and any amendments and sub-amendments proposed thereto,

(*a*) notwithstanding Standing Order 31(1) no member shall speak for more than 20 minutes;

(*b*) when no member rises in his place to participate in the debate, or at 15 minutes before the time of adjournment provided for by this order on the second day during which the motion of the Minister of Justice or any amendments and subamendments proposed thereto have been under consideration following the adoption of this motion—whichever occurs first—the Speaker shall interrupt the proceedings and put forthwith every question necessary to dispose of any amendments and subamendments then under consideration;

(*c*) if, at the time provided for in paragraph (*b*) there is no amendment or subamendment under consideration, the Speaker shall put every question

necessary to dispose of the main motion; otherwise, after the amendment and any subamendment have been disposed of, the debate on the main motion may be resumed;

(*d*) at 15 minutes before the time of adjournment on the second sitting day following the resumption of the debate on the motion of the Minister of Justice pursuant to paragraph (*c*), the Speaker shall put every question necessary to dispose of the motion, including any amendments and subamendments proposed thereto; and

(*e*) any member who, not having spoken in the debate either on the main motion or on an amendment or subamendment may at any time before the fulfilment of the conditions set out in paragraph (*b*) deliver to the Clerk a written speech relevant to the debate of not more than about 3,000 words, which will be printed as an appendix to the House of Commons *Debates* on the day following the conclusion of the debate.

Madam Speaker: I recognize the hon. member for Winnipeg North Centre (Mr. Knowles) on a point of order.

Mr. Baker (Nepean-Carleton): Madam Speaker, I have a point of order.

Madam Speaker: I recognized the hon. member for Winnipeg North Centre.

Mr. Nielsen: Madam Speaker, it is customary to recognize first the official opposition. What is happening today?

Madam Speaker: I am terribly sorry. The hon. member for Winnipeg North Centre gave me notice yesterday that he would rise on a point of order at this time. I know it is customary that I recognize a member from the opposition first, and I usually do. However, when I do get notice I try to put things in the order in which I receive them. In this particular case, I received notice yesterday from the hon. member for Winnipeg North Centre. He told me precisely what his point of order would be. Subsequently, the hon. member for Nepean-Carleton (Mr. Baker) gave me oral notice of a point of order, but his was of a general nature. Therefore, I think it is fair at this point today to recognize the hon. member for Winnipeg North Centre.

Mr. Baker (Nepean-Carleton): Madam Speaker, I would appreciate the point normally. The normal courtesies and traditions have it that members of the official opposition are usually recognized first.

I am aware that the hon. member for Winnipeg North Centre (Mr. Knowles) gave you notice, Madam Speaker. If the matter were a question of privilege, then I think that notice would have had some validity; but it is not a question of privilege and the notice is not critical in terms of giving recognition first to any member on a point of order. I know of no practice which exists in this regard. As the House leader for the opposition, I claim the right, if I may do so, in the normal traditions and passage of events, to be recognized first. That is the position I take.

I do not think we should depart from the normal practices of the House. I am aware of the notice that was filed. I indicated to the hon. member for Winnipeg North Centre—and I am not catching him by surprise—that I intended to exercise the right that I feel, by tradition in this House, falls upon Her Majesty's loyal opposition and upon the official opposition. I happen to occupy the position of opposition House leader. It is a position, for better or for worse, which is recognized in the House of Commons Act.

I could go on for some time because, with respect, Madam Speaker, I think I do have the right to advance an argument. It may well be the argument I would advance would encompass part of the argument that will be made by my friend, the hon. member for Winnipeg North Centre, because he was quite precise about the argument he will be dealing with and he will have his opportunity in the normal course. Therefore, I claim the normal courtesy in this matter.

Mr. Knowles: Madam Speaker, I simply want to say it is true that the hon. member for Nepean-Carleton (Mr. Baker) told me he would try to get ahead of me on this matter. I told him that I could not stop him from trying to do so, but that I would claim my right, having given notice yesterday.

Mr. Nielsen: Notice is not necessary.

Mr. Knowles: I think perhaps I shall leave that determination to the Chair. Of course, if hon. members are not satisfied with the person on whom the Speaker has called, they can move a motion under Standing Order 29.

Madam Speaker: I recognize the arguments which the hon. member for Nepean-Carleton has just put forward. It is true that members of Her Majesty's loyal opposition have certain privileges in this House, but I am not sure they apply in this circumstance.

It is true that, as a matter of courtesy, members of the opposition are usually recognized first on points of order which deal with government business. However, in this particular circumstance it seems to me that I owe the courtesy to the hon. member for Winnipeg North Centre because he gave me notice of it yesterday.

I am just trying to be as courteous and as fair as it is possible to be. The same situation occurs when members rise during question period. Sometimes five members rise at the same time and they have to be put in a certain order. But if one rises before the other, the first one to rise is usually recognized. The hon. member has said, quite rightly, that it is a matter of courtesy. I accept that as being a matter of courtesy, but this time I think I owe the courtesy to the hon. member for Winnipeg North Centre, and I will recognize him.

I see the hon. member for Yukon (Mr. Nielsen) is rising.

Mr. Nielsen: Madam Speaker, with respect, it is not a matter of courtesy; it is a matter of long-standing usage, custom and practice in this House to recognize the opposition House leader. I, for one, resent that kind of departure from our customary practices. Therefore, I move, seconded by the hon. member for Burlington (Mr. Kempling):

That the hon. member for Nepean-Carleton be now heard.

Madam Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. Members: No.

Madam Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Madam Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Madam Speaker: In my opinion, the nays have it.

And more than five members having risen:

Madam Speaker: Call in the members.

The House divided on the motion (Mr. Nielsen), which was negatived on the following division:

● (1650)

(*Division No. 49*)

YEAS

Messrs.

Andre
Beatty
Blenkarn
Bosley
Bradley
Cardiff
Carney (Miss)
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cook
Cooper
Corbett
Cossitt
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
Crouse
Dantzer
Darling
Dinsdale
Domm
Ellis
Elzinga
Epp
Fennell
Forrestall
Fraser
Fretz
Friesen
Gamble
Gass
Gilchrist
Greenaway
Gurbin
Gustafson
Halliday
Hamilton (Qu'Appelle-Moose Mountain)
Hargrave
Hawkes
Hees
Hnatyshyn
Howie
Huntington
Jelinek
Kempling
Kilgour
Korchinski
Lawrence
Lewis
MacDonald (Miss)
MacKay
Malone
Mayer
Mazankowski
McCain
McCuish
McDermid
McKenzie
McKinnon
McKnight
McLean
McMillan
Mitges
Munro (Esquimalt-Saanich)
Neil
Nickerson
Nielsen
Oberle
Paproski
Patterson
Reid (St. Catharines)
Roche
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Stevens
Stewart
Taylor
Thacker
Towers
Vankoughnet
Wilson
Wise
Wright
Yurko—86.

NAYS

Messrs.

Althouse
Anguish
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Bégin (Miss)
Benjamin
Berger
Blackburn
Blaikie
Blais
Bloomfield
Bockstael
Bossy
Breau
Broadbent
Bujold
Bussières
Campbell (Miss) (South West Nova)
Chénier
Collenette
Comtois
Corbin
Corriveau
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
Deans
De Bané
de Corneille
de Jong
Demers
Deniger
Desmarais
Dingwall
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Duclos
Dupont
Duquet
Erola (Mrs.)
Evans
Ferguson
Fleming
Flis
Foster
Francis
Frith
Fulton
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Harquail
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hovdebo
Hudecki
Irwin
Isabelle
Johnston
Joyal
Kaplan
Keeper
Kelly
Killens (Mrs.)
Knowles
Kristiansen
Lachance
Lajoie
Lalonde
Lamontagne
Landers
Lang
Laniel
Lapierre
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Leduc
Lefebvre
Lewycky
Loiselle
MacBain
MacEachen
MacGuigan
Mackasey
MacLaren
MacLellan
Malépart
Maltais
Manly
Massé
Masters
McCauley
McRae
Mitchell (Mrs.)
Murphy
Nicholson (Miss)
Nystrom
Ogle
Olivier
Orlikow
Ostiguy
Ouellet
Parent
Parker
Pelletier
Penner
Pepin
Peterson
Pinard
Prud'homme
Rae
Regan
Reid (Kenora-Rainy River)
Roberts
Robinson (Burnaby)
Robinson (Etobicoke-Lakeshore)
Rompkey
Rose
Rossi
Roy
Sargeant
Savard
Schroder
Skelly
Smith
Stollery
Tessier
Tobin
Tousignant
Turner
Veillette
Waddell
Watson
Weatherhead
Whelan
Yanakis
Young—151.

● (1800)

Madam Speaker: I declare the motion lost.

Motion (Mr. Nielsen) negatived.

Madam Speaker: Therefore, the hon. member for Winnipeg North Centre (Mr. Knowles) has the floor.

It being six o'clock, I do now leave the chair until 8 p.m. this evening.

At 6.11 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, it is interesting the new things that can happen to one no matter how long he stays around this place. This is the first time I have had 151 members of the House vote to hear me speak.

Mr. Herbert: Don't abuse it.

Mr. Knowles: At any rate, Madam Speaker, I rise to press the point of order of which I gave you notice yesterday. It has to do with the final paragraph in the proposed motion on today's Order Paper in the name of the President of the Privy Council (Mr. Pinard). I will not take the time to read that final paragraph for, as members know, it is the one in which provision is made for members not to speak in the rest of the debate on the constitutional package but yet to have their speeches printed in *Hansard*.

My purpose now, and I hope I can stick with it, is not to argue the merits of that proposal—I can do that later if Your Honour does not find it out of order—but rather to state the reasons I believe it should not be permitted to remain in the motion before us.

As I indicated yesterday, Citation 311 of Beauchesne's fifth edition reads as follows:

Under no circumstances—

That is positive: "under no circumstances".

—may a member merely table a speech for printing in *Hansard*. With minor exceptions, what appears in the record of debates has actually been spoken in the House. On rare occasions a member may receive the consent of the House to have printed as part of his speech long lists, statistics or similar material. Such consent should rarely be asked for and is rarely granted. The House may also give its consent to have documents, or exchanges of letters, printed as a formal appendix to *Hansard* for the use and information of members.

As I said, Madam Speaker, the first sentence of that citation is absolute: "Under no circumstances may a member merely table a speech for printing in *Hansard*." Since I gave you notice of this point yesterday, that has provided time for you and those who assist you to study the matter. I suppose the first response you are inclined to make is that what I have quoted is only a citation in Beauchesne but is not a Standing Order as such.

● (2010)

With respect to that possible answer may I draw Your Honour's attention to an interesting paragraph in the first few pages of Beauchesne's fifth edition. On page 5, the section headed "Precedent and Tradition" reads:

Behind the written rules and filling in the gaps, lies the vast quantity of precedent. Although the House normally assumes that a ruling is binding for the future, Speakers have used the flexibility available to them to develop procedure regardless of conflicting precedents in the past.

A little further along in that same paragraph it says:

It is impossible to estimate the extent of this body of traditional parliamentary law. In Canada, not only is there more than a century of native practice, but also Standing Order 1 adopts for Canada all the centuries of tradition (where applicable) of the United Kingdom House of Commons. Custom and precedent are basic to the parliamentary system.

In a moment, Your Honour, I shall with great pleasure refer to things that happened this very day which underline the fact that we are governed in this place not just by the precise rules set out in our Standing Orders, but by custom, precedent and tradition.

Going back to some of the earlier parts of the chapter just referred to, I would draw your attention to the fact that there is provision for rules to be passed by a simple majority, to be altered or added to and so on, but note this:

By custom, changes in the Standing Orders are generally made after study and a recommendation by the Standing Committee on Procedure and Organization.

Then later in that same paragraph are these words:

Sessional and special orders are normally moved by the government after consultation with the opposition parties.

Then at the bottom of page 6 there is the heading "Unanimous Consent" under which it is pointed out that many of our rules are set aside. We do it every day, we set aside this rule and that by unanimous consent. However, it is also clear, when you put these things all together, that you cannot change a rule except in one or the other of two ways: either by the rule being brought before the House, usually on a report of the Standing Committee on Procedure and Organization; or for sessional or special purposes by the government after consultation with the House leaders of the other parties.

Now, I point out that what we have in this paragraph (e) is something which changes the rules in the sense that it changes a century-old tradition and precedent. There has been no consideration by the committee of this House on changing the rule, and if it is argued that it is just a sessional or special order applying only to this debate, the rule that before this is done there should be consultation with the representatives of the other parties has not been kept. Therefore, Madam Speaker, this proposal before us that permits speeches to be printed in *Hansard* without their having been delivered in the House, has been brought forward contrary to the principles and practices of the House.

I did not arrange, Madam Speaker, for today's business to take the turn it has, but I point out that considerable time was spent on a question of privilege. Your Honour had to read from Beauchesne's in support of your position when you sought to rule that there was no privilege concerning the Gouzenko affair. There is nothing in the Standing Orders that gives you any direction on handling a question of privilege. The only thing in the rules pertaining to questions of privilege is Standing Order 17 which tells us when they can be raised. But what you do when the matter is raised depends entirely on the precedents and traditions. As I say, we are governed by the customs and practices of the years. In perfect fairness, Your Honour, I felt that the Gouzenko matter was not a question of privilege and you got rid of it as quickly as you could.

We also had a point of order today regarding dollar items in the estimates. We all seemed to realize that this was a genuine point of order, but there is nothing in the Standing Orders that tells you that. You were acting on the basis of custom, tradition and precedent.

This afternoon, when the bells were ringing for some considerable time, some of my colleagues and members of other parties as well came to me and asked how long those bells were going to ring. I said: Until the Whips come in. A couple of members picked up the rule book and said: Stanley, where is the Standing Order? I said it is not in the Standing Orders at all, it is in the citations, part of the tradition and practice. At one point this afternoon things looked a little rough when one of the members was asserting himself and I wondered if we were going to get to that ultimate situation when the Speaker has to name a member. I point out to Your Honour that you will not find anywhere in the Standing Orders a reference to the naming of a member. It is in the citation, the precedents, the traditions; that is the basis on which you act.

Almost every day, certainly more than once every week, the Chair has to deal with what it calls unparliamentary language. Try to find a reference to that in the Standing Orders. There is none. You will find that the Speaker must maintain order and

decorum, but if you want to look up phrases that are unparliamentary you have to go to the citations in Beauchesne or other books. In other words, our practices are governed more by the practices of the past, by the traditions, the things that have been found to work, than they are by the precise Standing Orders.

I suggest, Madam Speaker, that *Hansard* being a document in which only those speeches that have been made are printed, is in that same category. For the full 100 years of *Hansard* in this House, that has been our tradition. The cover of *Hansard* says "House of Commons Debates", not "House of Commons Essays". It is not House of Commons speeches that have been prepared and handed in. It is a booklet called "House of Commons Debates".

Some hon. Members: Hear, hear!

Mr. Knowles: I know that on many occasions there have been requests for a speech to be put in *Hansard* even though it had not been delivered, and I can yet hear Mackenzie King objecting: I hear St. Laurent in particular saying: Is that not an American custom that we do not want in this place? We have never done it. I say there it is, Madam Speaker, and that makes Citation 311 just as much a part of the rules of procedure of this House as are the citations regarding parliamentary language on which you have to rely, as are the citations regarding naming members, which has to be done once in awhile, as are the citations about privilege or points of order or the ringing of the bells. Indeed, though I have contended that we are governed by citations as much as we are by rules, I would point out that Standing Order 1 does say that:

● (2020)

In all cases not provided for hereafter or by sessional or other orders, the usages and customs of the House of Commons of the United Kingdom of Great Britain and Northern Ireland as in force at the time shall be followed so far as they may be applicable to this House.

I say that in Britain, where they have had *Hansard* much longer than have we, there has never been a deviation from the rule that the only speeches printed in *Hansard* are those that were delivered. As a matter of fact, they do not even permit the appendices and things like that which we add at the back of our copies of *Hansard*. They are as strict as citation 311 says, that under no circumstances may speeches which have not been delivered be put into *Hansard*.

I contend that this is a violation of a tradition of 100 years in this House, and longer in Britain. I maintain that it is just as much a part of our rules as are the things that had to be contended with today: privilege, points of order, ringing of the bells and unparliamentary language. All of these things are governed by the citations and by the practices, and we should stay with them. The same is true about the printing of speeches.

I think I have fairly well kept my promise not to get into the merits of the issue as to whether or not it is a good idea. I am sticking to this as a point of order. I believe Your Honour should rule that paragraph (e) at the end of this motion, which would permit speeches to be handed in and printed in *Hansard*, is out of order. As I say, it is not an attempt to change the rules on a permanent basis. Neither is it something that has been put there as a sessional order because there has been consultation with the other parties—there has been no such consultation.

I note in respect of other things that are being set aside for the purposes of this motion that there is a reference to orders that need to be changed, there is the word "notwithstanding" and so on. We find references to Standing Order 6(1) and Standing Order 40; somewhere else there is the word "notwithstanding", and so forth. But when it comes to this departure from a century's practice, there is not even the word "notwithstanding". There is not any suggestion that this change in the rules is one to which the House should consent.

Therefore, I contend that we should not have to debate this when we get to the motion. This is why I sought to raise the point of order right away, even before Your Honour put the motion. I contend that Your Honour should rule paragraph (e) out of order and that it should be stricken from the motion now before the House.

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, the hon. member for Winnipeg North Centre (Mr. Knowles) is my neighbour and co-conspirator in the ownership of a snowblower. Sometimes he is a passenger in my car on the way to work, and sometimes I am a passenger in his car going home. Members of this House should know that despite that, from time to time we have differences of opinion. We are, nonetheless, neighbours and friends. I also have occasion to agree with him from time to time. As I indicated to him privately earlier in the day, I intend to argue the point he has made, but I also told him that there are other aspects of this motion which are quite important from the point of view of this House.

Before I get into the merits of the argument, I want to say there is one thing that is absolutely important in respect of this question, and that is the matter of the long traditions of the House of Commons regarding the rules. It is true that before rule changes are made there is consultation in respect of those changes. It is true sometimes that consultation takes the form of private meetings where specific things are brought forward by one House leader to another, and there are debates in the House. As a result of the debates and the references therefrom matters are sent to the Standing Committee on Procedure and Organization. The whole House of Commons, not just the opposition House leader and not just the House leader of a third party, knows precisely what is intended by the government as a result of the speeches and the debate which occurred in the House of Commons.

In this case and with respect to this order the whole House of Commons did not know. We certainly knew of the impatience of the government. That impatience is not surprising. We knew of that, but the uncommon thing about this is that up until the announcement downstairs in this building in Room 130S not even the opposition House leader or the House

leader of the New Democratic Party knew what was happening.

I do not go to House leaders' meetings to establish the basis for that lack of knowledge. I start from the House business question last Thursday, when I put the usual question to the government House leader and asked him what he intended. There was nothing about this. In violation of the traditions about which the hon. member for Winnipeg North Centre spoke, and in violation of everything we have come to know about the rules of the House, the government House leader at six o'clock apparently—this is what he said, anyway—went to the Table, filed a three-page document and held a press conference. That was the first time any of us knew what was on the mind of the government House leader except, of course, that he was impatient to get on with this. He had said that publicly, and we knew that. We knew that from our discussions.

That is the situation in which we find ourselves. What is the result of what he asks this House, and now the Chair, from the point of view of this point of order, to accept? He asks the Chair to accept a violent change in the Standing Orders of this House. It is not a simple change but a violent change in the Standing Orders of this House. I think we should all understand what it is about.

The first thing he wants us to do in terms of the motion itself is to suspend private members' business. He wants to extend the hours of the sittings of the House of Commons on various days as set forth in the motion. He wants us to lose the right to debate a motion that is important and fundamental to the country, the motion which deals with the Constitution. This is not the dogfish subsidy. It is not a change in the legislation respecting the Minister of Supply and Services (Mr. Blais). It is nothing like that. It is the basic Constitution of the nation, and he wants us by this order to agree to a violent change. He wants to cut out adjournment debates. That may not mean anything to hon. members of the government who do not have questions of the ministry to put in adjournment debates, except planted questions from time to time.

An hon. Member: Sure we do.

Mr. Baker (Nepean-Carleton): But that right to question and that right to debate the issues happens to be important to members of the opposition and important to Parliament.

The other thing we must remember about this is that the government House leader is really saying he is not happy with the Standing Orders of the House of Commons. These are the Standing Orders that protect the rights of every member whether sitting on my side of the House or the government House leader's side of the House. They are not happy with them. These were the Standing Orders of the House which, in 1969, were pushed through the House of Commons by closure. There have been arguments about the curtailment of the rights of private members with respect to the existing Standing Orders as compared to what they used to be. That was one set of closure rules. We are living under them now, and every observer of the House of Commons, even those who do not sit here in this place, thinks that the present rules are most inadequate.

• (2030)

The government House leader has finally decided, because of something his colleagues have said, because it is imperative to the government's plans, I suppose, or to somebody's plans that something be done by a certain date, that even these rules are not satisfactory and that the government must initiate a brand new process and deny rights, such as curtailing my right and that of other members of the House to speak about a subject that is important, thus flying in the face of 100 years of tradition. These things are not done without consultation which must go far beyond merely saying, "I want that through." The government should indicate in these consultations what it intends to do, and that did not occur.

I do not think this House of Commons began yesterday. I do not think the traditions of this House began yesterday or when the procedural motion was conceived. The House of Commons is much older than even the hon. member for Winnipeg North Centre.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): It goes back hundreds of years. Its traditions, as he has said, have come from another parliament. We have melded our traditions with theirs and developed our own, but those traditions are important to the House, to the members and to the people who are represented by members. That is the issue I want to put forward by way of a preliminary statement regarding the feeling of resentment which is being felt in Parliament over the apparent use of the government of its majority to push something through and, if it cannot do that, to change the rules and to fly in the face of the traditions, customs and precedents of which the hon. member for Winnipeg North Centre spoke.

To put it bluntly, Madam Speaker, we look to you for some protection. You are the first commoner, you are elected by all members of the House. You were nominated by the Prime Minister (Mr. Trudeau), your nomination was seconded by the Leader of the Opposition (Mr. Clark), and every one of us was proud to support that motion. You have a unique obligation to ensure that even the things that are not mentioned in the Standing Orders, the customs and traditions of Parliament, are observed. As the hon. member for Winnipeg North Centre has said—I will expand briefly on his remarks with respect to the subparagraph on the written speeches a little later—this does fly in the face of those customs and traditions.

I will sum up briefly on the motion itself. I think it is an insult to Parliament. I say this directly to my friend, the government House leader. Aside from being an insult, and over and above the good point made by the hon. member for Winnipeg North Centre—and he did make a good point—it is procedural garbage in other ways as well. I hope to be able to develop as best I can an argument on three other points which are, I believe, in error with respect to this motion.

Point of Order—Mr. Knowles

I will start by saying that I hope and wish the government would reconsider the motion, not just in the light of anything one says in the House but in the light of the traditions of the House. I should like to make my points quickly to you, Madam Speaker. The first one is this. The motion itself contains factual assertions which should form part of the speeches in support of the motion rather than being contained in the motion itself. So that there should be no doubt as to what I am referring to, let me say I am referring to a series of clauses, which may be loosely described as "whereas clauses", in which there is a recitation of what purport to be facts but what in effect are arguments. My contention to you, Madam Speaker, is that those things which purport to be facts—and I use the word "purport" advisedly—are arguments and have no place in the modern day practice of the House as it has evolved. I will point to some by way of an illustration. First, there is an assertion that:

—the Prime Minister tabled in the House of Commons on October 6, 1980, a document entitled "Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada";

Second, it states:

—the motion to refer the said document to a Special Joint Committee of the House and Senate was debated in the House on 11 days between October 6 and October 23, 1980, allowing some 78 members to speak;

Then there is another assertion that:

—the Joint Committee, on which some 132 members of this House served, held 106 meetings, sat for 267 hours, received over 1,000 written submissions and heard testimony from 95 groups and five individuals;

Surely that has no place in a modern day motion, and I will argue the point. I want to give you, Madam Speaker, examples of how flagrantly the government House leader has mistreated the practice in this House.

The motion goes on to state:

—the Joint Committee, having had its reporting date extended twice, reported on February 13, 1981, with the recommendation that the government introduce a motion for the presentation of the address as modified by the committee;

It goes on to state:

—the motion of the Minister of Justice implementing the Joint Committee's recommendation was moved on February 17, 1981;

Those words have no place in a modern day motion in the House of Commons. They may have a place in a speech in the House of Commons by a member of the government, such as the government House leader or one of his supporters. They certainly do have a place there if he wants to make those assertions in explaining some factual omissions. They would also have a place in debate, but they have no place in the motion itself. The precedent for that is Citation 423 of Beauchesne's fifth edition which reads as follows:

A motion should be neither argumentative, nor in the style of a speech, nor contain unnecessary provisions or objectionable words.

This motion violates at least three of the four prohibitions in the citation. It is argumentative, it is in the style of a speech, it contains unnecessary provisions, and it may contain objectionable words if you would consider the first three points as making up the concept of objectionable words. They are not unparliamentary, but they are objectionable in the sense that we are arguing this motion. That is the first point.

My second contention is that the wording of the motion does not properly express an expression of the House, but that the motion is presented in the form of a conclusion to the argument to which I referred a few moments ago. The fact that that is a failing or a fault in something which purports to be a motion is set forth in Citation 411 of the fifth edition of Beauchesne's, which reads:

● (2040)

Every matter is determined in the House of Commons upon a question put by the Speaker, on a proposition submitted by a member, and resolved either in the affirmative or negative as the case may be. This proposition, called a motion, is a proposal moved by one member—

In this case it is the government House leader.

—in accordance with certain well-established rules, that the House do something or order something to be done or express an opinion with regard to some matter.

On the face of it—and I will argue this more fully later on—this motion fails on that ground. It fails in that it does not properly express an opinion of the House but, instead, is presented in the form of a conclusion to an argument which is set forth in the paragraphs I received earlier.

Third, the motion itself in certain of its parts is self-contradictory and, therefore, the will of the house in passing the motion is not certain. The proposition in support of that, again is contained in Citation 411 in Beauchesne's fifth edition, which I read just a few moments ago and which I will not read again.

While the motion purports to operate, notwithstanding certain Standing Orders, it leaves in operation—and this becomes more important later on—the full range of custom, practice and precedent in areas not covered by these Standing Orders. This was the point made by the hon. member for Winnipeg North Centre, that there is more to the rules and the operation of the House of Commons than merely the Standing Orders. Beauchesne's is cited time and time again as a repository of the customs, traditions and precedents of the House of Commons. The Standing Orders are guidelines only. They are not exhaustive. Our customs and precedents are not all enshrined in that green book called the "Standing Orders of the House of Commons."

I wish now to deal with argument No. 1. It is that the motion contains factual assertions which should form part of the speeches in support of the motion rather than being contained in the motion itself. This concept is set out in Citation 423 of Beauchesne's.

I want to now ask you, Madam Speaker, to turn to a ruling made by Mr. Speaker Michener on Monday, January 16, 1961, where he dealt quite fully with the proposition which I placed in the first part of my argument. I would like to quote from page 1074 of *Hansard* for that date, about the middle of the page, where he said:

I have come to the conclusion that this amendment is not defective because it is preceded by whereas clauses, reasoning clauses or argumentative clauses in the

form of a preamble, our practice to the contrary is too well established to be upset.

On the other hand, I am not satisfied that I should follow the precedent of allowing a preamble to include a lot of matter which would properly be part of the debate which would follow the motion. Therefore, without trying to split hairs at all, because I think there is a principle involved, even if the principle is only that the Speaker must do his best to draw the line somewhere between what may and what may not go in the preamble. I have come to the conclusion that the whereas clauses in this amendment are not objectionable in accordance with our practice, but that the inclusion of the eight quotations in one recital and of the two quotations in another recital are bad and should not be permitted to restore a practice which has not been followed since 1932 and only twice in our whole parliamentary history, as far as I can discover.

I remind you, Madam Speaker, that this ruling was made in 1961.

Therefore, my view is that if the amendment stopped after the figures "1960" in the second paragraph, so as to eliminate "as illustrated by the following ministerial statements" and the eight numbered paragraphs of statements then set out, and stopped again after the third recital after the words "Leader of the Opposition" so as to eliminate clauses one and two which quote further, the rest of the amendment would be admissible, according to our practice.

That is the gist of that argument.

Madam Speaker, you no doubt have had the opportunity, or will have, to compare the wording in the recitals and the "whereas clauses" which have been referred to in the ruling of Mr. Speaker Michener and in the "whereas clauses" contained in the motion before us. You are nodding, Madam Speaker, that you have had a chance to look at it. I am asserting and submitting respectfully to you, Madam Speaker, that what was offensive in 1961 is equally offensive in 1981 in this motion put by the President of the Privy Council (Mr. Pinard) and which we are arguing tonight.

If Mr. Speaker Michener was occupying your seat tonight, Madam Speaker, he would have to come to the same conclusion as I respectfully submit you must come to with respect to this particular motion because of the similarity of the wording. As you know, Madam Speaker, in the ruling of Mr. Speaker Michener there are numerous quotations and statements made. But the essence of it is that the reference in the government House leader's motion as to hours, speeches, speakers, the facts and the selection of them are basically argumentative. That was the argument put to Mr. Speaker Michener. He did not assert that you could not have a "whereas clause", he said you could not have a "whereas clause" of the very kind that is now contained in this motion being put by the President of the Privy Council.

I want you to note, Madam Speaker, and I would underscore it, what Mr. Speaker Michener said must be done in a case like this. He said:

Therefore, without trying to split hairs at all, because I think there is a principle involved, even if the principle is only that the Speaker must do his best to draw the line somewhere between what may and what may not go in the preamble.

What he is saying there is that you, Madam Speaker, are in charge of the proper practice and procedure in the House of Commons, not only to protect the rules and precedents of the House of Commons, but to protect the members of the House of Commons from abuses of the rules; and this motion, in my respectful submission, contains an abuse.

I made reference to the date of Mr. Speaker Michener's ruling, being 1961. He recognized that in the preceding 20 years custom and usage had changed. The House of Commons evolves, and as it goes ahead it evolves in a positive way. We are now at a time, 20 years after the ruling of Mr. Speaker Michener, and I am putting to you, Madam Speaker, that the argumentative practices have fallen out of use even more than they had prior to 1961.

I referred to rule changes made in 1969 and what has occurred in the House of Commons since that time. Those rule changes completely changed the practice of the House of Commons in supply and ways and means motions. The practice has now moved even further away from the practice of 20 years ago. I give you the examples that there are now succinct motions on the budget, very succinct motions taken by the opposition parties on days allotted to them, on the Speech from the Throne, and the list goes on. We are now in the position, through the ordinary evolution of the rules of the House of Commons, where the argument, which the government House leader obviously put in for political purposes, is not permitted for procedural purposes. That is the difference. He can make those arguments when the merits of the motion are debated—I am not going to argue the merits of the motion tonight—but he cannot make them on procedural terms. I ask whether you, Madam Speaker, could imagine what it would be like in this House of Commons with 25 allotted days, with three budget motions, and with three throne speech amendments; particularly allotted days, if it were held that argumentative preambles would be allowed on these motions. I do not think there would be any busier person in the national capital than you, Madam Speaker, with respect to points of order arising out of them.

• (2050)

It is for very good reason it was decided that those matters should be dropped. They are dropped because they have been proven to be unnecessary and, as Mr. Speaker mentioned, are contrary to the principles that he, as Speaker—and I respectfully suggest that you, as Speaker—must uphold.

If I may repeat the argument on the second point, my proposition at that point was that in its wording the motion does not properly express an opinion of the House but, instead, is presented in the form of a conclusion to an argument. This seems to flow out of the first argument. The whole matter is presented as an argument and a conclusion rather than a proposition. I want you to note the recitals, the "whereas clauses" which I have mentioned, and then note the beginning of what purports to be the motion. It says: "Therefore, until the motion of the Minister of Justice (Mr. Chrétien) for an Address to Her Majesty the Queen, respecting the Constitution has been finally disposed of", etc. It contains no words which say "that this House resolves" that certain things will happen, or "it is moved that" certain things will happen. That is why the precedent in the citation which I quoted in support of it is absolutely important.

What purports to be a motion is really, on its wording, an opinion of the government rather than a motion of the House of Commons. Clearly, it must be moved; the House must be asked to do something definite, clear and precise, and that does not appear on the words. Therefore, the words, by themselves, are not sufficient. If the government House leader had put the words "that this House resolves", or, "it is moved that", or words asking the House to do something, then we would have more than merely a conclusion to an argument.

With respect, in the French version on the opposite page, it is even more obvious that we have a conclusion following an argument rather than a substantive motion.

For clarity, I am going to briefly repeat the third point. The motion is, in certain of its parts, self-contradictory. Therefore, the will of the House, in passing the motion, is not certain. As hon. members recall, I relied on Citation No. 311 from Beauchesne's.

I want to call attention to the provisions of Standing Order 40, which that part of the motion purports to deal with, and particularly Standing Order 40(7) which appears on page 36 of the Standing Orders of the House of Commons. It says:

(7) When it is provided in any standing or special order of this House that any specified business shall be continued beyond the ordinary time of daily adjournment or that any such business shall be forthwith disposed of or concluded in any sitting, the adjournment proceedings in that sitting shall be suspended.

That is what the Standing Order says, and it is pretty clear. Apparently the government, in part of the order, wanted to somehow get rid of Standing Order 40. Its obvious intention was that the House would sit beyond the time allotted and that the private members' rights to which I have referred would be written over; but they wanted to get rid of it. If the government had meant to say there should be no adjournment debate at ten o'clock, p.m., or at midnight, or whenever, under the order which had been proposed, it simply would have allowed Standing Order 40(7) to take effect because it is already there. There was no need to deal, or purport to deal with it, at least in the wording of the government's motion.

Standing Order 40 exempts certain things, but the exemptions contained in Standing Order 40 are also exempted. We have a contradiction in terms. I do not know what it means. Nobody knows what it means. The government House leader says, "Very easy." But I am not so sure that it is quite so easy or, more importantly, that it is clear and certain.

Therefore, I respectfully submit to the Chair that at best it is a redundancy, and it is perhaps a contradiction. But in any event, it is a fatal confusion, and it ought not to be allowed to stand. If it does not stand, then I respectfully suggest there is a case that the motion itself ought not to stand.

Finally, the fourth submission I wish to make to you is that in its wording, the provision for tabling speeches directly offends the practice of this House. The hon. member for Winnipeg North Centre read the precedent upon which I rely, Citation 311 of the rules of the House. I do not think I have to read it again, because it is quite clear.

Citation 311 is a devastating and conclusive attack on the ridiculous proposition that this House and this institution could be served and that Parliament could function if we write our little 3,000 word essays and put them on the Order Paper or *Hansard*. There is not one self-respecting hon. member of the House of Commons who can stand up and do anything else but condemn what must be a warped aberration of the mind of the government House leader.

There is an hon. member down there who is shaking his head. I recognize he is shaking his own head, and we know what hon. member is shaking his head, we can hear it. He does nothing at all to detract from the force and the truth of the argument.

[*Translation*]

Mr. Pelletier: A point of order, Madam Speaker.

Madam Speaker: The hon. member for Sherbrooke (Mr. Pelletier) on a point of order.

Mr. Pelletier: Madam Speaker, would the hon. member allow me a question?

[*English*]

Madam Speaker: Unless the hon. member accepts this, there are no questions allowed on points of order, I would think the hon. member should continue his intervention and not receive questions at this time.

Mr. Baker (Nepean-Carleton): Thank you, Madam Speaker. The hon. member can keep shaking his head, and I can speak to him later outside.

Mr. Hnatyshyn: Get a job on the Muppett Show.

Mr. Baker (Nepean-Carleton): The hon. member for Winnipeg North Centre said that the traditions of the House of Commons are enshrined in Beauchesne's. They are not enshrined in the mind of the government House leader. They are not enshrined in the mind of my hon. friend who is shaking his head, agreeing that it would be appropriate for him, at any rate, to file his speeches. That is not the point at all.

● (2100)

My submission will be short. The fact is that the proposal made by the government House leader is directly contrary to the practices set out in Beauchesne, if the intent itself is specifically to exempt the proposal from the operation, custom and practices which Beauchesne dictates. Beauchesne is the repository of those customs, practices and traditions.

It is void, as well, because there is nothing in there that says, notwithstanding any Standing Order something shall be done; that is vacant; that is absent from the clause which deals with the filing of speeches. Without it, Madam Speaker, the proposition of the government House leader falls to the ground.

The last point I want to make is important. It shows that what is wrong with this motion in terms of custom, precedent, tradition, vagueness, uncertainty, violation of Beauchesne and all the other things from which it suffers—its conception and in the mind of the government House leader, in the lack of consultation with members of the House, with his colleague House leaders and with the wording as it appears on the Order Paper—is that it so violates the traditions of this House and ought not to be allowed to stand. Common decency demands that it be withdrawn. Given his anxiety to continue the debate, the government House leader should propose something which, while it is questionable in parliamentary practice, is at least within the bounds of decency. It is in that area, that final area, that this motion ought to be struck down by the Chair.

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I want to participate in this point of order with respect to the admissibility of the motion before us today. As a member who did not have an opportunity to participate in this debate I feel quite strongly about it and want to make sure this point of view is brought forward on behalf of those many other Members of Parliament who did not have that opportunity. This motion purports to curtail and restrict the ability of members of the House of Commons to participate in debate on a very important topic.

The basis on which I enter the debate, after listening to the presentations made by the hon. member for Winnipeg North Centre (Mr. Knowles) and the hon. member for Nepean-Carleton (Mr. Baker), who dealt with a wide range of objections, is to bring forward a perspective and an argument which would support the position taken by the hon. member for Nepean-Carleton. This motion sets an unusual precedent, one which has extraordinary implications, and one which offends the rules established in the House of Commons during the life of our country.

I would point out to Your Honour that this motion is unique in the parliamentary history of Canada. In our parliamentary history there has never been an occasion when the government, during debate of whatever nature, has taken the course of changing the rules of the House in mid-stream. From my study of our parliamentary precedents, this seems to be the first occasion when a government has taken the Draconian measure that is now being taken, to impose a form of closure, under whatever guise or name, during the course of debate.

As my House leader pointed out, this is not a debate with respect to a minor piece of legislation; it is a debate that affects the fundamental rules of our country; a debate which is of considerable importance; it is an historic debate and I acknowledge that. It is a debate in which you, Madam Speaker, as the first commoner, must take special care to ensure that the rules of the House of Commons which allow members to participate freely, without intimidation or unnecessary exclusion are applied. It is your responsibility, Madam Speaker, to ensure that there is an opportunity for members of this House of Commons to adequately, properly and democratically debate this very important motion.

Point of Order—Mr. Knowles

I should like to make one reference in this connection, Madam Speaker. As you are well aware, the rules of the House of Commons are established by the Standing Orders, by the precedents and traditions developed over the course of years, not only in this Parliament but also in the parliament of the United Kingdom and Northern Ireland as referred to in Standing Order 1.

You will know that there is no deviation allowed, unless by unanimous consent, in the method of changing the rules of procedure. In other words, it is not possible for me as a member of Parliament to stand in the course of the daily proceedings and gain the floor unless I abide by the rules. I cannot smuggle a particular motion in by standing on a point of order. The examples are many. The rules are there; they are carefully guarded and interpreted by Your Honour, and enforced by the House of Commons.

In light of that background, it is absolutely imperative that you, as Speaker of the House of Commons, look at any motion that comes before you to make sure it is fully and completely in accordance with the tradition or Standing Orders of the House. That almost goes without saying.

If I may be permitted to say so, it is doubly incumbent upon Your Honour to pay special attention to any important debate; that is the nature of politics, that is the nature of Parliament and that is the nature of the democratic system in our country.

Perhaps I can begin my presentation by referring to what I consider the least important aspect of this particular motion, an aspect referred to initially by the hon. member for Winnipeg North Centre speaking on behalf of the New Democratic Party. We know the position of that party on the matter. It supports the government with respect to the motion. But on the other hand, he has indicated they are opposed to the motion as being a form of closure. The member for Winnipeg North Centre has shared the bed with the government, but he now wants to put in, by virtue of this minor objection, a kind of a bundling board between himself and the government in order to maintain his chastity in respect of the position the party has taken. That is rather difficult to accomplish.

The question of the tabling of speeches is dealt with, as Your Honour will appreciate, in Citation 311 of Beauchesne. Since the full context has not been brought to Your Honour's attention, I shall read it.

Under no circumstances may a member merely table a speech for printing in *Hansard*.

Mr. Knowles: I read it all.

Mr. Hnatyshyn: When the hon. member for Winnipeg North Centre spoke, he said he heard voices, those of Mackenzie King and other eminent parliamentarians. I appreciate the fact that he hears voices. I did not hear his voice dealing with this in the same way that I shall deal with it. He and the Prime Minister (Mr. Trudeau) are roughly the same age. Yesterday the Prime Minister heard the voice of George Drew. This place is becoming a little hard for us younger folk to take, Madam Speaker. I should like to finish reading Citation 311.

Mr. Collenette: Filibuster.

Point of Order—Mr. Knowles

Mr. Hnatyshyn: Madam Speaker, that was the parliamentary secretary to the government House leader. I was going to raise a special question of privilege with regard to him. I do not mind him wearing a bow tie but I do not know if it is within the rules of the House of Commons that he should wear the kitchen curtains! If he will just keep quiet I will finish speaking on this very serious motion. I am sure he will understand or remove himself from the chamber.

● (2110)

On rare occasions, with minor exceptions, what appears in the record of debate has actually been spoken in the House. I do not have to point this out to you, Madam Speaker. This is the House of Commons and it is part of Parliament. What is the origin of Parliament? Does it derive from the French word parler which means "to speak", to participate, or to debate? This is a forum. This is not a congressional hall in which we come forward and table documents which purport to be speeches. There are rules of which you are well aware. The rule is that no member can do this. Occasionally one is observed doing so, more in the breach rather than—I must admit that sometimes I am subject to cheating on the rules as well—

Some hon. Members: Oh, no.

Mr. Hnatyshyn: —but only in the first week I was here, Madam Speaker. The fact is that Members of Parliament are not allowed to read their speeches. That is the rule of the House of Commons. Members are supposed to speak from the heart, from the bosom.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: I simply want to say that is Parliament. It is not a question of tabling of documents or of somehow being able to get some researcher in your office to prepare something for you as a very scholarly treatise and then put it on the record. That particular objection would make this motion itself defective. It offends against the very principle of Parliament. It offends against the principles of the House of Commons where debate takes place, where the give and take of debate goes on and where members on the government side are able to participate occasionally by heckling, which has been the extent of their participation over the course of this Parliament.

I simply say to you, Madam Speaker, that is the nature of this House, and any motion which permits or directs those of us who want to participate in this debate as having the option of tabling and having appended to *Hansard* a speech prepared in our offices is offensive. It is offensive under the rules in the legal and parliamentary sense and it is simply not acceptable.

When we look at the motion itself, it underlines the basic objection I think I have with respect to it. It is a motion which purports to curtail the rights of Members of Parliament to participate in this debate; it limits the rights of members. I suggest to you, as Speaker of this House, that this motion must be carefully examined and allowed only if strictly to be found in accordance with the Standing Orders and precedents of the House of Commons. This is an important debate.

In the reading of the motion itself, and as my learned colleague, the hon. member for Nepean-Carleton has said, the motion itself is confusing, it is unclear as to its consequences.

I want to bring to Your Honour's attention that we now have before us a resolution brought by the Minister of Justice (Mr. Chrétien) on behalf of the Prime Minister, who finally spoke at length yesterday. I will not get into that because I am still waking up from the effects.

When one looks at this motion, it purports to do two things. First, in the preamble it outlines that there has been debate only on the amendment introduced by my colleague, the hon. member for Provencher (Mr. Epp) up to this point, and that is quite right. But Your Honour will note as well that you have not, nor have any of the occupants in your chair in your absence, called to order any member of the House of Commons with respect to remarks dealing only with the specific amendment put forward by my colleague from Provencher. If one goes over the record and reads the speeches, he will see they cover the waterfront. They deal with every aspect of the constitutional debate. They deal with the consideration of what members who have participated feel about their country, about what they think should be included or excluded in this resolution and about the process. By no means can it be said that Members of Parliament here have been restricted by the fact that we have been debating a technically narrow amendment as put forward by the hon. member for Provencher. Indeed, the other interpretation is probably more appropriate. There has been no restriction. Your Honour understood, as I think did the other occupants of the chair, the gravity of this particular motion, this resolution, and the importance and the necessity to show flexibility in the interpretation of the rules respecting participation of members.

What does this motion purport to do? In effect it says that after the motion has been passed there will be two or four days of debate. After two days maximum, provided there are no further speakers, or speeches stop before that time, the amendment put forward by my colleague from Provencher will then be brought to a vote. The second part of this motion says that another two days can pass and after those two days all other amendments not then voted on must be called, with the resolution itself voted on at 15 minutes before the witching hour at the end of that time.

The motion is defective. The rights of Members of Parliament are being limited by this motion. The motion does not contemplate or ensure the ability of Members of Parliament to bring forward amendments. We will certainly have one amendment because there are two days in which to do that. But it is quite within the realm of contemplation that whoever is recognized first, whether we have to vote to see whether it is the hon. member for Winnipeg North Centre, whoever gets the Speaker's eye after that vote will have his or her amendment put forward. Then there will very likely be no opportunity for any other amendment to come forward. The implication is that Members of Parliament are being deprived of the ability to bring forward amendments to this resolution. It is an infringement upon our rights. It is a defect in this motion. If I were to

have given advice to the government House leader, I might have said that if he wanted to make this a valid motion, instead of including the tabling of speeches, he should have said that anyone who has an amendment would be allowed to table it, and even though there would not be a chance to debate—and I will not get into that argument—at least everyone who had a legitimate and receivable motion would have the opportunity of having that amendment voted on. That provision is not contained in the motion of the government House leader. Therefore, it is defective because it is an infringement of my privilege and the privilege of every member in this House of Commons not to be able to bring amendments to the resolution. It is stifling debate on the floor of the House of Commons. The motion by itself for that very reason, apart from the tabling of speeches, should be found defective and not permitted by Your Honour.

Incidentally, I was almost prepared to stand up today and support the government on its motion to allow tabling of documents until I heard the Prime Minister. Then I realized that was the one instance where that provision should have been included. It is contrary. It may be efficient, it may be novel, it may be innovative, but the government House leader has pointed out, whatever term it was he used, was trying to demonstrate that somehow he was being very magnanimous in this motion to allow us all an opportunity to table speeches. The descriptive adjectives he should have used were that it was restrictive, regressive and devious. Those would be more appropriate adjectives for the government House leader because that is the consequence of accepting this motion as far as operation is concerned.

● (2120)

The other observation I want to make deals with the precedent that will be established if Your Honour allows this motion to go forward. My colleague from Nepean-Carleton pointed out that this motion is discursive and descriptive. He pointed out the ruling of Mr. Speaker Michener disallowing a very similar kind of motion which had a statement of alleged facts preceding a motion to substantiate or build up the case for the motion put forward.

I know yours is not an easy job, Madam Speaker. I always try to be helpful. If you allow this motion to go through, God help us in the weeks and months to come with the motions that will come forward. They will be minor novels. They will list every possible deviation and every possible offence committed by members of the government. You will have a most difficult time if you allow this precedent.

We have a lot more facts to work with than those on the government side because the government has committed so many sins of commission and omission that any motion that is brought forward, if this motion is allowed to go through, cannot be ruled out of order because it lists seriatim all the sins of the government on the basis of alleged facts. That by itself should cause you to pause to think whether this precedent, which the government is attempting to create through the government House leader, should be allowed to become one of the precedents of our House.

The simple fact is, as Mr. Speaker Michener pointed out in his decision referred to by my colleague from Nepean-Carleton, the government party's version of Groucho Marx has now been interjected into this debate. I am glad to see he is participating with his maiden speech. The fact is I have read the decision of Mr. Speaker Michener. He makes the very valid point that if you are to allow this kind of extensive preamble with "whereas clauses", the proceedings of the House of Commons will be seriously prejudiced.

It has been a long time since I have seen a three-age motion which purports to say a lot but says little. On those bases I will conclude now—

Madam Speaker: Order, please. Since the hon. member did refer to the ruling of my predecessor, Mr. Michener, I might point out that I am not reading it in the same way as the hon. member. For my benefit I would like him to give me his total interpretation of it. In his ruling, Mr. Speaker Michener said that a motion is not defective because it has these "whereas clauses."

Mr. Baker (Nepean-Carleton): Merely because.

Madam Speaker: I interrupted the hon. member because he was repeating an argument brought forward by another member, but I would like to hear his interpretation. It would be helpful to me.

Mr. Hnatyshyn: Madam Speaker, I am glad you will allow me to hone in on the pith and substance of this argument.

Mr. Blais: Be short.

Mr. Hnatyshyn: No. Mr. Speaker Michener was not brief in his ruling. Neither is the government House leader in this motion. I am going to be very brief by comparison. I will look like a saint compared to the government House leader.

Mr. McKinnon: That's not difficult.

Mr. Hnatyshyn: As you will recall, Madam Speaker, the motion in question was moved by Mr. Regier, the then member of Parliament for Burnaby-Coquitlam. The motion dealt with a number of statements on the part of the minister of finance of the day, Mr. Fleming. The point was raised in the decision by Mr. Speaker Michener that if, in fact, a very substantial part of the discursive section of that motion were deleted, he would have found it in order. He said the reason was that while they were purported to be statements of fact, in the parliamentary context they tended to be in the nature of argumentative assertions in the course of amendment. In other words, they were building a case to support the passing of the motion.

The analogy is quite clear here. In his decision, he said that if they were able to delete all of those alleged statements of fact, the motion would possibly be in order. I will just read one part of his judgment:

Beauchesne's citation on the same subject has already been given by the hon. member for Carleton (Mr. Bell) but for clarity I shall repeat it. This is citation 198 of Beauchesne's fourth edition: "A motion should not be argumentative and in the style of a speech, nor should it contain unnecessary provisions or objectionable words."

That is the essence of it. It should not be argumentative, it should not be in the style of a speech and it should not attempt to build a case for the motion. Once you open the door to that kind of motion, you will find yourself in a most difficult position in terms of conducting this House of Commons in proper order. It will tend to cause disorder, obscure the essence of the debate and allow Members of Parliament in the course of putting motions on the Order Paper to plug the Order Paper with long statements with respect to alleged acts of commission and omission; the sins of the government, the sins of the opposition, and the sins of splinter parties such as the NDP, Social Credit or libertarian. That is the essence of his statement.

I hope once Your Honour has a chance to consider this she will see the validity of my contention. This motion is almost an analagous situation to that dealt with by Mr. Speaker Michener. It was rejected because of the argumentative nature of the motion. He suggested that, had it been in a different form, it would have been accepted.

That was a debate with respect to a budgetary provision. Important as that is, I reiterate that this is on the Constitution of our country. This is a debate in which Members of Parliament have a particular vested interest. When speaking on the Speech from the Throne, the Prime Minister said he had a special message for members from western Canada. He said in that message that because there were no government members elected in western Canada there was a special responsibility on members from western Canada to articulate the hopes and aspirations of the people of western Canada.

In that spirit there are many members in this House who have not had that opportunity. They are being deprived of it because of the Draconian measure being taken by the measure to curtail debate arbitrarily, for whatever reason. Second, as I pointed out, the motion offends against the privileges of members of the House of Commons because we are not able in the normal parliamentary tradition to bring in our amendments, legitimate though they may be, our suggestions for improvements and suggestions for deletions to improve this resolution. We are to be deprived of that because there is no provision within the motion to allow those amendments to be brought forward. If you want to go back to the least important element which is almost laughable, we go back to the suggestion of tabling of speeches. It is more in accordance with the practice of the United States Congress where it is permitted, but not in any parliamentary system developed on the tradition of the British Parliament. Parliament means to participate, debate; it is a forum for free expression, and I think for those reasons I humbly submit that you, Madam Speaker, should find this particular motion out of order, reject it out of hand and let us get on with the nation's business.

● (2130)

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the issue with which we must deal today is in fact fairly simple. We must determine what is the true value and effect of our authorities' citations, more specifically Beauchesne's, because the arguments put forward by my hon. colleagues opposite are based exclusively on Beauchesne's citations. And it is important, I think, if we want to limit ourselves strictly to the question of procedure and law which must be relevant here, to try to answer this question to find the solution to this so-called problem.

Beauchesne's citations, with all due respect for authorities, are not the Standing Orders of the House of Commons. They make it possible for us to understand better previous decisions and regulations, as well as the traditions and customs of the House of Commons. I suggest that Beauchesne is a lot less conceited than some of the hon. members who have participated so far in this debate would have us believe. One need only read the preface to this work to discover what the editor was trying to do, and I quote from page V of Beauchesne's Parliamentary Rules and Forms, fifth edition:

Our decision was based upon the fact that it was a Canadian book dealing directly with the parliamentary procedure in our House of Commons. It had a system of numbered paragraphs for quick reference—

And here is where it becomes more important:

—and, of course, some of its citations were still useful in interpreting the rules and practices of the House. Initially, our task involved deleting the obviously outdated citations—

What does that mean, Madam Speaker? That means that from time to time, when we look into the fourth edition, the third edition, the second edition and the first edition, we realize that at one point or other some citation was dropped because it had become irrelevant, for as time passed the rules had changed, practice had changed, in line with the new parliamentary ways.

So Beauchesne does not deny the right to evolution. Beauchesne does not go as far as my Progressive Conservative colleagues do in denying any evolution of the parliamentary procedure. Beauchesne simply establishes the present rules or practices, it does not say that rules cannot be changed. Quite the contrary. It does not say either that the practices cannot be changed. It states the opposite. It does not say that tradition cannot be changed. The reverse is implied. And this publication is in itself an example of this, since in its five editions, Beauchesne was revised five times to adapt to the facts. One only has to read on in the preamble from Beauchesne to put the citations back into the right context and avoid giving a narrow-minded interpretation of some of them, which would likely distort their meaning. It reads as follows:

Since 1958, there have been many changes in our procedure. During the 1960s special committees on procedure met regularly, reporting their recommendations for improving the Standing Orders. The revised rules were adopted on December 20, 1968, with further amendments being adopted in subsequent years.

So between 1958 and 1968, Beauchesne's citations had to be adapted to changing times—it is even stated that after the new Standing Orders were updated in 1968, other improvements were made.

One of the major modifications, as you know, Madam Speaker, was the elimination of the right to appeal the rulings of the Speaker. Just imagine the general outcry that would have happened if a motion introduced then had proposed to eliminate the right to appeal, the protests coming from a party that claims to be conservative and not open to change. However, the changes have effectively been made, Madam Speaker. Today, your rulings cannot be appealed any more, that has been changed. Parliament has evolved into accepting this change, and in spite of those who steadfastly cling to tradition, time marches on, slowly but surely.

There have also been important changes in procedure with regard to appropriation bills. In the past, these were debated in the House sitting in Committee of the Whole, but now they are studied by the standing committees of the House, allowing the latter to deal with other subjects and giving twenty committees or so a chance to do more work.

Madam Speaker, this reminds me that not long ago, a motion I introduced in the House completely upset normal parliamentary procedures in the House.

Remember how, after the last election, changes were approved by the House with a view to rescheduling proceedings on supply bills. We managed to convince the House, which later approved it as perfectly normal and acceptable, that what would normally be looked into in standing committees should come back to the floor of the House sitting in Committee of the Whole. Remember those estimates. We chose the estimates of three separate departments to come back before Committee of the Whole instead of going to standing committees of the House. The House, on the second day of each one of those three periods, sat until midnight, past normal hours; yet, all those changes, those breaks with established practice since 1968 were not contrary to the parliamentary spirit: they were perfectly acceptable. They were the result of a special order of the House and there it was—

Beauchesne says it himself. House proceedings must primarily be governed by written rules, standing, sessional and special orders. Madam Speaker, allow me to quote Beauchesne, fifth edition, Section 7:

Standing, sessional and special orders are the rules and regulations which the House has agreed on for the governance of its own proceedings.

That, then, is how our proceedings are governed. First and foremost by standing, sessional and special orders. Everything else, traditions, authorities, is related to the written rules and to sessional and special orders. Beauchesne, like the others, has to abide by the rules of the House and is subjected to sessional orders, to special orders. Furthermore, Beauchesne has never claimed that he was not subjected to that. He merely says that he interprets current practices, but he does not say that these cannot be changed. And that is where lies the fundamental difference between our own approach to the way we conduct the business of the House, and the approach taken by the hon. members opposite who rose on the point of order tonight.

Madam Speaker, in the fifth edition of Beauchesne, Citation 9 reads as follows and I quote:

9. All rules are passed by the House by a simple majority.

This is crystal clear. Normally, I should sit down now since the matter is altogether settled. But let me go on with this citation:

All rules are passed by the House by a simple majority... there is no procedural reason why any private member or minister of the Crown could not introduce a motion to alter the rules.

All that is in Citation 9.

That being acknowledged, Madam Speaker, the only true way of regulating the business of the House is by means of written rules, sessional or special orders, as required now, which are to be voted upon and which can probably be passed by a simple majority. Let us deal now with traditions and jurisprudence which should be based on written rules and sessional or special orders. I think that Beauchesne is even more broadminded, much less conservative than those whose speeches we have heard up to now.

• (2140)

Parliament, and the manner in which it works, has developed—

I am sorry, I do not want to offend anyone on the other side, but the word "developed" is written in Beauchesne.

Parliament, and the manner in which it works, has developed over centuries and the written rules are relative newcomers to the procedural field. Indeed, increasingly, the written rules are being used, not to codify existing practice, but rather to trim and adjust historic traditions to modern needs.

Madam Speaker, the requirements of the modern era allow us, of course, to introduce motions either to amend the Standing Orders permanently, as noted in Citation 9 of Beauchesne which I quoted earlier, or to ask for sessional orders. I could move a motion tomorrow asking that the House not sit in the evening but in the morning until the end of the session. Of course, members on the other side would say that this goes against our traditions and against parliamentary practice. This is true, but it does not mean that such a motion would be out of order, would be illegal, and would go against the evolution of our procedure if it is to be brought more into line with modern times. A sessional order could therefore bring about such a result, or, as a third option, for a specific debate, we might ask that certain Standing Orders, practices or traditions not apply, and this would not go against parliamentary spirit either. This is all part of the evolution of Parliament.

Point of Order—Mr. Knowles

Madam Speaker, if it is true, according to Beauchesne in Citation 9 and under our parliamentary practice since we have begun to change our rules—and we are increasingly in favour of written rules, while precedents and traditions have less and less authority—if it is true that by means of a motion passed by a simple majority, our rules can be changed or one or several of the 116 rules written in this little green book can be changed, then we must certainly be able, by means of a motion passed by a simple majority, to suspend some of these Standing Orders for a limited time and for a very specific debate.

This would seem to be only logical, and this is what we are now doing. To understand that and to be able to accept it, you need a certain openness of mind and you have to be able to admit that evolution is possible, desirable and has in fact occurred throughout the history of our Parliament. Those who have raised points of order this evening based their arguments essentially on a few citations of Beauchesne.

I have just quoted a citation to explain in which context these citations must be viewed. They state what the rules provide and what is the practice. However, Beauchesne does not forbid us to change the rules and practice either permanently or for one session or for a special debate. These are essentially my arguments in response to the points raised generally by the three members opposite who have expressed their views.

I am willing to deal specifically with each point raised by the hon. member for Nepean-Carleton (Mr. Baker), the hon. member for Saskatoon West (Mr. Hnatyshyn) and the hon. member for Winnipeg North Centre (Mr. Knowles). Let us consider first of all the points which can be disposed of most simply, those raised by the hon. member for Nepean-Carleton. I say this with all due respect because I believe that these points will take less time to dispose of in view of the points I have just made. I do not mean to say that the hon. member for Nepean-Carleton did not work as hard as the others. His first point was that the preamble of the motion is unacceptable, because it goes against Citation 423 of Beauchesne. It is argumentative, according to him, and he quotes a ruling made in 1961 by Mr. Speaker Michener to prove his point. However, Madam Speaker, let us examine the preamble. There is nothing like examining a motion to see what it contains, and before concluding that it goes against a citation or a ruling of a former Speaker, one has to know what the preamble contains. According to Citation 423 of the fifth edition—this also disposes of the point made by the member for Saskatoon West, Citation 198 of the fourth edition, which seems clever but Citation 198 of the fourth edition and Citation 423 of the fifth edition are exactly the same—a motion should be neither argumentative nor in the style of a speech.

Madam Speaker, it is surely not in the style of a speech. That can be ruled out immediately. It is not in the form of a speech. A speech is not full of whereas clauses.

We are dealing here with a preamble. There are such preambles in all our bills. Our parliamentary procedure recognizes them as such since even the preamble is put in Committee of the Whole. The constitutional resolution before us contains a preamble, and is it argumentative? I respectfully submit that it is not. All that we have are statements of facts that are in the record of the House. They are not arguments. It cannot even be questioned. It is a statement of the actual facts that have occurred during the course of this debate and that are recorded in the proceedings of both the House committee and the joint committee as well as in the *Votes and Proceedings* of the House. Therefore, to say, and I quote:

THAT WHEREAS the Prime Minister tabled in the House of Commons on October 6, 1980 a document entitled "Proposed Resolution for a Joint Address to Her Majesty—"

—is not argumentative. It appears in the *Votes and Proceedings* of the House. It is a statement of fact that speaks for itself and cannot be denied.

AND WHEREAS the motion to refer the said document to a Special Joint Committee of the House and Senate was debated in the House on 11 days between October 6 and October 23, 1980,

—allowing some 78 members to speak.

That is in the *Votes and Proceedings* of the House. It is not argumentative. It is taken from *Votes and Proceedings*.

AND WHEREAS the Joint Committee, on which some 132 members of this House served, held 106 meetings, sat for 267 hours, received over 1,000 written submissions and heard testimony from 95 groups and five individuals;

Just read the committee report submitted to this House, it is in there. It is a fact taken from the report. It is a statement of what has happened in committee and it is not argumentative, it is just a statement of fact. These are excerpts from the proceedings of both the committee and the House.

AND WHEREAS the Joint Committee, having had its reporting date extended twice, reported on February 13, 1981 with the recommendation that the government introduce a motion for the presentation of the address as modified by the committee;

There again, it is stated in the committee proceedings that the date was extended twice.

AND WHEREAS the motion of the Minister of Justice implementing the joint committee's recommendation was moved on February 17, 1981;

This is not argumentative. I am speaking to a point of order.

[*English*]

Mr. Hawkes: Madam Speaker, I rise on a point of order. The minister is reading the resolution as if it were fact. If the minister will check the joint committee resolution as printed in *Votes and Proceedings* for Friday, February 13, I think he will find that the Minister of Justice (Mr. Chrétien) did not in fact implement the recommendation of the joint committee as moved on February 17, 1981. There is a difference in substance between the committee's recommendation and what is presented before the House. I ask the minister to check *Votes and Proceedings* for that day. He will find that the statement he just read is incorrect.

[*Translation*]

Mr. Pinard: And I go on quoting the facts which are on record:

AND WHEREAS the motion of the Minister of Justice implementing the joint committee's recommendation was moved on February 17, 1981:

The Minister of Justice moved a motion implementing the recommendation of the joint committee, and that appears in the recorded proceedings.

AND WHEREAS the hon. member for Provencher moved an amendment to that motion on February 17, 1981:

That is not an argument, it is simply taking note of facts which once again are on record. And finally:

AND WHEREAS the said amendment has been debated by this House for some five weeks, with the result that as of March 18, 1981, there have been 52 speakers on behalf of the official opposition, 15 speakers on behalf of the New Democratic Party, and 31 speakers on behalf of the government;

Here again that is on the record. I even have the number of minutes during which the proceedings lasted. The official opposition spoke twice as long as the Liberal Party, they have so far devoted more than 55 hours to this debate on third reading.

But those are not arguments. It is not for the purpose of argument or debate that such things are alleged; we are taking note of the reality and of the facts which are recorded in the *Votes and Proceedings* of the House. Therefore in no way does that run counter to Beauchesne's Citation 423, or Citation 184 of the fourth edition as my colleague from Saskatoon West claims. Nor does it fly in the face of the ruling made by Mr. Michener because each case stands on its own merits and we are not dealing here with an amendment but with the main motion. The preamble here is not argumentative, it simply relates the proceedings before the committee and the House. So what is left of the substance of the arguments raised by the hon. member for Nepean-Carleton? He states that our motion is self-contradictory because it provides that Standing Order 40 be suspended, whereas Section (7) of that order stipulates that when there is a special order of the House, Standing Order 40 shall be suspended. On the contrary, I fail to understand why he should make such a statement. The special order we are seeking does not apply solely to Section (7) of Standing Order 40, that is not hard to understand, it applies to Standing Order 40 as a whole.

Now then, a little further on Section (7) of Standing Order 40 gains even more weight. We did not have to say that, and I agree with him. We did not have to specify that there would be no adjournment debate, all we had to do was to ask to sit beyond normal hours and, pursuant to Standing Order 40(7), there can be no adjournment debate. That is what it says in Section (7).

But our motion does not provide that Standing Order 40(7) be suspended. It says that Standing Order 40 as a whole will not apply. Standing Order 40 deals with adjournment proceedings. That is the way we tried to make it more certain that there would be no adjournment debate; there is nothing contradictory in that, it is for emphasis, it goes even further.

So, as an argument to have us put our motion aside, it is not very convincing, it is not the find of the century, Madam Speaker.

There is also a third argument, Citation 411. I have read and reread it and, frankly, I must say that the hon. member for Nepean-Carleton has not proven to me how that citation could prevent us from moving on that motion, except that I retain this part of it, and I quote:

No motion is regularly before the House until it has been read by the Chair. Then it may be debated, amended, superseded, adopted, negatived or withdrawn, as the House may decide.

That is what Beauchesne says. And if we were to give it a literal interpretation, we could not hold the debate now in progress until the motion is put. This shows that Beauchesne's citations are not always observed. So, this is what I read in Citation 411.

I say it once again. No motion is regularly before the House until it has been read by the Chair; only then it may be debated.

Finally, as mentioned by the hon. member for Winnipeg North Centre, according to Citation 311 we cannot table written speeches because this is against tradition.

Madam Speaker, there are many democratic countries in the world where written speeches can be tabled and those are not totalitarian states. One has only to look at what is going on in Washington; but regardless of the fact that written speeches can be tabled in several other democratic countries, if ever there was an independent country, it is the United States, and the hon. member for Yukon (Mr. Nielsen) will have to admit it.

• (2150)

Madam Speaker, there is a tradition here in this House that written speeches cannot be tabled. That is actually a fact. But as I said earlier in my speech, traditions are there to be changed. Madam Speaker, our parliamentary tradition has been a continuously changing process and Beauchesne does not say that in the future it will not be possible to table speeches, but simply says that up to now according to our practice, that is not acceptable.

But once again, we can change tradition by introducing written rules, sessional or special orders. Traditions may be subjected to any one of those three kinds of changes I mentioned earlier. And because we propose that a simple majority of the members in this House do pass a special order to allow honourable members to table written speeches, I would say that this is not against Beauchesne. Beauchesne's citations record the past, but do not close the door to evolution nor to future changes.

Point of Order—Mr. Knowles

The hon. member for Saskatoon West was saying, and once again this goes to show that Beauchesne's citations and other authorities do not have force of law nor are always implemented, and I will quote what he said:

[*English*]

"members should not read speeches"

[*Translation*]

I checked with Beauchesne whether it was true, because that is not the practice here, where many members do read their speeches. Citation 309 of Beauchesne reads as follows:

It is a rule in both Houses of Parliament that a member must address the House orally, and not read from a written, previously prepared speech.

And Beauchesne is also referring to Bourinot.

This is the best indication that these citations, Madam Speaker, fall short of the written rules, sessional or special orders which regulate our proceedings. Some of them are never implemented. Some are even ignored when new practices are evolved and traditions are changed.

The example given by the hon. member for Saskatoon West is the most blatant of all. I have just read a citation from Beauchesne which is not even implemented, namely, Citation 309 (1). It says that no hon. member may read from a written speech in the House and yet this is done and there are no written rules, sessional or special orders to prevent it but this practice developed and allowed us to set aside this tradition. If we can do it in this regard, why could we not do it as well in other areas? This is my answer to the argument put forward by the hon. member for Saskatoon West.

Then he said it was required to get the unanimous consent of the House in order to bring about changes in the Standing Orders of the House of Commons. Madam Speaker, this is not true. Citation 9 of Beauchesne, which I quoted earlier, states clearly that all rules can be altered by a simple majority. This practice has always been the one used to make changes in the Standing Orders of the House of Commons.

Now, as I said, to conclude, I do not wish to repeat myself, Madam Speaker, but it seems so obvious, it seems so clear that the motion is in keeping with the spirit of Parliament, in keeping with a long-established practice. There are special orders in specific debates to extend sitting hours, reduce the time limit on speeches, change the current rules, change the usual practice, the tradition. There is absolutely nothing there that is contrary to the spirit of Parliament. Quite the opposite, it is the end result of a practice that evolved over these last few years, particularly since we have these written rules, these sessional orders or special orders. In this case, we are not changing the Standing Orders nor the practice for the future, all we are doing is changing them for a specific debate, to adapt to circumstances and ensure that in this specific case, as has been done so often in other cases, certain rules will not apply and there will be special orders to determine the way the debate will be proceeding in the days ahead or until completion.

In conclusion, Madam Speaker, what we are introducing is a motion that is quite in keeping with the Standing Orders and the spirit of Parliament. As I said, the points made by those who oppose its value, its content are based essentially, or exclusively on a few citations in Beauchesne, and in particular Citations 311 and 423. Incidentally, Citation 423 is not relevant because in this case our preamble is not a matter of contention, it is a statement of facts that are on record in the proceedings of both the special committee and the House of Commons. This leaves Citation 311, and as I said earlier, it is written in Beauchesne's fifth edition, in the preface, the foreword. Our intention is not to establish rules governing this House. What we are doing is recognizing how the rules were applied in the past, and how the tradition evolved until now. Beauchesne is proof that the progress of Parliament requires a change of rules, a change of traditions to keep up with the times, and this we are doing through a motion passed under the majority rule, not only when we want to make permanent changes to Standing Orders, but from time to time to change them for specific debates as is the case in this Constitution debate.

• (2200)

[*English*]

Mr. Nielsen: Madam Speaker, may I call it ten o'clock?

Madam Speaker: The applause lasted long enough for me to now stand and adjourn the House. The hon. member for Victoria.

Mr. Beatty: A point of order, Madam Speaker.

Madam Speaker: It is ten o'clock.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

ROYAL CANADIAN MOUNTED POLICE—REPORTED REMOVAL OF "E" DIVISION FROM VICTORIA, B.C.

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, I rise tonight because of a series of questions I have asked over the last couple of weeks concerning the projected move of "E" Division of the RCMP from Victoria to Vancouver. As far as the House of Commons is concerned, this issue started on March 6 when, after having heard rumours from Victoria of this move, I asked a question of the Minister of Justice (Mr.

Chrétien) in his position as Acting Solicitor General during the absence of the Solicitor General (Mr. Kaplan). I would like to thank the Solicitor General for staying for the adjournment debate this evening.

The Minister of Justice knew nothing of the case, and, apparently, neither did the Minister of Public Works (Mr. Cosgrove), who tried to answer a supplementary question I put to him.

I took this matter up again on March 9, when the Solicitor General was in the House. I asked him about the plan to move the headquarters of "E" Division of the Royal Canadian Mounted Police out of the city of Victoria. In my question I said:

I understand the Solicitor General has informed the media that this projected move is by no means certain. However, RCMP senior officers have said the move is on. Would the Solicitor General clarify this matter, please?

His reply was:

Madam Speaker, if the hon. member would tell me which members of the RCMP were saying that, I will get in touch with them and tell them the move is not on, not finally settled, and will not be until I have had an opportunity to discuss this with the provincial attorney general.

Those are pretty strong words from the Solicitor General, Mr. Speaker. Obviously, he did not know anything about any press releases which had been issued, nor did he have any information about a move taking place. As far as he was concerned it was not on, it was not settled and he was going to discuss it with the provincial attorney general.

His answer to my supplementary question on the same subject as to whether there would be impact studies done on the move before it took place was that he did not undertake that there would be specific impact studies undertaken. He ended his answer by saying:

That is not a decision which will be made until I have consulted on the matter with the attorney general of British Columbia.

It is interesting to note that this was on March 9, when clearly the Solicitor General did not know the RCMP were even thinking of moving. But, on March 4 the RCMP in Victoria issued a press release which stated:

Deputy Commissioner G. W. Reed, Commanding Officer of the RCMP, "E" Division, British Columbia, confirms that reorganization of the RCMP in British Columbia is planned and part of this reorganization would be the establishment of the headquarters in Vancouver.

This reorganization is still in the planning stages and will take place over a comparatively long range period of time and the gradual movement of the headquarters from Victoria to Vancouver will not likely commence until the end of 1981 at the earliest and proceed over a two or three-year period.

After his bold words in the House of Commons, the Solicitor General roared like a lion and said if I would only tell him who had informed me of this he would get in touch with them and tell them the move is not on. He said he was really going to straighten them out. He then went out to Victoria and apparently he got straightened out by the RCMP.

The next thing we heard from him in the House of Commons was on March 18. I asked him if "E" Division was going to move and his answer was:

Madam Speaker, what I had in mind was that the move would be phased in over a three-year period—that there would be normal attrition and transfers during that period, and that all of the officials working in the program who wanted to do so would have a priority for transferring to other federal jobs—

In my supplementary question I said:

On Monday he told reporters:

"They were fully consulted about it during the last two years of planning."

However, the Hon. Allan Williams, Attorney General of B.C., stated today:

"To suggest that we have been consulted is inaccurate and misleading. This is a callous and insensitive move and I oppose it until it is supported by an economic and social impact study."

That brings us fairly well up to the present. I might say that the press release, issued in Victoria on March 4, five days before the Solicitor General knew anything about it, caused a great deal of concern on the west coast. The mayor of Victoria sent me a copy of his letter to the Hon. Robert P. Kaplan on March 5, which said:

This letter is to object strenuously on behalf of myself and the mayors of Saanich, Oak Bay and Esquimalt to this proposed move.

● (2205)

The local newspapers reported the following day that the acting mayor, alderman Bill McElroy, said:

This is not the stupidest decision the federal government has ever made, but it's definitely in the top two.

The adverse criticism continued.

We are different in Victoria, I believe, in that we are very proud of the environment, the town we live in, and our community. People do not try to alter communities without a great deal of preparation. An impact study is absolutely vital. It should check into whether there will be a serious social impact for over 200 employees, and an economic impact on those who will pay for this move, considering that only three years ago $4 million or $5 million was paid for the buildings they moved into two years ago.

I would also suggest to the Solicitor General that he might consider polling his employees on their positions which he has now caved-in about and who will have to move whether they like it or not. Apparently he does not want to do any studies. The problem there is that the Solicitor General, if he looks back on the history of "E" division, will find that at one time they were grouped in one headquarters. In 1976 they were broken into two districts. Now you are going to put them back and get right back to your 1976 problems. There will be no change. The problem will simply be transferred from Victoria to Vancouver. This will mean there will be two problems: the problem of 1976 in Victoria plus the problem there will be in Vancouver.

I would submit to the Solicitor General that if he would have an impact study done on the economics of this, and would check into his own "E" division out there to find out if this is really in the best interests of the RCMP or only in the best interests of some individuals, I think he would find that his problem is not administrative, but one of personnel.

Mr. Deputy Speaker: I regret to interrupt the hon. member, but the time allotted to him has now expired. The hon. Solicitor General (Mr. Kaplan).

Adjournment Debate

Hon. Bob Kaplan (Solicitor General): Mr. Speaker, I have indicated in this House, and when I was in British Columbia, that this move is now on, and it is obviously not a very popular decision for the people of Victoria. I fully understand that they would prefer to have the RCMP "E" Division headquarters in their city.

I therefore want to take the opportunity to briefly review how this decision was made. I say at the outset that the decision is the responsibility of the Solicitor General of Canada, under the regulations of the RCMP Act. The force has kept me informed of developing plans to move the headquarters. Until my formal approval was attached to the plan, it did not become—if I could put it that way—an official plan. Even now pieces of it require approval of the Treasury Board before implementation, and approval will not even be sought immediately for all of them. It is a two to three-year gradual phase-in process which I think will have a minimum impact on Victoria. However, approvals will proceed along that course.

One hon. member opposite shouted that I do not know the difference between Vancouver and Victoria. I do know the difference; but even more important, the commissioner of the RCMP knows the difference because almost two decades of his career have been spent in British Columbia. It is no secret that he always regarded its establishment in Victoria as a less effective location than Vancouver.

• (2210)

The proposed move did not come from an easterner of someone who does not know what is happening in the west; the move is being organized, planned and put to me by experts who know very well what the needs are for efficient policing in British Columbia.

I have a copy of a letter which Allan Williams sent to me a few days ago. I would be happy to table it if the rule and hon. members would permit. The letter makes it very clear that Allan Williams had discussions on the subject, and that his view is that the implementation of the plan will contribute to an improved delivery of police service to the people of British Columbia.

Our responsibility is to deliver good police service to the people of British Columbia. The attorney general, after his staff was consulted, and after writing and saying he recognizes that he is being consulted and that this decision would contribute to an improved delivery of service, then urges me to make further investigation into the matter. I know it is an unpopular decision but it is not for him to make; it is for this government to make.

I feel that we have acted in a responsible way and I hope, in a larger sense, the people of British Columbia recognize all the advantages of the efficient and improved policing that the force itself has put to me, that the attorney general of the province has approved on policing grounds, and that I fully believe will improve the efficiency and effectiveness of policing—

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member but the time allotted to him has expired.

I would remind the House that this is an adjournment motion. If the minister wishes to communicate copies of correspondence to the hon. member I suggest that he simply send it to him.

ENERGY—NEW BRUNSWICK OIL SHALES DEVELOPMENT

Hon. J. Robert Howie (York-Sunbury): Mr. Speaker, I asked the Minister of Energy, Mines and Resources (Mr. Lalonde) to explore the development potential of oil shale in the province of New Brunswick for two reasons: first, because it is important to Canada as we drive toward energy self-sufficiency and, second, because it is important to New Brunswick in that it would provide badly-needed jobs and be a tremendous stimulant in the field of development.

I should like to say a word about what the oil shales comprise. The oil shales are found in the Albert geological formation which in many ways can be likened to a large saucer. It results from an ancient lake. If I might go back to my analogy of the saucer, the centre of that saucer would be located in the Gulf of St. Lawrence and the perimeter of the saucer would be developed from the centre at an angle of approximately 40 degrees. The oil shales are near the surface in the province of New Brunswick; they are found in the county of Albert and stretch from an area north of Moncton to an area midway between Sussex and Saint John. The shales comprise about 2,500 square miles in southeastern New Brunswick.

Around the turn of the century the local people discovered the potential of the shales and used it as an energy source. I do not think it was a viable commercial operation but I have seen what is seemingly a rock of oil shale ignited by a match which burned freely. I saw that happen in the last month.

The process of obtaining oil from the shale is to first grind the shale to a granular form, put it in a retort, and heat it to 900 degrees Fahrenheit. The oil then flows out through the bottom and gas escapes from the top. If the gas which escapes from the top is captured it can become the energy source for sweating the oil from the shale.

This process is quite similar to that which is employed in the tar sands of Alberta. A small pilot project is under way in Colorado in the United States operated by the Occidental Petroleum Company.

When the shale is located at a greater depth, tunnels are bored into the rock, a combustion chamber is hollowed out, fire ignites in the combustion chamber and heats to 900 degrees. The oil then flows through the bottom where vertical tunnels gather it and it is pumped to the surface. This is another technique that is used in Alberta. It is more costly and it is used for deep-seated shale.

Significantly, about one-third of the shale in New Brunswick is surface and can be mined in an open pit or in the

strip-mining fashion. It can provide the nucleus for our energy resource in that regard.

● (2215)

Canadian Occidental Petroleum has done some initial exploratory work on an area of 1,000 acres of shale deposits with some surface exposure. They found a relatively constant thickness of 250 feet. The hydrocarbon content in the principal zone which was explored is estimated to be from 8 per cent to 10 per cent. The oil has been found to be of a light, sweet nature.

The study evaluation is required because the only area evaluated is this 1,000 square acres. The possibility of surface mining and surface retorting of crude bitumen is a very important potential, one I would like to see the Government of Canada and the government of New Brunswick join in considering. The potential, based on the small sampling done, indicates 15 billion barrels or more of oil. That is well worthwhile exploring. There are some uncertainties. There are environmental aspects which must be looked at and there are some really tremendous job creation benefits. There is also the potential of helping us nationally with our security of supply problem.

The National Energy Program appears to me to underestimate the potential for the New Brunswick oil shales and also the potential for providing a nucleus in a special field of research and development in the extraction technology.

Saskatchewan has a five-year $50 million heavy oil research and development program. New Brunswick has none. It would be my hope that we would not resort to DREE and its very slender funds to move in this development area. I would like to see it included in the inventories of our National Energy Program and developed in that way. I think it is essential to select a portfolio in research and development investments which recognize our regional diversities. I think if this particular potential is included in the National Energy Program inventory it will not only recognize the regional diversities, but it will provide a tremendous development stimulus in an area which needs it very badly.

I want to thank you, Mr. Speaker, and the House for its indulgence this evening.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Madam Speaker, as the hon. member opposite has indicated, the New Brunswick oil shales have attracted attention for many years. From time to time efforts have been made to develop them commercially. In the past, such attempts have proved to be uneconomic. However, with the high world price of oil there is renewed interest in the potential of these shale deposits.

The oil shales in southwest New Brunswick are believed to cover between 1,000 and 2,000 square miles. They have not yet been thoroughly explored. It is obvious that a great deal of work needs to be done. Some work is currently being carried out on the evaluation of the potential of the oil shales. Under the Canada-Brunswick mineral and fuels subsidiary agreement, $60,000 has been spent on mapping the oil shale formations, compiling existing data and some preliminary investigation of oil recovery using microwave technology. A $75,000 program has just started to examine the use of oil shale as a combined sulphur entrapment medium and heat source when burned with high sulphur coal in fluid bed combustion.

Canadian Occidental Petroleum has large holdings of the oil shale formation. However, the company is expected to relinquish much of its ground next month. When this happens, the province may call for exploration commitment bids on six to eight blocks of 90,000 acres to determine if the private sector is preferred to carry out the work on the resource.

In February, a meeting took place in Ottawa between New Brunswick officials and those of the Department of Energy, Mines and Resources. A technical committee may be established to evaluate the potential of these oil shales.

The National Energy Program makes provision for assisting in the development of oil and gas resources. A proposal for the commercial development of the New Brunswick oil shales would be considered under the terms of the petroleum incentives program in the same way that a proposal for the commercial development of the oil sands in Alberta would be considered. For instance, the depletion allowance for approved expenditures on integrated oil sands projects can be earned at one-third of qualifying expenditures. In addition, there would be incentive payments to companies having a Canadian ownership rate of 75 per cent or more. An oil shale project would be eligible for reference pricing under the National Energy Program thereby providing a price for the product considerably higher than that pertaining to the traditional oil deposits of western Canada.

● (2220)

The New Brunswick oil shales may yet have a role to play in helping to ensure security of energy supply for the Atlantic region. Of course, much work would have to be done to prove the economic viability of this resource. However, for companies willing to take the initiative, the National Energy Program may offer a very helpful incentive.

HEALTH CARE—REQUEST FOR LEGISLATION TO BAN EXTRA BILLING BY DOCTORS

Mr. Bill Blaikie (Winnipeg-Birds Hill): Mr. Speaker, on Monday, March 16, 1981, the Minister of National Health and Welfare (Miss Bégin) confirmed the figures that the CBC had obtained which showed that the Canadian public was paying some $56 million more for health care than they should have to as a result of extra billing by physicians.

Some 71 per cent of this extra money is being paid out by the people of Ontario who, I might say, already pay for health care through general revenues and through regressive premiums, thus paying three times for what other Canadians pay for once through the tax system. One is truly amazed at the masochism of the Ontario people, demonstrated by the re-election of the Progressive Conservative government just recently.

Mr. Justice Hall in the Health Services Review of 1980 recommended that extra billing be outlawed by amending the Medical Care Act to provide that extra billing by physicians inhibits reasonable access to services and is contrary to the intent and purpose of the act. This is what I, as health critic for the federal New Democratic Party, implore the minister to do now and not to wait for the renegotiation of the Established Programs Financing.

March, 1982 is just too long to wait for a remedy to this extremely serious problem. We allow extra billing to increase in the meantime; that is between now and the renegotiation of the Established Programs Financing, at the peril of so seriously eroding the principles of medicare that people come to expect extra billing, particularly in provinces like Ontario. They take out insurance against it, then we have exactly the two-tiered health care system Mr. Justice Hall warns us against, one for the rich and one for the poor.

During the two recent election campaigns, the minister talked tough to the provinces; when she was the minister prior to May, 1979 and then when she was in opposition. Now she is backing off, citing improvements in New Brunswick while she turns a blind eye to events in Ontario, British Columbia, Manitoba and Alberta, to mention a few.

In her answer to me in the House the other day she posed the problem of doctors leaving a province that banned extra billing. That is precisely why we cannot expect even governments like Saskatchewan, which would like to so act, to outlaw extra billing by themselves. We cannot expect Saskatchewan to go through the trauma of giving birth to medicare once again while neo-conservative provinces sit idly by and watch the struggle.

Federal action will be required, the kind I am requesting of the minister. Federal leadership is required. That is what I and my colleagues in the New Democratic Party will wring out of this government if it is the last thing we do. We will not allow this government through sloth, cowardice, indifference or restraint to dismantle the heritage which the pioneers of our movement fought to get for the Canadian people in universal health care or in other social programs.

Let me give notice to the government that as we enter a period in which federal-provincial fiscal relationships are to be studied by an all-party task force, on which I will sit as the representative of my party, we will not accept or work within any hidden agenda that presumes a lessening of federal financial or philosophical commitment to medicare.

● (2225)

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, with respect to extra billing, I must first remind those who have tried to confuse this issue that this government is opposed to any form of extra billing. Mr. Justice Hall was justifiably concerned about extra billing and its possible impact on access to health care by disadvantaged groups in our society. He stated that "the practice of extra billing is inequitable" and would lead to a two-tiered system. He also noted that extra billing is twinned with the issue of protecting the legitimate interests of physicians when one way of increasing their income, the extra billing, is eliminated.

Mr. Justice Hall's solution to the problems of extra billing and reasonable compensation for physicians was to recommend that the provinces "outlaw extra billing" but also agree to establish and accept binding arbitration on compensation issues for which negotiated agreements could not be reached.

Mr. Justice Hall described the federal role as "a responsibility to set objectives which will reaffirm the national character of Canada's medical care program." He suggested that to fulfil this role with regards to extra billing and physician compensation, the federal government support the provinces my making legislative changes so that extra billing was declared contrary to the intent and purposes of national health insurance and to encourage the provinces to "develop a mechanism to ensure reasonable compensation to physicians." The minister strongly supports Mr. Justice Hall's views and intends to recommend to her colleagues in cabinet that, when the government begins bargaining with the provinces on fiscal arrangements with EPF, a primary goal of these negotiations should be an end to extra billing in conjunction with a system to ensure reasonable compensation for physicians.

Ever since the completion of the Hall report, officials of the department and the minister have been working with provinces to resolve this dilemma, and to build the groundwork for such negotiations. It is federal-provincial co-operation which will ensure that national objectives in the health sector are attained, and it will not be done by precipitous action on the part of the federal government.

As for the figures that gave rise to the estimated $56 million in the cost of extra billing for insured medical care services, this is, I repeat, an estimated figure. These data were developed in co-operation with the provinces on a tentative basis, and until, and only until they have been further reviewed by the provinces, the minister is not prepared to release any supporting documentation.

In conclusion, this government is not prepared to withhold payments from provinces simply because they do not immediately agree to ban extra billing. Such hasty action could result

in a catastrophic disruption of services to patients, defeat the basic purpose of the Medical Care Act, and might leave the federal government open to court action. The key element of the Hall report is that his proposals should be achieved through negotiation, and the minister is confident that this will be accomplished through that same process. Thank you.

[*Translation*]

Mr. Deputy Speaker: Order, please. The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m.

Motion agreed to and the House adjourned at 10.27 p.m.

HOUSE OF COMMONS

Wednesday, March 25, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

GREEK INDEPENDENCE DAY

TRIBUTE TO CANADIANS OF GREEK ORIGIN—MOTION UNDER S.O. 43

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, under the provisions of Standing Order 43 I move a motion of great importance to the Greek Canadian community of our country, and ask unanimous consent for its passing.

In full recognition of the outstanding contributions made by Greek Canadians to the social, spiritual and economic fabric of our society, as well as adding significantly to the foundation of our mosaic Canadian culture, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That this House acknowledge such contributions by officially recognizing the significance of this day, March 25, which is Greek Independence Day, and the 160th anniversary of the freedom and independence of Greece, the cradle of democracy.

Madam Speaker: I am sure that the House will want to express its appreciation for those words by applause.

Some hon. Members: Hear, hear!

* * *

NATIONAL ENERGY PROGRAM

CALL FOR PARTIAL WITHDRAWAL OF POLICY—MOTION UNDER S.O. 43

Mr. Blaine A. Thacker (Lethbridge-Foothills): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas today, March 25, marks the sad day when the one hundredth oil rig is leaving Canada; whereas each of those 100 rigs caused employment for dozens and dozens of Canadians with an economic multiplier effect of at least four times, and whereas only a Minister of Energy, Mines and Resources and government which are totally out of touch with Canada's real needs could propose such a misguided energy policy, thereby destroying any chance of oil self-sufficiency, I therefore move, seconded by the hon. member for Erie (Mr. Fretz):

That the government immediately withdraw those parts of its energy policy which have caused those 100 oil rigs to leave Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENVIRONMENTAL AFFAIRS

NEGOTIATION OF CLEAN AIR TREATY WITH UNITED STATES—MOTION UNDER S.O. 43

Mr. Derek Blackburn (Brant): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

Given the immediate need for both Canada and the United States to control and eliminate acid rain, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Prime Minister put pressure on the United States not to weaken the provisions of the U.S. Clean Air Act which is up for review, and that the Prime Minister be instructed by this House to use any and all possible means available to the Government of Canada to bring to fruition, without further delay, the toughest treaty possible to control the long-range transport of air pollutants, the most critical environmental problem facing North America today.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

TRANSPORT

GRAIN TERMINAL DEVELOPMENT AT PORT OF PRINCE RUPERT—MOTION UNDER S.O. 43

Hon. Don Mazankowski (Vegreville): Madam Speaker, I wish to move a motion under Standing Order 43 which arises out of the fact that progress is once again being further frustrated and delayed in the grain terminal development of the port of Prince Rupert because of the federal government's refusal to honour fundamental articles in the memorandum of understanding signed and agreed to by the federal government and Prince Rupert Grain Terminal Consortium, specifically, the equal sharing of costs of the site preparation, including caissons for the new elevator. I therefore move, seconded by the hon. member for Elgin (Mr. Wise):

That the Minister of Transport instruct officials of the National Harbours Board to honour the articles of the memorandum of understanding negotiated in

good faith, and further instruct his officials to proceed forthwith in ending the stalemate with Prince Rupert Grain Terminal Consortium so that further tenders can be called and the project be proceeded with.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

BROADCASTING OF PARTY LEADERS' SPEECHES ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. David Berger (Laurier): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that on Monday, March 23, the Prime Minister (Mr. Trudeau) made one of the most important speeches in Canadian history and that neither CBC, CTV nor Tele Metropole in Quebec broadcast this historic event, I move, seconded by the hon. member for Kitchener (Mr. Lang):

That the television networks fulfil their responsibility of keeping the Canadian public informed, particularly on matters of fundamental importance to our nation, by rebroadcasting the Prime Minister's speech as well as those of the opposition leaders.

Some hon. Members: Hear, hear!

Mr. Clark: Settle the strike.

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INCOME TAX

SUGGESTED INCREASE IN EDUCATION DEDUCTION—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the education deduction for full-time post-secondary school students of $50 a month, first introduced in 1972, has never been increased, and in view of the fact that since that time the cost of living has almost doubled, I move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That as a result of the fact that tuition fees, accommodation and other expenses for students have almost doubled since 1972, that this House recognize that students are as much affected by inflation as are other groups by urging the government to table a ways and means motion which would increase the present maximum deduction of $50 per month to a level more in line with the harsh realities of the eroded purchasing power of the dollar.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1410)

MARINE TRANSPORT

FUEL SURCHARGE EXEMPTION—MOTION UNDER S.O. 43

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, I am pleased to see the Minister of Transport in his seat. Under the provisions of Standing Order 43, I rise to move the following motion.

Failure of the government to move in extending the fuel surcharge exemption to all Canadian flagships operating out of Canadian ports will add some $30 million to the operational costs of those fleets and thus seriously erode their competitive position offshore, as well as creating an unacceptable administrative burden for the government with respect to policing it. I move, seconded by the hon. member for Vegreville (Mr. Mazankowski):

That this House urges the government to extend its exemption on fuel surcharges to all Canadian flagships so as to bring into line all of the transportation modes, not later than March 31, 1981.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENVIRONMENTAL AFFAIRS

ALICE ARM, B.C.—CALL FOR REVOCATION OF AMAX SPECIAL DUMPING PERMIT—MOTION UNDER S.O. 43

Mr. Edward Broadbent (Oshawa): Madam Speaker, I rise under the provisions of Standing Order 43, to move a motion.

Considering that the Liberal government issued a dumping permit by order in council to Amax Limited, in the middle of the 1979 federal election, and considering this action is opposed by the Nishgas and over 50 local groups and Canadians from coast to coast, on solid scientific and medical grounds, I move, seconded by the hon. member for Skeena (Mr. Fulton):

That this House calls for the revocation of the special dumping permit to Amax until such time as a full public inquiry has heard evidence and ruled on the health and environmental implications of this project.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, I seek the attention of all hon. members of this House. Under the provisions of Standing Order 43 I rise to move a motion on a matter of urgent and pressing necessity.

Having recently returned from a visit to my native province of Saskatchewan I have become acutely aware of a very serious problem affecting western grain farmers. In view of the fact that the Prime Minister made a commitment to western grain farmers that they would be paid compensation because of the boycott policy of the previous government directed toward the sale of grain to the Soviet Union, and in light of the fact that many of these western grain farmers urgently need seeding money for the new crop year, I move, seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That this House give unanimous support to the government to act as soon as possible to provide the details of compensation for the western grain farmers to eliminate any further hardships that they may suffer as a result of this grain embargo.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA PENSION PLAN

PROCESSING OF DISABILITY PENSIONS—MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. I have reviewed this motion with the Minister of National Health and Welfare (Miss Bégin) and the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette), and I believe they will be comfortable with it.

Canadians suffering from a terminal illness, such as cancer, are naturally concerned about the financial well-being of their families. The greatest enemy of these people is time. Canada Pension Plan disability procedures are not set up to give any consideration to the severe problems these people face. Therefore I move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

That this House instruct the Minister of National Health and Welfare to study the possibility of setting up priority processing of disability pensions for Canadians suffering from a terminal illness.

Madam Speaker: Is there unanimous consent?

Some hon. Members: Agreed.

Madam Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

* * *

REGIONAL DEVELOPMENT

PROGRAMS AFFECTING NEW BRUNSWICK—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. The province of New Brunswick and its premier have been threatened by the Minister of National Health and Welfare (Miss Bégin), the Minister of Indians Affairs and Northern Development (Mr. Munro), and the member for Restigouche (Mr. Harquail), with economic sanction, unfairly, unjustifiably and indefensibly. Despite the fact that they are more pomp and poop, there are citizens questioning the influence of these members. Therefore I move, seconded by the hon. member for York-Sunbury (Mr. Howie):

That the political minister for New Brunswick, the Minister of Fisheries and Oceans, reassure the people that the government intends to honour all its commitments and will continue to participate in such programs as the general development agreement and primary highway strengthening program as in the past.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

PROGRESS OF TALKS BETWEEN PROVINCIAL REPRESENTATIVES—GOVERNMENT POSITION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is to the Prime Minister, who will know that Premier Sterling Lyon has reported that the eight provinces meeting now in Manitoba have made some progress toward agreement on constitutional proposals which will be far more acceptable to more Canadians than the constitutional proposal that is now before the House of Commons. In light of that progress that is being made, will the Prime Minister tell

the House why he is intent on rushing his particular constitutional proposal through the House of Commons at a time when it appears that waiting a little longer would result in agreement on an amending formula and a constitutional package that would have the effect of uniting Canadians rather than dividing them? Why is he rushing through with his proposed Constitution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am really happy to hear that the premiers are making some progress. I wish we could say as much for the debate in this House. When the hon. member opposite suggests that we are rushing things—

Mr. Beatty: Except for your speech.

Mr. Trudeau: —I have to remind him we have been on one single amendment for more than five weeks now. I have heard from the opposition party that they would like to see the charter improved in the area of rights of women, in the area of aboriginal rights, and so on.

An hon. Member: Property.

Mr. Trudeau: Property. I am amazed that the opposition call it rushing when they have prevented us from even considering amendments which would improve the status of women and so on. The Leader of the Opposition asks if a little more delay would be useful. Madam Speaker, the measure is still before the House. If the premiers have indeed reached an agreement and a consensus, we would be happy to hear from them about it. However, until we hear anything to the contrary, my opinion is that of Premier Hatfield when he said delay would only produce one thing, more delay, and that is what it has been doing.

AMENDING FORMULA

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, what is curious about the Prime Minister's position is that, while he pretends to be reasonable, he has before this House a motion of closure that would get this question out of Canada at the very time when there is an opportunity for agreement to be found in Canada. He might prefer Britain to settle our questions. We prefer Canadians to settle our questions.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Clark: If the trained sheep so graphically displayed in *Le Devoir* the other day would be quiet for a moment I would put my question to the Prime Minister. He said on Monday, in his long two hour and 20-minute speech before he sought to impose closure on the House, that he did not personally prefer the Victoria amending formula but he was proposing that amending formula only, he made it clear, because it had been the subject of agreement. My question to the Prime Minister now is would he support another amending formula if it had agreement among the provinces?

• (1420)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Leader of the Opposition referred to many things, first of all to my long speech. I would point out that under the rules of this House the Prime Minister and the Leader of the Opposition can speak without time limit. If he had more to say on the subject he would have made a longer speech.

Some hon. Members: Hear, hear!

Mr. Trudeau: Then we hear that closure is being imposed at the very time, in the words of the Leader of the Opposition, the very time the premiers are reaching agreement. Madam Speaker, the measure has been known to the premiers for many months now; I have no evidence that in the meetings they held in the fall and winter they reached agreement on anything. Why is he suggesting they reached agreement on anything now? If they had, surely we would have heard about it.

I think the Leader of the Opposition is only using this in the hope that he would destroy the chance of Canadians ever getting a charter of rights.

Some hon. Members: Oh, oh!

An hon. Member: Holding Canada together.

Mr. Trudeau: He says he prefers holding Canada together.

Mr. Baker (Nepean-Carleton): Order, Madam Speaker. Even the Prime Minister is subject to the rules.

Madam Speaker: Order, please. The Right Hon. Prime Minister should be answering the one question that was put to him by the Right Hon. Leader of the Opposition.

An hon. Member: He has not answered a thing yet.

Mr. Trudeau: Madam Speaker, I am commenting on the very points raised by their leader. He raises some points. Surely fairness entitles me to deal with those points.

Some hon. Members: Hear, hear!

An hon. Member: When did you start dealing in fairness?

Mr. Trudeau: The Leader of the Opposition also suggested that he would prefer Canadians settle their questions rather than the British. So do we, and we are Canadians in this House and we represent Canada. And if the Leader of the Opposition really believes that, why have all his friends, the provincial premiers, why have they been in London for months lobbying the British?

An hon. Member: Where is Chrétien?

Madam Speaker: Order, please.

Mr. Baker (Nepean-Carleton): Where is Chrétien?

Mr. Trudeau: I am asked where Mr. Chrétien is. Madam Speaker, the Minister of Justice accepted a long while ago—

Some hon. Members: Oh, oh!

Mr. Trudeau: A long while ago—

An hon. Member: How about MacGuigan?

Madam Speaker: Order. I shall have to interrupt the Right Hon. Prime Minister and let the Right Hon. Leader of the Opposition formulate another question, because that one just does not seem to be able to be answered while maintaining some order in the House.

Mr. Clark: Madam Speaker, perhaps the Prime Minister needs two hours and 20 minutes to answer questions in the House as well.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Clark: Let me ask the Prime Minister whether, as a matter of government policy, he has ruled out the possibility of another first ministers' conference or some other form of serious discussion of a different amending formula, between the federal and provincial governments? Has he ruled out the possibility of that kind of consultation before he forces his particular personal formula through this House using closure, despite the fact the premiers are meeting to seek agreement and despite the request of the Liberal leader in the province of Quebec for an opportunity to discuss this question if he forms the next government?

Will he consider holding another discussion on constitutional matters before he forces his measure by closure through the House of Commons?

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the Leader of the Opposition calls it my personal formula. May I remind him it is the formula agreed to by the ten premiers and the Prime Minister in 1971.

An hon. Member: No, no.

Mr. Trudeau: Well, I hear somebody say "no". I would like to have somebody substantiate that. Premier Davis and Premier Hatfield were there, I was there, the press covered that conference, and it is on record, Madam Speaker, that that is the only time in recent memory—

Mr. Baker (Nepean-Carleton): Answer the question.

Mr. Trudeau: They ask me to answer the question. Did the Leader of the Opposition not say that it was my personal formula, and was he wrong or right in saying that?

An hon. Member: Don't be so arrogant.

Mr. Trudeau: And if they cannot stand an argument and the truth—

An hon. Member: Sit down.

Mr. Trudeau: —they should not ask questions.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. I can see this is caucus day.

• (1425)

QUERY RESPECTING PROVINCIAL CONSENSUS

Hon. Jake Epp (Provencher): Madam Speaker, I would like to direct my question to the Right Hon. Prime Minister. In his speech on Monday he quoted the Hon. George Brown, who made the point in 1865 that the time was now for Canada to form a union. In his speeches George Brown also made the point that one cannot move in a federal state unless there is widespread acceptance of a proposal.

In view of the fact that the provinces now are at a position where a consensus can be reached among eight of the ten provinces on patriation and a formula for amendment, I would like to ask the Prime Minister whether he would accept that consensus as being sufficient for him to reconsider the proposal he has before the House and to meet with the premiers—

An hon. Member: You have two years.

Mr. Epp: —in order to develop the unity I believe Canadians seek for our country.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, it would be easy and exact to say that the question is hypothetical, and has been for these many months—I should say these many years—when the premiers have not agreed on an amending formula and on patriation, and I have quoted that chapter and verse.

Rather than claim that the question is hypothetical, I would like to put to the hon. member that the resolution before the House does exactly what he hopes to do. It gives the premiers and the federal Prime Minister two years to get together, during which unanimity will be—the hon. member shakes his head. Would he please read the resolution? That is exacty what we say, and I am surprised that as learned a member as the hon. member for Provencher does not know that. We have before us a resolution which says that for the next two years no amendment can be made on basic matters respecting the Constitution without unanimity. That is in the resolution.

An hon. Member: We all know that.

Mr. Trudeau: If hon. members know that, why are they suggesting that I am in some sense imposing my formula? The formula which is brought in by this resolution calls for unanimity over a period of two years. After two years, if there is not agreement and if there is not consensus—

Mr. Nielsen: There is the problem.

Mr. Trudeau: I challenge the opposition to indicate what consensus is to their minds. However, let us assume that there is no agreement; then what do we do? We ask the Canadian people to choose between politicians who cannot agree. What is undemocratic or unfair about that?

Some hon. Members: Hear, hear!

REQUEST FOR FEDERAL-PROVINCIAL CONFERENCE

Hon. Jake Epp (Provencher): Madam Speaker, I can see why the Prime Minister is frustrated, in view of the fact that the premiers now possibly could come up with a conclusion on a consensus.

However, in view of the fact that as Prime Minister his first responsibility is the integrity and the unity of the country, I would like to ask him why it is that he does not accept the position of the Liberal leader of Quebec, Mr. Claude Ryan, who as late as this morning reiterated that, if elected on April 13, he will insist on a federal-provincial conference. Why is the Prime Minister in such a hurry, prior to April 13, to have this matter go to Britain? Why will he not sit down with the federalist government of Quebec and the premiers who have now come up with a consensus? Why is he unwilling to sit down with his Canadian counterparts?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I have been sitting down with the premiers of the various provinces since 1968. We have been looking for a solution to this problem, as other prime ministers and premiers have been looking for the solution to this problem since 1927.

Mr. Beatty: Why not wait two weeks?

Mr. Trudeau: How can they say I have not consulted? How can they say that I am not prepared to hear other views? They say, "How about two weeks more?" In the name of what?

● (1430)

Some hon. Members: Canada.

An hon. Member: Listen and learn.

Mr. Clark: Au nom du Canada.

Mr. Trudeau: Madam Speaker, I just have to remind hon. members opposite that that is exactly the line they were taking in the House when they prevented Canada from getting its flag.

Some hon. Members: Oh, oh!

Mr. Trudeau: They do not like to be reminded of that. We hear groans when we talk about the flag, but they are on record, and many members sitting in the House were there then.

An hon. Member: Tell us about national unity again.

An hon. Member: Where were you when the country needed you?

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. I suppose it is impossible to answer a question when other members who do not have the floor keep asking questions. I urge those who answer questions to limit themselves to answering the question which was asked by the member who had the floor. Otherwise it is an encouragement for heckling to happen.

Mr. Trudeau: Madam Speaker, I thought you were drawing the attention of the school children in the gallery to the misconduct of the opposition members.

Some hon. Members: Hear, hear!

An hon. Member: You have really cheapened yourself, Prime Minister.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please.

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PUBLIC SERVICE

GOVERNMENT POLICY ON SALARIES AND WAGES

Mr. Rod Murphy (Churchill): Madam Speaker, I hope to have a chance to ask my question and hear the response—

An hon. Member: Don't count on it.

Mr. Murphy: My question is directed to the President of the Treasury Board. In light of the document which was released yesterday in which it was pointed out that inflation may be fought on the backs of public servants, and in which it was also pointed out that 68 per cent of the public servants whose contracts are expiring in the near future are already lagging behind the private sector, and since it is also pointed out in the document that the guideline of the government would, of course, have to override the principle of comparability in the determination of public sector compensation, would the minister explain to the House why it is government policy to force the public service to take the brunt of the blame for what is happening in terms of inflation, and would he also explain to the House what he considers to be a justifiable wage gap between the poorly paid public sector and those in the private sector?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, the hon. member seems to be relying upon press reports and not upon the stated policy of this government with respect to public sector compensation. I answered the question directly in the House yesterday and he may have seen the press reports this morning. I believe the hon. member is referring to some suggestion, as I recall it, that a 10 per cent cap was to be applied. I can assure hon. members

in the House that that is not the policy of the government. The government has consistently taken the view that public sector employees should be fairly paid. Those comparisons are available. I think the hon. member will find that we have been consistent and fair in our treatment of public sector employees, and will continue to be so.

EQUALITY FOR MALE AND FEMALE EMPLOYEES

Mr. Rod Murphy (Churchill): Madam Speaker, this is not a press release, this is a cabinet document. Since the cabinet document speaks of yet another group that is being picked upon by the government, that is, the postal operations group which is 75 per cent female and earns approximately $3.50 an hour less than the male group doing the same type of work, and since just last week the Canadian Human Rights Commission ruled against the Treasury Board proposals for the settlement of the equal pay for work of equal value claim of the general services group, will the minister confirm to the House that he and his government have no commitment to the Human Rights Act and that the government is going to ignore or stall any attempt to achieve equality in the workplace because it uses its workers as the victims of its policy?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, it is ironic for anyone to suggest that this government has no commitment to the Human Rights Act since it was the preceding Liberal government that introduced the legislation which enshrines the principle of equal pay for work of equal value in Section 11 of that statute.

We made an offer to the Human Rights Commission with respect to a settlement of the general services group dispute. The matter is extremely complex given that there are seven subgroups of the group, three of which are female dominated and four of which are male dominated, but within each one of those groups there are 13 different pay levels and there are 22 different pay zones in Canada. So the challenge for us was to come up with a formula which we thought was fair without creating reverse discrimination against the male employees in groups which could be moved behind some of the female dominated groups. We have made such a proposal and I was pleased that the Human Rights Commissioner, Mr. Gordon Fairweather, acknowledged that we were making a genuine attempt to resolve this difficulty.

We are re-examining the views expressed by the Human Rights Commission and I hope we will come forward with some other negotiated settlement. But the proposal we made, I think, was fair in the circumstances. It moved to an average and substantially increased the various levels of women's groups, in many cases beyond comparable levels for male groups, which, of course, could give rise to what we call the leap-frog effect. So the matter cannot be dealt with in a simple approach. It is a serious problem, one which we are working very hard to resolve on a fair basis to the women employees in the federal government.

Some hon. Members: Hear, hear!

POSSIBILITY OF LEGISLATIVE CHANGES

Mr. Rod Murphy (Churchill): Madam Speaker, the minister seems to think that just because Treasury Board made an offer, that is a real attempt to reach a settlement. It took a long time for the government to get around even to making an offer in this case which has been hanging on its back for months and months.

The document and the minister's memorandum to cabinet list what I would call a horror story of union bashing tactics, including limiting the right to strike, ignoring comparability, making the public service take lower pay increases than the cost of living, ignoring equal pay laws, lockouts, wholesale designations, deferring the right to strike, and even excluding some groups from the right to seek arbitration. Can the minister answer two questions: first, what legislative changes will he be proposing to the House, and second, what other unilateral action is he planning to take to deprive workers in the public service of their already limited right to negotiate a contract?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I think the view this government takes is that legislation should be re-examined from time to time to make improvements which are in the interests of both employees and employers, in the case of the PSSRA, for example. That act has been in effect since 1967. I would point out that the right to strike was also given by a Liberal government. There is absolutely no intention of being unfair to public service employees.

That document which the hon. gentleman keeps waving and which he alleges is a cabinet document, is simply not one. I do not know what other documents he has at his disposal, but I am quite prepared to discuss with the hon. member, or with any other members of the House, the kind of proposals they believe should be brought forward to make the right to strike more effective and to protect the interest of the taxpayers, the citizens of this country, as well as to protect the interest of the public servants.

* * *

TRANSPORT

GRAIN TERMINAL DEVELOPMENT AT PORT OF PRINCE RUPERT—DISAGREEMENT OVER SITE PREPARATION

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is directed to the Minister of Transport. It arises out of the stalemate in the negotiations which is further delaying the development of the grain terminal at the port of Prince Rupert. It arises out of the fact that the National Harbours Board is reneging on one of the fundamental articles of the memorandum of understanding signed by the federal government and the Prince Rupert Grain Terminal Consortium, that precise article being the equal sharing of the cost of site preparation, including the placements of caissons if necessary. I would ask the Minister of Transport why the National Harbours Board is refusing to honour that commitment. May

I also ask the minister whether he is prepared to intervene personally and instruct his officials to comply with the spirit and the articles contained in that memorandum of understanding which was negotiated and agreed to by both parties in good faith?

● (1440)

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I am surprised to a certain extent that the hon. member for Vegreville identified me as the cause of this difficulty, because he is on record as having said in the House of Commons that what I did at Prince Rupert was exactly what he would have done. Be that as it may, it was understood from the beginning that the consortium would build the elevator. So, what is happening now is a discussion between the National Harbours Board and the grain consortium as to the definition of site preparation. Of course, the consortium is interested in giving it a wider definition, because there will be a sharing by the federal government of the underground preparation of the elevator.

To the question itself, of course the National Harbours Board will meet urgently with the consortium and discuss the issue. I will await the results before deciding what I will do.

Mr. Mazankowski: Madam Speaker, the difference between our government and this government is that we were prepared to honour the commitments which were signed and agreed to; there is no question about that.

Some hon. Members: Hear, hear!

Mr. Mazankowski: Further, there can be no question as to the obligation of the government in respect to fulfilling the commitment to share in the cost of site preparation, including the placement of caissons. That has been further concurred in, in the exchange of letters between the Department of Transport and the National Harbours Board.

The minister said that there are ongoing discussions. I am informed that a letter was directed by the consortium to the National Harbours Board indicating, in very blunt terms, that it will refuse to negotiate any further tenders until this matter is clarified. In order to break the log jam, will the minister personally intervene? If the government continues to be intransigent, as it is on this particular point, the entire project could be in jeopardy.

Mr. Pepin: Madam Speaker, my accessibility is well known by everybody.

Mr. Mazankowski: Do something.

Mr. Pepin: This agreement was signed last November. Since then the consortium manifested no disagreement with the terms of the agreement whatsoever.

Mr. Mazankowski: That is wrong, and you know it.

Mr. Pepin: At the very last minute the consortium came up with a different interpretation of the meaning of "site preparation". The National Harbours Board is there to attend to those matters, and I will attend to it if a resolution of the conflict does not take place.

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NATIONAL SECURITY

TASCHEREAU COMMISSION PAPERS REVIEW

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, my question is for the Solicitor General. In reply to one of my Order Paper questions on March 11, 1981, the government said that it was continuing the investigation ordered by the solicitor general of the Progressive Conservative government into why the Taschereau national security papers were being or had been locked up again by this government for a further ten years. Also it said that it was anticipated that this review would be completed by May 1 of this year, in other words, in a month or so.

Is the Solicitor General now prepared to confirm to the House that Ralph Branscombe has been appointed to make the review as to whether the papers should be released? Who appointed him, along with terms of reference? Will the report be tabled in Parliament or made public on or about May 1?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I can confirm those questions that were asked. I will not confirm that this is a study which is continuing one begun by the Conservative government. In fact, the then prime minister indicated in the House, during the Clark administration, that they were considering having a study. But, I have no evidence that they ever put a committee together or that they got the study off the ground.

This study was organized by the Clerk of the Privy Council; it is under way now. May 1 is the anticipated date on which we will have the report. I am not prepared to make a commitment that it will be the exact date on which the report will be made, but that is the target toward which officials are working.

QUERY RESPECTING EXISTENCE OF BOOK CONTAINING PERSONS' NAMES

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I am somewhat shocked to hear the Solicitor General say that he will not confirm this question; maybe it is because of the lie detector test he took in Montreal yesterday.

Some hon. Members: Oh, oh!

Mr. Cossitt: Seriously, his government has already confirmed it in an answer given by the Parliamentary Secretary to the President of Privy Council. I know he did not say anything about Ralph Branscombe, so I remind him of that.

By prefacing my supplementary question, could I say that I discussed on different occasions—and the last time was as recently as this morning—the Taschereau papers with Mr. Igor Gouzenko. Will the Solicitor General at least tell the

House that the Taschereau papers include a book containing about 150 names of persons attending meetings of communist party cells, which was found in the possession of a now prominent professor at an Ontario university, and also that the same Taschereau papers contain the names, among other names, of a former deputy minister of finance and certain past and present heads and members of Canadian Crown corporations and commissions?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I am certainly prepared to confirm that I have not read the Taschereau papers. I do not know what they contain.

Mr. Cossitt: Did you ask to read them?

Mr. Kaplan: I have not asked what they contain, but I have described the process being followed to make the decision on whether they can be released, in the public interest, earlier than the date which was prescribed some six or seven years ago.

Mr. Cossitt: What about Ralph Branscombe?

* * *

THE ECONOMY

INVESTMENT OVERSEAS BY CANADIAN CONTROLLED MULTINATIONAL CORPORATIONS

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance. What action does the Minister of Finance and the government propose to take, on behalf of the over one million people who are unemployed in Canada, to bring into line the multinational corporations which are spending Canadian dollars developing subsidiaries abroad and creating far more jobs outside Canada than they are currently creating in Canada?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, when I have any new policy to announce on that rather broad subject, I will make it clear to the House.

Mr. Deans: Madam Speaker, I have a supplementary question. Would the Minister of Finance care to indicate whether he considers it acceptable that out of 52 multinationals operating in Canada and controlled in Canada which were studied, 26 of those which operate in Ontario, showed absolutely no growth in employment in Ontario at the same time as showing a 7.8 per cent growth outside the country; that 15 multinationals operating in Quebec showed a net loss of 1.5 per cent in employment terms, while showing an 18.4 per cent increase abroad; that in every region of Canada there has been a marked increase in multinational operations outside as they affect employment, while Canadians sit idle looking for work?

An hon. Member: It is because of the government.

Madam Speaker: Order, please.

Mr. MacEachen: Madam Speaker, I remind the hon. member that I have heard similar speeches in other countries about investment in Canada.

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EXTERNAL AFFAIRS

SOUTH AFRICA—EFFECT OF STATEMENT MADE BY PRESIDENT OF UNITED STATES

Mr. Paul E. McRae (Thunder Bay-Atikokan): Madam Speaker, my question is directed to the Secretary of State for External Affairs. It deals with a recent statement of the President of the United States about South Africa and the reaction among other black nations, particularly at the United Nations, to the visits of South African generals to the United States.

Will the minister explain that a policy of cozying up to a government with racial policies like South Africa can only weaken the relationship between other industrial nations and other South African nations? It can actually be counterproductive, in that it will make the climate more amenable to penetration by communist nations.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, I think it is fair to say that the position of the United States government toward South Africa at the moment is somewhat unclear. During the meeting last week we made our position very clear to the United States government. Especially with respect to Namibia, we made it clear that South Africa had no right to be in that country illegally, as it is, by international law.

* * *

HOUSING

ALLOCATION OF FUNDS FOR HOUSING FOR THE HANDICAPPED

Miss Pat Carney (Vancouver Centre): Madam Speaker, my question is directed to the Minister of Public Works who is responsible for housing. I understand he recently met with representatives of Canada's associations for the handicapped. I am encouraged by some indication that he agreed to increase the allocation for handicapped housing in Vancouver from its present level of 50 units. Could he confirm that he is increasing the allocation for housing for the handicapped in Vancouver and other urban centres in honour of the International Year of the Handicapped?

• (1450)

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I had the opportunity during the national housing conference, the all-sector conference, to hear representatives of the handicapped associations of Canada, the coalition of handicapped associations. At that time we indicated that the social programs of the government in place under section 56(1) of the act have been adjusted so as to respond to what appears to

be an increase in requests for use of those social designated units.

Mr. Baker (Nepean-Carleton): User pays.

Mr. Cosgrove: I can confirm—I have a recollection of a project in Vancouver within the last couple of days which has been designated for the handicapped under the social programs of the government.

Miss Carney: My supplementary question is also addressed to the minister responsible for housing. I might refresh his memory. I understand that his department has apparently tripled the number of houses allocated for the handicapped this year. He may look into that.

My supplementary question deals with the maximum unit price of housing for the handicapped which is set by Canada Mortgage and Housing Corporation at about $68,000. Considering the fact that the average unit price for homes in Vancouver is now $156,000, what measures is the minister taking to increase the $68,000 limit to more realistic market levels?

Mr. Cosgrove: The response of Canada Mortgage and Housing Corporation on the question of multiple unit prices—the MUPs, which is a control device to ensure quality for money expended and the integrity of the projects—is under constant review in all of the programs to which it applies. In the Vancouver market, for example, that particular design provision with respect to all of the designated areas under MUPs is under review. I am happy to say that so far as housing for handicapped is concerned, because of additional building requirements and expense involved in some of the multiple features, CMHC is also reviewing the relationship of the MUP price and the different categories within it, with a view to assisting handicapped people.

* * *

NATIONAL ENERGY PROGRAM

SLOWDOWN IN DRILLING RIG ACTIVITY

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Today we have the unfortunate convergence of two unhappy events in the oil industry. As my hon. colleague previously noted, today marks the day the one hundredth rig has left this country since the National Energy Program was announced. We also have, in the *Oilweek,* the announcement that current rig activity this year is lower than last year; 480 wells last year against 467 wells this year.

Hon. members on this side, the drilling industry, and the oil industry have been forewarning this ever since the announcement of the National Energy Program, but the minister has pooh-poohed it at every opportunity. Matters will get worse before they get better.

What action will the minister take, now that these worst fears are being confirmed by actual activity? What action is he going to take to head off this exodus of drilling rigs which has been so damaging to the alleged number one priority of the energy policy, which is self-sufficiency?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member is confirming that he and his colleagues on the other side are certainly very slow readers if they only discovered in the last few weeks that there would be a decline in the activity of rigs in Canada.

Some hon. Members: Oh, oh!

Mr. Lalonde: As a matter of fact the drilling contractors association said, before the budget and the National Energy Program were announced, it was predicting a 30 per cent decline in drilling activity this year due to a surplus of natural gas in this country and an overbuilding of drilling rigs in Canada in the last three years. This was announced and published by the drilling contractors association quite independently of the National Energy Program in the October 28 budget.

My friend has obtained his information a little bit too late, I am afraid. He should have read—

Mr. Clark: Will you answer the question now, Marc?

Mr. Lalonde: —what the industry was saying before the budget, and the publication of the National Energy Program.

Mr. Wilson: Again, the minister has neglected to answer the question. Maybe "neglect" is not the right word. He does not want to face the truth.

Mr. Clark: That's right.

Mr. Wilson: What is happening here in Canada is a result of actions taken in the National Energy Program. Cutbacks in activity have been announced since October 28 by many oil industry representatives in this country. What is happening in Canada is in stark contrast to the United States. Let me give you a couple of figures. Three thousand, eight hundred drilling rigs were active there last year, against 4,700 this year. I might remind the minister that 100 rigs are Canadian. This is expected to lead to an increase of 12 per cent in drilling activity.

Some hon. Members: Order, order.

Mr. Wilson: Will the minister explain why he has championed this energy program when it is having such disastrous results for Canada; and is he proposing to announce changes in policy prior to the meeting on April 13 with Mr. Leitch, which will give some signal to these drilling companies to leave their drilling rigs in Canada so they can do the job in Canada, to produce supply in this country?

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Lalonde: Madam Speaker, I have already indicated to the hon. member that the drilling industry itself had predicted last year a 30 per cent decline in its activities in Canada. It is not at all surprising if similar activities have increased in the United States: that country is faced with a shortage of oil and natural gas, while Canada on the contrary has a surplus of natural gas. That there should be a very firm demand for derricks in that country is not surprising either.

As to the Canadian energy policy, the hon. member is perfectly aware that it is based on three fundamental principles: first, that Canadians should have greater access to that industry, second, that they should seek energy self-sufficiency as far as the oil supply is concerned through the development of oil sands and Canada lands reserves, and third, that they should set up an energy structure to ensure that they are not subjected to the kind of prices the Progressive Conservative Party wanted to foist upon them while it was in power. We have every intention of pursuing this policy.

* * *

[*English*]

CANADIAN ARMED FORCES

QUERY RESPECTING INCREASE IN PAY

Hon. George Hees (Northumberland): Madam Speaker, I would like to address my question to the Minister of National Defence. Is it the intention of the government to increase the pay of the Canadian Armed Forces on April 1 and, if so, would he advise the House what percentage of increase on average will be awarded?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, because of the past military service of the hon. gentleman from Northumberland, I understand his interest in this question. He probably remembers the time when he was in the army and was paid a couple of dollars a day. But I remember—

An hon. Member: One dollar a day.

Mr. Lamontagne: The pay increase of the Armed Forces is under revision at the moment, but whatever it will be—the percentage by which we will raise it, or whatever we decide—we will take the special environment and special capability and competence of our Armed Forces into consideration.

Some hon. Members: Hear, hear!

[*Translation*]

ADMINISTRATION OF JUSTICE

KEABLE COMMISSION RECOMMENDATIONS—GOVERNMENT POSITION RESPECTING RCMP

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is directed to the Solicitor General. The Keable commission recently released its report in Quebec. Several important recommendations of the commission were directed to the Royal Canadian Mounted Police, namely, one recommending that it prosecute the federal officers responsible for six illegal acts. However, the main recommendation dealt with the infiltration of supposedly subversive groups and insisted that officers or individuals acting as infiltrators receive prior authorization to do so by a judge's warrant. Has the government any intention of implementing that important recommendation of the Keable commission? What disciplinary measures does the government intend to take against the RCMP officers involved in the illegal acts described by the Commission?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I did indeed take note of the recommendations of the Keable commission but, as everyone knows, and especially the hon. member, the McDonald commission is still sitting; we are awaiting the results of that inquiry and the last report of the commission, which I have yet to receive, before reaching a decision in the matter. Nevertheless, as the hon. member also knows, recommendations were made not only with regard to the RCMP but also concerning other police forces in Quebec, and such recommendations were made to the attorney general of that province. The latter will assume his responsibilities when he sees fit to do so.

• (1500)

[*English*]

RCMP MAIL OPENING REPORT

Mr. Svend J. Robinson (Burnaby): Madam Speaker, many Canadians are wondering when the Prime Minister's friends in the Privy Council office will finish their extensive editing of the McDonald commission report. One of the areas being studied by the McDonald commission is the question of RCMP power to open first-class mail. In view of the fact that both the Solicitor General and his Conservative predecessor as solicitor general have been quick to endorse the recommendations of the Marin commission to permit the RCMP to open the mail of Canadians with judicial rubber stamping, has the Solicitor General yet received the long-promised, revised report from the RCMP on the subject of mail opening and, if not, why is the minister rushing in so quickly to support this totally unwarranted intrusion into the private correspondence of Canadians?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I certainly reject the contemptuous statement made by my friend about the judiciary in suggesting that the judicial process would amount simply to rubber stamping—

[*Translation*]

and I should like to indicate that the RCMP are not empowered to open the mail and that they are not opening it. For years I have held an opinion which I have expressed in the House, but until the whole matter has been considered by cabinet, after the McDonald report has been received and appropriate amendments have been made to the act, there is no way we will authorize the RCMP or any other police force in Canada to open the mail of Canadians.

* * *

[*English*]

MARINE TRANSPORT

FUEL SURCHARGE EXEMPTION—REQUEST FOR EXTENSION

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, my question is for the Minister of Finance and it concerns the question which I raised last week about bunker and diesel surcharges for Canadian flagships. May I ask the minister whether he is prepared to indicate to the House today the preparedness of government to extend the exemption which already exists for vessel trips between Canadian ports in Canadian waters, to all Canadian flagships prior to March 31, which he will recognize as an important date for the Canadian shipping industry?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member will remember that there was a definite purpose in recommending a marine and aviation charge, because foreign fleets and foreign airlines were, in a sense, being subsidized by imported Canadian oil, and compensated by the Canadian taxpayer. In an effort to gather from these carriers the world price for oil, we put forward this particular proposal.

My officials have had very extensive discussion with representatives of the industry and with other departments. We have made a number of changes in order to meet the requirements, particularly of the Canadian fleet. We are still satisfied that this is the right course of action in the interests of Canada without jeopardizing the competitive situation of Canadian carriers in comparison with foreign carriers.

The hon. member mentioned the date of March 31. I do not know whether he had in mind that that was the date on which the charge was to take effect. If that is so I would like to tell him that, for administrative reasons, I am delaying for some weeks the tabling of the ways and means motion to bring the charge into effect.

Mr. Forrestall: Madam Speaker, I appreciate the minister's response, but he left me with the impression that he is unaware of the inequity that this imposes upon one mode of Canadian transport as opposed to other modes. I was specifically wondering if the minister could indicate to us whether he is prepared to extend to all Canadian flagships the type of exemption that should be given to certain classes of Canadian flagships with respect to the movement of goods? Or, is he about to build in an inequity and place in serious jeopardy the capacity of the Great Lakes shipping fleet to move grain from Thunder Bay out to salt water and iron ore back up the system, at an economical and advantageous commercial rate? Is he giving consideration to making sure that Canadian business entrepreneurs can operate and receive equal treatment from government regulations, whether or not they may be in trucking, in rail, in shipping or in air?

Mr. MacEachen: Indeed, Madam Speaker, that is our desire, not to create a bias in favour of any particular mode or, to put it another way, to discriminate against other modes of transportation. I will be pleased to examine the detailed question put by the hon. member about the application of this order.

In conclusion, I would say to him that the purpose of this is to try to put those carriers in international commerce on the same level as their competitors on international routes, both air and marine. That is the purpose, in order to equalize the purchase of oil at the world price.

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POINT OF ORDER

MR. ANDRE—USE OF DOLLAR ITEMS IN SUPPLEMENTARY ESTIMATES (C)—RULING BY MADAM SPEAKER

Madam Speaker: The hon. member for Calgary Centre (Mr. Andre) addressed the House yesterday on a point of order relating to the use of one dollar items in the Supplementary Estimates (C), 1980-81. He alleges that these dollar items are being used to legislate programs rather than simply to seek the approval of the spending of money for programs previously authorized by statute, or that they amend legislation other than former appropriation acts.

The hon. member recited the history of these estimates since the substantial rule changes in 1968. Under the old system, there was opportunity in the committee of supply to take exception to items in the estimates and they were objected to but nevertheless tolerated.

Since 1968 there has been only limited time to consider supplementary estimates, hence it was felt that they should be restricted to proper items and not contain anything that should be done by statute.

In 1971 hon. members commenced to take exception to those items in supplementary estimates which in effect were amending statutes other than appropriation acts. The hon. member mentioned those occasions commencing with the ruling of March 10, 1971, leading to the ruling of December 7, 1977, on a point of order which the hon. member himself had raised on that occasion.

Because it was a new point in 1971, the Speaker disallowed only some of the items objected to on the ground that they were obvious amendments to statutes other than appropriation acts while permitting, with a warning, less obvious items to remain in the estimates. On December 10, 1973, the three

items objected to were considered not to be properly before the House and were allowed to remain in the estimates only by unanimous consent.

In 1974, on March 26, the Speaker said he was not convinced that the item establishing the Food Prices Review Board program was a legislative item because it did not seek to establish a "legislative principle".

In 1976, the Speaker found that while there may be existing legislative authority to permit the establishment of and funding for Loto Canada to pave its way in a supplementary estimate, he went on to say that where a question of principle was involved in an urgent situation, such as that which has given rise to this course and this particular situation, it would be considered an extremely singular situation and would not be repeated in the future.

● (1510)

In 1977, on March 22, the Speaker reviewed the previous rulings on the question of the estimates and pointed out that whether it is a one dollar item or not, a vote in the estimates may not "contain legislative content". He went on to say:

> On the general question, it is my view that the government receives from Parliament the authority to act through the passage of legislation and receives the money to finance such authorized action through the passage by Parliament of an appropriation act. A supply item in my opinion ought not, therefore, to be used to obtain authority which is the proper subject of legislation—

The Speaker struck down two items as being legislative items and said that while he had grave doubts about four others as being proper he would give them the benefit of the doubt and the remaining items to which objection was taken were less clear but that in any case, in the absence of a procedure which allows a full exchange on these matters, he would allow them to remain. He cautioned members, however, not to take this lenient approach as a precedent.

Then on December 7 of the same year, the Speaker struck down the item in the supplemental estimates covering VIA Rail as representing an amendment to legislation.

The hon. member for Calgary Centre, in a well prepared argument, submitted that the part of Vote 5c energy, mines and resources relating to the purchase of Petrofina by Petro-Canada was a legislative item for, among other reasons, it did not request even the traditional one dollar. With respect to Votes L18c finance, and Votes 7c and 8c industry, trade and commerce, he also says that there is no legislative authority to support these, and directs our attention to certain sections of the Financial Administration Act which, he alleges, suggest that the course of action to accomplish what is set out in these three votes should be done by statute and is beyond the traditional scope of an appropriation act.

With respect to the eight items which delete or cancel debts, that is 5c agriculture, 30c health and welfare, 1c national revenue (part), 5c national revenue, 10c public works, 20c public works, 1c regional economic expansion, and 5c supply and services, he points out that none of these items ask for any money, the traditional use of estimates but that Section 18(1) of the Financial Administration Act only permits that debts up to the amount of $5,000 may be cancelled. In other words, each of these items is in effect an amendment to Section 18(1) of the Financial Administration Act.

While the President of the Treasury Board (Mr. Johnston) did not direct our attention to the authority under which they were to obtain the funds, he submitted nevertheless that the items in question were not legislative in nature and pointed out on more than one occasion that nothing in Supplementary Estimates (C) represents a departure from past practices.

I think that it is fair to say that this is the first time that we have heard arguments against the use of dollar items to cancel debts or to pay for programs set out in Votes L18c (finance), Votes 7c and 8c industry, trade and commerce, and 5c energy, mines and resources, particularly the line of argument raised by the hon. member for Calgary Centre. They have been in use for some time but there has never been any argument raised in the past.

When in 1971 and later objections were raised principally concerning using the appropriation acts to amend acts other than the appropriation acts, because of the novelty and also because of the time constraints, the Speaker felt compelled to remove only the most obvious cases of improper use of estimates and give a warning with respect to the other objectionable items.

I have been placed in this present position. It is clear in my mind that the eight items referred to above which cancel debts are pure legislative items and seek in each case to amend Section 18(1) of the Financial Administration Act and I would rule that they should be and are hereby deleted from Supplementary Estimates (C), 1981-82.

While I have grave doubts about the other items referred to by the hon. member for Calgary Centre, it is not as clear that they too infringe upon the traditional use of estimates. This is the first time that we have heard submissions concerning guarantees, and probably also the first time in connection with the use of the estimates for acquisitions such as Petrofina. A major concern here is the time constraints. Later this day all questions will be put to dispose of the supplementary estimates and interim supply.

As was done by my predecessor in 1971 and later, I would say that should they be raised at some future date. I will have to be convinced that the matters such as those raised in Votes 5c energy, mines and resources. L18c finance and Votes 7c and 8c industry, trade and commerce are not really legislative items that should be introduced by a separate statute.

There is now under way a reprint of the bill based on Supplementary Estimates (C) in which the items 5c agriculture, 30c health and welfare, 1c national revenue, 10c and 20c public works, 1c regional economic expansion, 5c supply and services, and the debt deleting portion of Vote 5c national revenue, will be deleted.

Hon. Erik Nielsen (Yukon): Madam Speaker, will it be your intention, perhaps tomorrow, to deal with the substantive argument advanced by the hon. member for Calgary West (Mr. Hawkes), who based his argument on this question in

debate yesterday on the impossibility of members giving any consideration to estimates that were not before the committee?

Madam Speaker: Yes, I did consider the arguments given yesterday by the hon. member for Calgary West (Mr. Hawkes). I think the House must understand that I have no way of judging whether there was sufficient time or opportunity to discuss some of the estimates, and I have to comply with the custom that, once the estimates are brought back in the House, they are deemed to have been studied by the committees. I have no judgment on that, but that argument was considered.

* * *

PRIVILEGE

MR. WILSON—NOTICE OF POSSIBLE QUESTION TO BE RAISED

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, I just wish to give notice now that I want to compare answers given to questions which I posed to the Minister of Energy, Mines and Resources (Mr. Lalonde) today, with answers he has given to similar questions earlier in the session to see whether they are consistent. My recollection is that they are not consistent. At one stage or another the minister has not given us a straight answer, and I wish to review today's *Hansard* with previous issues. Therefore, I am serving notice that I may be raising a question of privilege tomorrow.

Madam Speaker: I take that as notice, but I just want to remind the hon. member that answers which are inconsistent, incomplete or unsatisfactory to a member do not constitute a basis for a question of privilege. I realize the hon. member is not telling me now that will be the basis of his question of privilege, but I do want to caution him that if what I have just stated is the basis for his question of privilege, I can tell him his question may not be very well founded.

MR. HOVDEBO—REPLY OF MR. WHELAN RESPECTING COMPENSATION TO FARMERS

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, I rise on a question of privilege. Yesterday in this House the Minister of Agriculture (Mr. Whelan), in reply to my question regarding compensation to farmers for the grain embargo on shipments to the Soviet Union, chose to attack the work of a member of the parliamentary staff.

I believe that this attack on a person who works for all Members of Parliament was both unparliamentary and an abuse of the privileges of all Members of Parliament, for the following reasons. First, this person is unable to answer when his work is publicly disparaged. Second, the high reputation of the institution for which this person works, namely, the research branch of the parliamentary library which serves all Members of Parliament in a non-partisan fashion, has been called into question by the minister's remarks. Third, the reputation of the person in question as a researcher for all members has been unfairly questioned by the minister, who had not even taken the time to read the study on embargo compensation compiled by the researcher.

For these reasons, I ask that the Minister of Agriculture publicly withdraw his remarks. They are most unfair and debilitating to a person who serves all Members of Parliament in this House.

I ask you now, Madam Speaker, to rule on whether the minister's remarks are an abuse of the privileges of all members of this House. If you so find, I am prepared to move the necessary motion so that this matter can be referred to the Standing Committee on Privileges and Elections.

● (1520)

Madam Speaker: Order, please. I do not think it will be necessary for the hon. member to put his motion. As I read the minister's answer, I see no question of privilege. If the hon. member feels this was an attack on a civil servant, it was certainly in the most indirect fashion. The minister said:

> The figures we used were figures presented by all the different people in the different departments concerned with grain marketing, by compiling all the information available in the grain trade and putting it together in a very thorough manner. When a decision is made, these figures will be tabled.

I do not feel there is any kind of attack in that wording on a civil servant, not even in an indirect way. Therefore, I do not find a question of privilege.

Mr. Hovdebo: Madam Speaker, the answer I was referring to in my question of privilege was the first answer by the Minister of Agriculture, not the second one.

Madam Speaker: I can only repeat what I said. I find no direct attack on officials in that answer. I cannot find a question of privilege.

* * *

POINT OF ORDER

MR. DOMM—METRIC SYSTEM OF MEASUREMENT—REPLY OF MR. OUELLET

Mr. Bill Domm (Peterborough): Madam Speaker, I rise on a point of order. I am sure the Minister of Consumer and Corporate Affairs (Mr. Ouellet) will want to correct the record as it appears at page 8548 of *Hansard* for March 24. The minister incorrectly advised the people of Canada that they have until 1982 to object to an order in council. I have with me the order in council as it appeared in *The Canada Gazette*. It clearly stated they have until April 29, 1981, to object to the order in council making Canadian units of measurement illegal in Canada. In his answer at page 8548 the minister said:

> The answer is no, Madam Speaker. I believe that those who want to express their views have ample time to do so before 1982.

That is incorrect and I am sure the minister, his parliamentary secretary, the Minister of Industry, Trade and Commerce (Mr. Gray) or the Prime Minister (Mr. Trudeau) will want to

correct it so the people realize they have only until April 29, 1981.

Madam Speaker: The minister is not in the House at the present time. I am sure this will be pointed out to him and he will want to correct it. I have no authority to correct an answer given by a minister. The hon. member's point is well taken.

ROUTINE PROCEEDINGS

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 2,055 and 2,081.

[*Text*]

NRC—INDUSTRIAL POSTDOCTORAL FELLOWSHIP PROGRAM

Question No. 2,055—**Mr. Herbert:**

1. On what date was the Industrial Postdoctoral Fellowship Program instituted under the National Research Council?

2. How many persons, by province, have benefited from the program?

3. What has been the cost of the program on an annual basis?

4. Are statistics retained on the percentage of candidates that remain with their company for a period of at least one year after completion of the program?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): As far as NSERC is concerned the answers are as follows: 1. During the year 1970-71.

2. See list below.

3. See list below.

4. Fifty-nine per cent of the fellowships held remain with their company after completion of the fellowship.

Total Number of Industrial Postdoctoral Fellowships Held by Province since 1970-71

Ontario	289
Quebec	159
British Columbia	48
Alberta	36
Saskatchewan	10
Manitoba	3
P.E.I.	3
New Brunswick	3
Nova Scotia	4
	555

Cost of the Industrial Postdoctoral Fellowship Program since 1970-71

1970—1971	56,022.64
1971—1972	194,728.70
1972—1973	417,558.90
1973—1974	687,434.24
1974—1975	769,514.39
1975—1976	771,637.55
1976—1977	831,389.72
1977—1978	1,222,224.08
1978—1979	1,576,651.15
1979—1980	1,377,889.73
1980—31 Jan. 1981	1,352,641.98

MILK SUPPLY MANAGEMENT PROGRAM

Question No. 2,081—**Mr. Halliday:**

1. Since the inception of the Milk Supply Management Program, what was the total market sharing quota (MSQ) for each year in (a) Canada (b) each province?

2. For the past four years, what was the (a) production (b) consumption of cheddar cheese (excluding curds) in (i) Canada (ii) each province?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by Agriculture Canada and Statistics Canada as follows: 1. (a) and (b) See lists below.

Market Sharing Quota by Province and Total Each Year since the Beginning of the Market Sharing Quota Program

(mil kg of B.F.)

		Original[i] Entitlement Dec. 1, 1970	Apr. 1/74	Apr. 1/75	Apr. 1/76	Apr. 1/77	Apr. 1/78	Aug. 1/79[ii]	Aug. 1/80
(b)	P.E.I.	2.9	3.4	3.2	2.2	3.1	3.1	3.2	3.3
	N.S.	1.9	2.0	1.9	1.9	2.0	2.0	2.0	2.2
	N.B.	2.0	2.2	2.0	2.0	2.2	2.2	2.2	2.3
	Que.	89.3	99.7	96.2	77.1	80.5	78.9	81.2	84.4
	Ont.	67.5	68.9	62.5	50.3	52.6	51.6	53.0	55.1
	Man.	8.2	9.5	8.9	6.3	6.5	6.4	6.6	6.7
	Sask.	6.7	7.2	6.7	4.0	4.2	4.3	4.4	4.4
	Alta.	15.5	17.5	16.3	10.8	11.3	11.0	11.4	11.5
	B.C.	5.2	5.6	5.4	5.0	5.2	5.1	5.2	5.4
(a)	Canada	119.2	216.0	203.1	159.6	167.6	164.6	169.2	175.3

(i) Provincial and total quota entitlements remained the same until April 1, 1974.
(ii) Dairy year changed to an August 1—July 31 basis from April 1—March 31.

Order Paper Questions

2. (a) Cheddar cheese production by province (metric tons)

		1977	1978	1979	1980
(i)	Canada	80356	84341	97105	110004
(ii)	P.E.I.*				
	N.S.*	3536	3926	5213	5566
	N.B.*				
	Quebec	35452	37592	48060	57548
	Ontario	30043	30823	30600	32183
	Manitoba	4885	5121	6011	7294
	Saskatchewan	1412	1443	1333	1282
	Alberta	3527	3866	3771	3745
	B.C.	1501	1570	2117	2386

*Not available for individual provinces because of confidentiality provisions of the Statistics Act.

(b) Cheddar cheese consumption (Metric tons)

		1977	1978	1979	1980 (January to November only)
(i)	Canada	76618	82947	91949	91847

(ii) Provincial consumption cannot be calculated as no information concerning interprovincial movements of dairy products is collected.

* * *

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 81 could be made an order for return, that return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 81 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

PUBLIC OPINION POLLS

Question No. 81—**Mr. Cossitt:**

1. Between April 20, 1968 and May 22, 1979, how many public opinion polls were ordered, performed or commissioned by the government involving the expenditure of public funds and, in each case, what was the (a) name of the pollster (b) amount of the fee received (c) date of the poll (d) subject matter of the poll (e) actual result of the poll (f) cost of the poll?

2. In the same period, what was the total cost of all polls involving public funds?

3. Since the present government took office, have any public opinion polls been ordered or commissioned by the government and, if so (a) with what pollster (b) on what subject (c) what is the estimated cost in each case?

Return tabled.

[*Translation*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, Notice of Motion for the Production of Papers No. 42 is acceptable to the government, subject to the usual reservations about documents received in confidence from sources outside the government.

Madam Speaker: Subject to the conditions described by the parliamentary secretary, is it the pleasure of the House that Notice of Motion for the Production of Papers No. 42 be deemed to have been adopted?

Some hon. Members: Agreed.

[*Text*]

COPIES OF COMMUNICATIONS BETWEEN CABINET MINISTERS AND AMAX LIMITED

Motion No. 42—**Mr. Fulton:**

That an humble address be presented to His Excellency praying that he will cause to be laid before this House before March 2, 1981, copies of all correspondence, telegrams or communications exchanged between cabinet ministers and/or their past or present staff and any officer or employee of Amax Limited.

Motion agreed to.

[*Translation*]

Mr. Collenette: Madam Speaker, would you be so kind as to call notice of motion for the production of paper No. 43?

[*Text*]

COPIES OF COMMUNICATIONS REGARDING PERMIT FOR AMAX LIMITED AT ALICE ARM, B.C.

Motion No. 43—**Mr. Fulton:**

That an humble address be presented to His Excellency praying that he will cause to be laid before this House before March 2, 1981, copies of all correspondence, telegrams or communications exchanged between Mr. John Aird and cabinet ministers and/or their past or present staff regarding the permit for Amax Limited at Alice Arm.

[*Translation*]

Mr. Collenette: The Departments of the Environment, of Fisheries and Oceans, and of Indian Affairs and Northern Development have informed me that their files do not contain correspondence, telegrams or communications exchanged with Mr. John Aird. I would therefore ask the hon. member to withdraw his motion.

[*English*]

Mr. Fulton: Madam Speaker, I would ask that the motion be transferred for debate. It is very clear that the correspondence is between any cabinet ministers past or present and their staffs past or present, not the singular department referred to by the parliamentary secretary. I would ask that it be transferred for debate.

Madam Speaker: Transferred for debate.

[*Translation*]

Mr. Collenette: Madam Speaker, I would ask that the remaining Notices of Motions for the Production of Papers be allowed to stand.

Madam Speaker: Shall the remaining notices of motions for the production of papers stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S.O. 58—ALLEGED FAILURE TO EXPAND PUBLIC PENSION SYSTEM

Hon. Stanley Knowles (Winnipeg North Centre) moved:

That this House condemns the government for failing to present, both to this House of Commons and to the forthcoming National Pensions Conference, a position for significantly expanding the public pension system in Canada in order to ensure that Canada's senior citizens, both now and in the future, will have an adequate standard of living in their retirement years.

He said: Madam Speaker, I present this motion today because I believe it brings into focus one of the important issues with respect to the state of pensions in Canada. It raises this question: Are we going to try to solve what has been referred to as the pension crisis by relying on the private sector to get its house in order and provide adequate pensions for our people, or are we going to realize that the only way in which to make sure that our retired people, both now and in the future, will have an adequate standard of living is by expanding the public role with respect to pensions?

With all the respect, appreciation and admiration I have for the Minister of National Health and Welfare (Miss Bégin), I fear that she is being led in the direction of relying more than has been the case in the past on the private sector. I hope that in this debate today we might persuade her that the future of the older people of Canada—those who are older now and all the rest who will get there some day—is much more secure if we rely in the main on expanding the public role in pensions.

• (1530)

Often times when I speak of pensions in Canada, I say two things that might seem to be contradictory. On the one hand, I assert that we have come a long way in the last 50 or 55 years. Indeed, I am even known to boast on behalf of my party about the role that we have played in helping to win a tremendous advance in the whole field of social security. On the other hand—and I do not regard this as contradictory because it is simply a case of there being two ways of looking at reality—there is still a great deal to be done to achieve the retirement goals that all of us in this House accept. By the same token, I have kind words for the Minister of National Health and Welfare who I think has done well in her role as minister.

Some hon. Members: Hear, hear!

Mr. Knowles: She has accomplished a number of things. I think both she and the Minister of Finance (Mr. MacEachen) take more credit than they deserve for what the $35 increase last year did, but at least she accomplished that. She kept a promise that she had her party make in the last election campaign, and although it may be a negative compliment I offer to her, I think she has done well to keep the right-wingers in cabinet at bay.

Some hon. Members: Hear, hear!

Mr. Knowles: I suspect that, had she not been there, we would have none of the improvements that we have seen recently and we might even have had cutbacks; so I am glad she is there. But just as I have said that there are two views with respect to pensions generally, so I say that her main job is still ahead of her. This is no time for any of us to rest on our laurels; the job is still ahead of us because everyone is talking today about the pension crisis.

Now, many people, when they hear that word, assume that it has something to do with the state of certain funds. People wonder whether there will be enough money to pay Canada Pension Plan benefits down the road or to pay old age security pensions at the indexed rates that will multiply in the next few years. I suggest that that is not the crisis. We pay pensions out of current production and income, not out of accumulations from the past, and any organized society can apportion the wealth that it produces to pay for the things it wants. If we want to provide adequate care for our children, provide education and adequate retirement income for the elderly, we can see that the money is available. The crisis relating to adequate pensions is not one of capacity to pay; it is the difficulty that older people are having in getting along on the amounts they receive. As the minister knows, about 60 per cent of the two million senior citizens age 65 and over live at or below the poverty line. That is all one needs to say to underline the fact that this is a state of crisis so far as pensions are concerned.

I point out also that about 53 per cent of the senior citizens who receive old age security also receive some or all of the guaranteed income supplement. To get all of that supplement one has to have virtually nothing else, and even to get a portion of it one has to have very little other income. This means, therefore, that 53 per cent of our senior population is in difficulty, as shown by the fact that those people have to apply for this supplement. Of the other 47 per cent, there are a few

senior citizens, probably the top 10 per cent, who have an adequate, perhaps even more than adequate, income; but in between those two groups there is a third group of about 30 per cent who have just enough that they do not qualify for anything under public plans, and yet not enough to stay very far above the poverty level. So that is the crisis, namely, that for all we have done, for all that the minister and I will boast about—because we have come a long way since the middle 1920s when the first old age pension act was passed—for all that, life is still difficult for many of our older people.

If I may take a moment longer to spell out the positive side, yes, we not only have pensions ever so much higher than they were a few decades ago, but we have medicare and hospitalization that covers our senior citizens, indeed everyone, thanks to efforts that have been made in the social policy field. We have senior citizens' apartments in Canada that provide, for many people, better living than they knew in their working years. We have New Horizons grants and the many things we do to make life better. But when it is said that most of our senior citizens are living at or below the poverty line, we are admitting that persons of retirement age are consigned to a state of living less than that enjoyed by those who still work, and that is not good enough. It was good enough once upon a time when we first began to pay pensions of $20 a month to senior citizens to keep our senior citizens alive, but that was about all. And it may have been good enough a few years after that to pay pensions that provided a standard of living that was 40 per cent or 50 per cent of what pensioners enjoyed while working. But we are one people, one Canadian family, and we have reached the point where we believe and contend that our senior citizens have helped to build the country to what it is and are entitled, not just to a portion of the standard of living available generally to Canadians, but to share in that standard of living and have it increased as productivity and other factors make life better in this country as the years go by.

So the problem is there and it must be coped with. I am sure the minister and I see eye to eye on this, no question about it. I suspect she deplores just as much as I do the fact there is a tendency in this country to say: We have done enough for the old age pensioners, let us worry about some of the other problems. I face that all the time and I am sure the minister does. Worst of all, I suspect she faces it in the cabinet. As I said a moment ago, I am glad she is there to keep those right-wingers at bay.

● (1540)

The fact the minister realizes that the battle is not over and that old age pensions still have to be improved is, of course, attested to by the National Pensions Conference which she and the Minister of Finance have called for next week. I thank her for her personal invitation to me to be there. I hope to be there some of the time next week, depending on what is going on in this place Tuesday, Wednesday and Thursday of next week and what hours we have to spare.

I am concerned about statements which have been made by the Minister of Energy, Mines and Resources (Mr. Lalonde) and by the Minister of National Health and Welfare herself about the aims and purposes of that conference. For example, speaking about the conference a few months ago she said:

> The preference of the government for accomplishing these reforms—

That is, reforms to the pension system.

> —is through the development of a stronger private pension system in Canada. I am not ruling out the possibility that there are improvements to be made in the public plans also; but I hope that the major emphasis will be on private plans.

That is where I feel my good friend the Minister of National Health and Welfare has been led astray. I am trying to get her back on the straight and narrow path.

A while ago the minister also said:

> We would prefer to achieve this . . . reform of the pension system . . . through improvements in the private pension system. For that reason, the National Pensions Conference will focus on how to improve private pensions in Canada.

I am all for the efforts the minister has made to get the private sector to try to get its house in order; I am all for any improvements she can win there. But she is relying on something which cannot be relied on at all if she thinks that the private sector will develop the kind of pension structure which will meet the needs of all our older people. The private sector is ready to do it. It is lobbying. Some spokesmen have been in touch with me already. They contend that if we could give more to them, they would solve the problem of security for our older people.

I am not against their trying to do it. I well remember when we had the lengthy sessions of the committee on the Canada Pension Plan that the pension and insurance industry representatives were there throughout. They presented all their arguments against that scheme, though there were one or two, like the late William Anderson of North American Life, who seemed to have a social conscience, and one or two of them admitted that the development of the Canada Pension Plan was not going to take away their business but might even improve their chances to do business in the pension field. That has happened. Once we took the means test off the original old age pension and it became possible for people to save something other than their government pension and not lose it, then the market for other kinds of pensions grew.

It is not for me to tell private industry that it does not need to worry, but I say to it that it does not need to do so. The more improvements we make in public pensions, the more people will feel there is some point and value to augmenting what they get, and private industry will have its way. But to rely on the private pension industry, the insurance companies and the rest of them to develop plans to cover the situation is something we must not permit.

I have already said that 60 per cent of our senior citizens are living below the poverty line; 53 per cent of those over age 65 have so little they qualify for the guaranteed income supplement. As for private plans, they cover away below 50 per cent of the working population. As for private plans which provide indexing of pensions after retirement, I think the figure is somewhere around 2 per cent. There is just no chance that those people out there will do the job.

I think we have to consider some of the factors which are involved in this situation. One of the things that the private pension people do by way of confusing the picture is to bring together such factors as savings, redistribution of income and a pension policy. They talk a lot about pensions involving savings and about how all this works together and the savings help to keep the economy going, and so forth. They have to be treated separately. The private sector wants to get into the pension field because it gets hold of savings, and then that is supposed to improve the economy. It just does not work that way. Saving is one thing to be done for the purposes of the economy. Redistribution of income through income tax arrangements and so forth in the economy is another thing. But pension policy guaranteeing that everyone will have a standard of living at least equal to what his standard of living was when he retired has to be a matter which stands on its own feet. There has to be a pension policy for the nation as a whole, and no private industry and no collection of insurance companies is in a position to be concerned about all our senior citizens in the way it is possible for that concern to be expressed by the government.

As I say, I am grateful for the invitation to the conference. I look forward to listening to the presentations which are made. Hon. members can tell me my mind is made up before I go there if they want. It is. I just know that the only way we will get coverage for all our people is for the government to have an over-all public pension policy. The statistics I have already given indicate that most of the people of my generation—and everybody knows I am seven years past the pension age of sixty-five—who have anything to go on have it because of what the government has put in place.

Earlier the government talked of old age security and the Canada Pension Plan as the base "and let the private people build on top of it". For most people the base is all they have, and most of our senior citizens who enjoy any kind of security in terms of income, housing, health or what have you, do so because of public policy.

In this respect, though I am being critical I am also being boastful and offering compliments. What we have done in this field is tremendous, considering what the situation was 50 years ago. However, we have to go on with this process. We have to keep in mind that what we want is for all our retired people to have a standard of living when they retire which is just as good as it was before retirement. We want that standard to go up, and the only way it can do that is by having the public sector carry the major portion of the responsibility.

I expect the Minister of National Health and Welfare to listen, as she will as one of the hosts of this National Pensions Conference, to the pleas which will be made there, but I regret that the minister has not, even before that conference, presented to this House and prepared for presentation to the conference policies which show that the government is prepared to expand the public side in this whole pension field.

As I say, that is the fundamental issue that is facing us in the pension field. We do not have to argue any more that there should be pensions and that everyone should be covered. It took a while to win that point. I was here for the battles, but we won them.

Whether we are going to have pensions which are adequate and whether senior citizens will have not just enough to stay alive but enough to enjoy the standard of living they have made possible depends upon whether we have a policy which will bring this about. A policy relying on the private sector will not. We need a policy relying on the public sector to do that important job.

I urge that the minister take this plea of mine seriously. I do not have to tell her that it is a plea from a friend. It is a plea from one who has been concerned about pensions and who is very appreciative of what we have accomplished. But if we start veering the other way, letting the private industry, with its concern for profits, have a larger role, if we cut back on the proportion of the job we feel that governments should do, there will be a state of crisis for our senior citizens down the road.

● (1550)

What we have to be concerned about in pension policy is not how many dollars a person now 50 years of age or 30 years of age will have at age 65. That is the approach that private industry takes; it thinks in terms of how many dollars have to be put into some fund or account so that there will be a certain amount at retirement age. There is no way of telling what amount of dollars will be required ten or 20 years from now for an adequate pension. What we have to establish is a relationship. We have to establish as a principle that people who have done their share of the nation's work, whether in industry or in the home, are entitled when they reach retirement age to a portion, a share, of that decade's wealth, that decade's production, so that their standard of living is equal to that of people who are still working.

Can the private sector do that? It could not possibly do it. The only sector which can concern itself with pensions as a matter of relationship, as a matter of fairness, is the public sector. That is why we have the Department of National Health and Welfare. I remember the time when we did not have one. When I first came to this House, there was no Department of National Health and Welfare and old age pensioners were an item in the estimates of the minister of finance. We usually reached that item on the last day of the session or thereabouts although I managed to make quite a few speeches before we got there. However, we got over that. Mr. King was the one who brought in provisions for a Department of National Health and Welfare.

We have come a long way since then. I know I have said it half a dozen times already, but I know how true it is because I remember what life was like for the generation before me. I remember the plight of the senior citizens 70 and 75 years old back in the 1920s and 1930s. As I said, since then we have come a long way. But it is no longer good enough just to provide sufficient money to keep these people alive. What we have to establish is a relationship according to which Canadians who are 65, 70 or 75 years of age or older are entitled to enjoy the same standard of living as that enjoyed at that time

by younger people, with some differences, such as children in families to be cared for and the fact that you do not need certain things because you do not go out to work. You cannot measure these things in dollars. You cannot measure them in actuarial tables and contributions. You have to measure them in terms of a relationship, and the only body which can ensure that that relationship is maintained is the people of Canada through their government.

I say again that what we have done is tremendous and what the present minister has done is tremendous.

An hon. Member: Don't get carried away.

Mr. Knowles: Anybody who has kept the right-wingers in the cabinet from cutting back on pensions deserves—

Mr. Broadbent: Don't give her too much.

Mr. Knowles: —a compliment, and I do not hesitate to give it.

An hon. Member: That's enough, Stanley.

Mr. Knowles: My hon. friend, the minister, hears the remarks I am getting from behind me!

An hon. Member: We are beginning to suspect something.

Mr. Knowles: I am concerned that she not be led astray by the idea that we do not need to do any more through the public sector, that it can be done in the private sector. One of the ways in which the minister could demonstrate her realization that the public sector should start moving forward is to increase immediately the basic amount of old age security. She shoved me off the other day with such an absolute rejection of that suggestion that even I was a bit shocked. Here I was, quoting a William Mercer Ltd. official, Laurence Coward of all people, as conservative and cautious as he could be, pointing out that a scheme which does not meet the needs of 53 per cent must have something wrong with it. They were arguing that this money put into the basic old age security should be accompanied by a change in the tax structure so that those at the top who do not need it will pay it all back, and that was the solution. I say that something like that should be done and that certainly today's senior citizens should be getting pensions of $500 a month right now.

Some hon. Members: Hear, hear!

Mr. Knowles: I believe the Canada Pension Plan must be enlarged. The proposal which came from the Ontario royal commission is not nearly as valuable and effective as it would be to enlarge the Canada Pension Plan so that, instead of paying pensions equal to 25 per cent of the income one had at retirement, the pension should be 50 per cent or 75 per cent; or, at least, a combination of the Canada Pension Plan and old age security should amount to 75 per cent or 90 per cent. We should start moving in that direction now.

Then there is the whole question of lowering the age of retirement. The minister, while she is in that office, really must correct that abomination of the spouse's allowance which protects certain women, since it is mostly women between the ages of 60 and 65 who get it, but does nothing for women who are unattached, single, widowed or divorced. She must do something better than she has proposed thus far about the Canada Pension Plan with respect to housewives. She must stick to what she knows is right in this field, and that is universality. We are not talking about ways and means of handing out welfare or meeting particular needs; we are talking about the philosophy of life which says our older people are just as much a part of the Canadian family as are the rest. That has to be done for the others too.

My friend, the hon. member for Vancouver East (Mrs. Mitchell), has a lot to say about what we should be doing for children. My friend, the hon. member for Beaches (Mr. Young), has a lot to say about what we should be doing for the handicapped. But let us not pull back from what we have done for our older people by trying to turn part of it over to the private sector.

While we are dealing with this, there are a few individual matters I should like to mention. As I said, we should be doing more for widows than providing these 50 per cent pensions. If the husband dies first, the widow gets only a 50 per cent pension, but if the wife dies first, the husband gets 100 per cent. This is for the birds. We have to do something about railway pensions. I mention that because for the most part they come under the direction of the federal government. We have to do something to improve the public service pensions and veterans' pensions.

I am mentioning these things briefly, one after another, because I see the clock moving faster than it does when other members are speaking! I see your finger, Mr. Speaker, and I am just about ready to sit down. This will not be my last speech on pensions. I shall be back again. But right now I agree with the suggestion that we are facing a crisis, not in terms of funds but in terms of the difficulties people are facing and the way in which the government is going to go for the future.

In my view, one of the best things this House ever did in all the years I have been here was when it made old age security universal. This is my final word, Mr. Speaker. I say to the minister that what we must look forward to is the day when not just a pension but an adequate pension is universal for all our older people. The challenge to achieve that rests upon the government, but for today it rests on the shoulders of the Minister of National Health and Welfare.

Hon. Monique Bégin (Minister of National Health and Welfare): Mr. Speaker, I heard it said years ago that an NDP member is a Liberal in a hurry.

Some hon. Members: Oh, oh!

Miss Bégin: I think the hon. member for Winnipeg North Centre (Mr. Knowles) must be an NDP member in a hurry because the contents of the motion he put before us for debate this afternoon on this opposition day is quite different from the program of the NDP which was put forward before the Canadian public during the last federal election campaign in January and February of 1980. This has to be reconciled. In any event, I cannot accuse the hon. member because he has been a key player in pushing governments, year after year and decade after decade, toward a better pension for Canadians. I cannot really accuse his party of not being concerned and having a position on pensions, but I cannot say that for all political parties in this chamber.

• (1600)

On January 23, 1980, the New Democratic Party published its political platform on pensions. The views of members of that party are different from ours, as are some of their priorities. They recommended a general, quite substantial increase of $40 per month for every pensioner in Canada through the basic old age pension. They did not refer in their document to increasing the tax portion of the money which must be paid back by rich pensioners; they did not touch upon this area in their document. Therefore, they want an expenditure which will be well over $1 billion. Without giving any details, they indicated that they would readjust the GIS, the supplement. Also they referred to a shelter allowance for senior citizens; I think it was called a shelter grant for pensioners in need. It was their priority. This would add another $1 billion to the actual system.

As a second step, they very clearly identified a complete reform of the private pension system based on four principles which were identical to the ones set out in the speech of the Prime Minister (Mr. Trudeau) of April, 1979. We do not quarrel with the principles. In fact, we added one principle, the concept of flexibility in the age of retirement. But during the last public debate on the question, members of the NDP did not speak of enlarging the Canada Pension Plan, of doubling it, or increasing it in whatever way possible.

When the hon. member for Winnipeg North Centre launched the debate on his motion today, he did not tell us—and I suspect I know why—by how much he wanted the CPP increased. He did not tell us whether it should be increased all at once, over several years, or when it should be done.

I realize it is a serious problem. The workers of Canada, if it is the route chosen, will have to pay a portion of that large increase, but this as yet has never been discussed with them. This is why we want a national conference to start discussing together what I call the updating of an old social contract; the relationship, as the hon. member for Winnipeg North Centre said, between salaries and what will come from where in terms of retirement income and who will pay for these layers of future retirement income.

The hon. member for Winnipeg North Centre gave his own view today. It is different from the one of his party, unless his party has updated the document which was part of its platform exactly a year ago. I do not know the views of the Tory party on pensions. The only thing Canadians know is that in their budget over a year ago, they wanted to give $40 to senior citizens in need for the first year in the form of a tax credit for heating costs, and $80 in the second year for the same reason.

I should like to put before Canadians the views of the political party which forms the government, since we were elected by them, on a subject matter which was discussed throughout the country during the last election campaign, namely, our platform regarding pensions. We differ with the NDP. Of course, it is not difficult to differ with the Tory party because, as I said, I have never heard them discuss pensions much. It is a social issue and usually they do not feel very comfortable with social issues. We have put our concept of what we think should be the retirement income in the country and our priorities to the Canadian population, and we will be putting it forward again during the conference next week.

An ideal retirement income—and this is the only concept which was offered and never questioned, to my knowledge, by specialists—must be equivalent to average industrial wages which are now over $16,000.

Mr. Knowles: Hear, hear!

Miss Bégin: Now, what will form that income for Canadians? We want the first layer to be the basic old age pension, as it is now. It is not the full 15 per cent; it is approximately 13.5 per cent of the average industrial wage. We want to keep it the way it is and continue to save the value of the dollar by determined indexation every three months.

On top of that, Canadians receive about an additional 25 per cent in the form of their CPP cheques. The way the Canadian Pension Plan is now, when it has matured and is at the maximum it amounts to an additional 25 per cent of their ideal retirement income. These two cheques account for 40 per cent. The questions are: From where will the balance of the money come? Who will issue the cheque for the missing 60 per cent? Who pays?

This is the purpose of the conference, this is the question on which we want to focus. Usually it is assumed that approximately 10 per cent must come from the private savings of a person which were put aside during one's working life. Then there is the remaining 50 per cent on which we want to focus. We think a large portion of it must come from one's private pension from the company where one worked. This is the *raison d'être* of the conference which will take place Tuesday, Wednesday and Thursday of next week in Ottawa with approximately 300 participants.

[*Translation*]

We believe, if I speak now of reforms which should be made, that the situation is as follows. The basic old age security benefits that every Canadian receives would still be indexed quarterly as is now the case. However, when the pensioner does not have a sufficient income, he must necessarily ask for the guaranteed income supplement. We know and we have

often repeated the commitment of this government to bring all the senior citizens who now receive the supplement over the poverty line. Some might criticize this objective, but it is a priority of the Liberal government. Those who live alone are often women. In spite of the increase of $420 a year which we granted after being returned to power, the couples who are now over the poverty line must not make us forget that many people who live alone, whether single, separated, divorced, widows or widowers, are still below the poverty line. As soon as economic conditions permit, we want to find and set aside the amount required to give them an income which will put them once and for all above the poverty line. We are speaking of about $730 million. We are therefore speaking of a large amount which is not easy to release in view of the present economic conditions. Last July, we released over $500 million and we placed the burden of this allocation on corporate taxes. I believe that this was a fair procedure to achieve social equity. However, we decided to act in two stages, which represented first an increase of $35 a month, or $420 more a year—and I would like to point out the large difference between this amount and the $40 a year increase suggested by the NDP—and there is still one stage remaining.

This is what we shall bring at the National Pensions Conference. At this conference, the private sector, which is not monolithic, but which includes people with sometimes diverse if not contradictory interests, whether they be life insurance agents, actuaries, pension fund managers for other companies or individuals, major employers with their own pension funds, and so on, all those who make up the private sector will have their first opportunity to meet one another and to also meet the other economic groups, including provincial and federal governments, senior citizens, women's groups, unionized and non-unionized workers, and to say what they are willing to do and how quickly.

● (1610)

[*English*]

I am pleased to note that there is no diversion of opinion at all; in fact, we have full support from the NDP. There are five objectives which I believe are now well known. We want universal coverage. We have not attributed specific costs and priorities to the five objectives, with the exception of the fifth one; more flexibility in the age of retirement is obviously not in the same league as the other four objectives.

The first four objectives are, first, universal coverage—right now only one half of Canadian workers have a private pension; some form of indexing, a way of keeping the value of the dollar; equity for women—survivors' benefits and other questions such as the splitting of pension credits will be discussed. Then, of course, we want portability and early vesting, as well as flexible retirement.

The motion triggers interest in and curiosity about the conference more than anything else; it surely does not criticize us very deeply. The motion suggests that we should go to the conference with a specified position. We have objectives, but we have kept enough flexibility to permit the various partners in the business of pension reform to play their role and come forward with proposals.

I believe this is the first time since I have become minister that I am directly involved in such a major undertaking with partners everywhere in our society, including all provincial, territorial and federal governments, and also the so-called private sector and many other groups in society. I must say that I am a bit astonished at the reaction expressed by the hon. member for Winnipeg North Centre, which I have heard in many quarters, both provincially and in the private sector.

People always complain that governments do not consult, that their ideas are already fixed when they go to the people and want their views to be accepted on certain matters. When we start the process, at its very beginning, with simple rules of the game and basic fundamental objectives, everyone thinks that there is a plot, and they want to know what your position is because you do not state it right away. But if you were to state it, you would not let the other partners really express their own views.

I would like to rebut a few points which were made by the hon. member for Winnipeg North Centre. He referred to a text of mine but did not check with me first to see if I really said that. The text referred to the government preferring the private pension sector. That is not the situation. The government has decided that there are five objectives. The government has decided to have a National Pensions Conference, with the various players, as the starting point of a process which will lead us to a real change in the situation. However, we have not decided which avenue would be the best. There are several avenues, not only an enlargement of the Canada Pension Plan. In theory, we can identify four avenues; but we have no preferred philosophy. It is not a matter for philosophy, by the way; it is a pragmatic problem. We have no ideology, and any avenue which will give Canadians and all Canadian workers good pensions will be the favoured avenue for us.

A major increase in the Canada Pension Plan is only one avenue, one of four which I can easily review with colleagues in this House. In theory, the government could decide that the private sector would do the job. That attitude of laissez-faire would let things fall into the hands of the private sector. A major question is whether coverage will be provided for everybody. Coverage is one of the key elements in the problem today.

A second avenue, in theory, is that a mix of legislation and regulation by all 11 governments—I should say all 13, including the territories—could impose rules of the game on the so-called private sector. All the governments could agree on similar legislation to force the private sector to give a pension, whatever the size of the industry or employer, to make it portable, to provide for early vesting, and so on and so forth.

The third avenue is the one recommended by the hon. member for Winnipeg North Centre, but not supported by his party, to my knowledge. This would be the enlargement of the Canada Pension Plan and one would say that we should forget the private sector. We will go the route of an imposed con-

tributory plan where employers and employees have much larger compulsory CPP deductions from their paycheques. I suppose we would have to at least double present premiums. If the actual situation did not protect workers at all, and if so much was missing from the pot, the premium should be at least doubled, which would raise billions of dollars and create a fund to be reinvested, etc. At this point in time all these questions are open because we do not know what the private sector can do and is committed to doing.

The fourth avenue is a mix, and I call it the British model. It would be made up of an enlarged CPP, imposed on everyone. However, where a so-called good private plan existed, that employer would receive a certificate and would not be subject to compulsory CPP contributions. That would be the best of both worlds, because it would respect the private sector where a plan existed, while rapidly providing benefits to employees who do not have a plan.

● (1620)

The federal government is not alone in that reform because no government in Canada has the monopoly on jurisdiction over pensions. The federal government can cover about 10 per cent of the labour force and each provincial government shares a portion of the remaining 90 per cent. It is not fair to say that the provinces cover 90 per cent; that is not the way it is. Each province covers a portion of employers in one geographic zone. An example is the fact that the B.C. government can rule on B.C. employers, but B.C. employers in the pulp and paper industry can have affiliates in Quebec where a different province has jurisdiction. That is why the co-operation of all players in this reform is absolutely essential.

I think I have given the five objectives of the conference and I have attempted to review rapidly the four avenues of action that are open to us.

Following the conference we will assess the results and then discuss and finalize the federal position. We will then have numerous consultations and negotiations with the provinces. They will also have to formulate their own stand on the action they would like to see taken toward the reform of private pension plans in Canada.

I think it is fair to offer the so-called private sector an opportunity to remain in what I call a good business; after all, the private pension industry is worth some $45 billion. If it is weak because of the lack of proper coverage, indexing, portability, or survivors' benefits, we are giving it an opportunity to update what it offers people. We are telling the private sector to grab this opportunity, to offer pension plans to small employers who do not quite know how to go about offering one. We want the industry to give us innovative ideas about how a pool could be established that would protect employers who go bankrupt and whose employees, therefore, run the risk of losing their pension altogether. This is a business opportunity and the industry should grab it and offer us something.

I do not quite know when my time finishes, Mr. Speaker, but I should like to touch on the fact that we cannot conclude that the private sector is not ready to make changes. It has learned from history and from government that it was not giving the people as much as it should in terms of social benefits. The industry may have lost opportunities but I think it has learned a great deal.

Something that I have observed and which is quite positive is the regrouping of forces. In Canada we have often talked about the private sector, but the private sector does not exist in pension matters. There are many different players who are not regrouped as in Europe, where there is one single body of employers called "le patronat". We do not have that in Canada. However, they have started regrouping themselves in a very positive way, and there are now spokespeople for the so-called private pension sector. Many players in the private sector have made surveys and have set up task forces of their own. They have started moving toward pension reform.

As minister in charge of the Department of National Health and Welfare, in a way I am the voice of pensioners in cabinet, so I think it is fair for me to say that the government will assess the results of the conference. I hope these results will be published right away, after the Minister of Finance (Mr. MacEachen) and I have co-chaired the meetings. We will be asking two questions. First, are the reforms proposed by the private sector enough and how do they meet our five objectives or, more precisely, the first four objectives in particular? The second question in assessing any of the avenues open to us is, will benefits be provided quickly enough? These are the questions that I will be asking. Other ministers, because of their responsibilities, will have to ask different questions, such as whether the economy can afford it and so on.

I think it is fair to repeat what I have often said in the country in discussions with groups about the reform of pensions—that these will be my criteria for an analysis of the results, leading to the choice of one avenue instead of several.

I will finish by dealing with a question that has often been put to me and which I am sure will be asked again next week at the conference. People ask how it is that we are in such a bad situation in Canada. I must say again that Canada and Sweden have the best public pensions in the world but, unfortunately, Canada and the United States have the worst private pensions in the world. It is important for members to act. We must now address the question of retirement income coming from one's employer—in other words, the company pension.

I do not know the exact explanation for this, Mr. Speaker, but I am told that in Europe, because of the war, the unions attached top priority, in their dealings with employers and in their collective bargaining, to the building of pension plans. In Canada, on the other hand, the unions have historically done more to bring about indexation of benefits and COLA clauses than to build private pension plans. This is not a criticism. I just want to try to explain why it is that all Canadians—and keep that image in mind, because that is why we are having a conference—in whatever revenue group they find themselves, in the five last years of their active life, the best years, the day they retire have their income cut in half.

That is the challenge that we want to address. It is not a fight against poverty that I am proposing; it is a fight for better retirement income for the vast majority of Canadians. I think that is quite a challenge. It is time for action. I want to

thank the hon. member for Winnipeg North Centre for his opposition motion because it is quite a positive one.

Some hon. Members: Hear, hear!

Mr. Vince Dantzer (Okanagan North): Mr. Speaker, first of all, as one of the most recent members of this House, I should like to say how pleased I am to participate in this debate on pensions provided by the motion introduced by the hon. member for Winnipeg North Centre (Mr. Knowles). I think that the hon. member's great interest in the subject and his contribution to the whole area of pensions over the last number of years is well known to members of this House and, indeed, across this great country.

I welcome the opportunity to speak on the motion because it is of particular interest to me, and more important, it is of particular interest and relevance to my constituents in Okanagan North. As most Canadians are aware, Okanagan North is blessed with what is possibly the finest scenery and finest weather in all Canada. This fact is not lost on Canadians in other parts of this great land, particularly the prairie provinces of Saskatchewan, Alberta and Manitoba. After spending a lifetime of hard work enduring the vigorous and sometimes rigorous weather on the prairies it has become somewhat of a tradition that in later years Canadians from these areas can spend their golden years in the Okanagan Valley. May I say we welcome them and we will continue to welcome them because they make fine citizens indeed.

• (1630)

However, it means that my constituency enjoys a much greater number of senior citizens than the national average. Therefore, the whole question of pensions, adequate incomes and adequate housing for senior citizens is of great importance to the well-being of the people in my area, so I welcome the opportunity to speak on this topic.

The National Pensions Conference is to meet next week commencing on March 31. It will continue until April 2. I suppose this conference has been called by the government in recognition that the existing schemes both in government and in private industry have been unable to meet some of the very pressing needs of our senior citizens. Our existing pension schemes have been criticized because they are inadequate and do not provide adequate incomes for those who have retired, or for those who are retiring and, perhaps, because taxpayers are asking more than what their contributions would provide.

It is interesting to make a comparison of the contribution rates with other countries for old-age, disability and survivors insurance. In Sweden, the total contribution made by an individual is up to 20 per cent; in France, it is 12 per cent; in Switzerland, it is 9 per cent; in the United States it is about 10 per cent and in Canada it is only about 3.6 per cent.

My belief is that the 1980s will see the whole matter of pensions as one of the major social concerns of our time. There are two basic areas in the programs we have in place which have to be reassessed and improved if we are to meet the needs of the people who wish to retire in later years, and meet the needs of those people already retired and no longer in the work force. Both the public and the private sector are concerned with pensions.

First, let me examine some of the inequities in the existing systems. It has already been mentioned in this House that our pension schemes are based on a three-tier system. We have public programs and the so-called private programs and systems. The public program consists of the old-age security, which is designed to provide a basic retirement income to everyone at the age of 65, regardless of means.

A second tier is the government program called the guaranteed income supplement, the purpose of which is to meet the needs of pensioners who have little or no income, apart from the basic old age security pension. This program, of course, is subject to a means test. Both OAS and the GIS are indexed.

If we examine these programs, we see they are really nothing more than guaranteed annual income. In the same tier is another program called the spouses' allowance. This program was introduced to provide assistance to couples where the oldest spouse was in receipt of OAS benefits but the younger spouse had not reached the mandatory age of 65.

The third tier of the pension system, and I believe the most important, encompasses the private pension schemes found throughout industry through employee-employer contracts and individual and tax supported registered retirement savings programs.

Unfortunately, because of a number of factors—mostly inflation—the system provides inadequate income for large segments of the senior citizen population. The most dramatic example of a group left out of the scheme are single women over the age of 60. It is a national scandal that this country has allowed this group in our society to subsist on less than the poverty wage, the ones who have given so much to our country in earlier years. I submit it is a national scandal and shame that this government, which runs a deficit of some $14.2 billion a year which, on a whim or by the stroke of a pen can spend $1.4 billion to buy an oil company, something which does not add one job, produce one drop of oil or in any way adds to our economy, allows these women to literally starve to death. I believe the hon. member for St. Catharines (Mr. Reid) later on to day will be enlarging on what I consider to be a national shame.

In a sense, the government pension schemes as practised by this government are somewhat of a fraud. This government points consistently to the $35 a month increase which was given to the elderly last year. The minister has again referred to that increase in pensions this afternoon. I commend the government for at least fulfilling one of its election promises.

However, I strongly condemn this government for following such irresponsible economic and fiscal policies which have wiped out any benefit this increase might have meant to senior citizens. Indeed, such policies have worsened the lot of every retired person and every person on a fixed income, to such an extent they are at this moment struggling for their very

existence to overcome the terrible effects of an inflation rate of some 12.2 per cent.

The pension schemes as practised by this government are a fraud because, under the present method of financing, Canada Pension Plan contributions are not sufficient to fully fund the plan. Today, the rate of benefits paid out exceed contributions. Very shortly the Canada Pension Plan will have to be tax supported if it is to pay out the benefits promised to those who have made contributions.

The Canada Pension Plan does not provide any kind of protection against inflation. I suspect inflation will continue, because this government seems unable to change its policies, and the kind of protection provided will be completely inadequate to give even the smallest degree of retirement income and security to Canadians.

I condemn the government for failing to provide any leadership whatever in the whole area of public pensions and retirement income to overcome the problems of high interest rates, inflation and lack of adequate funding. These are the problems which threaten the security and well-being of every senior citizen in Canada.

The other area in which this government has failed to show leadership, and to provide answers is in the area of private pension schemes. By and large, it is estimated about 4.19 million Canadians are covered by these plans; that is about 62 per cent of the population. One hundred per cent of employees in the public sector are covered and 50 per cent in the private sector. Therefore, much reliance is placed by Canadians on these plans for security in retirement years.

● (1640)

However, most of these plans suffer from serious defects. Most of them are not adequately protected against inflation. Most of them do not provide adequate vesting or portability benefits and most of them do not provide adequate survivor benefits for spouses.

If private pensions are to fully do the job required of them, this government must show some leadership in providing adequate frameworks and plans which can be used by private pension plans—by employers, employees, unions and private individuals—so that the majority of private pension plans provide what is so necessary; that is, vesting at an earlier age, and I am glad the minister supported that concept; so that the majority of private pension plans provide complete portability, and I was glad the minister indicated her government might support that pension plans provide for portability so that a worker can have and take his benefits with him to another job or another province whenever it is necessary to do so, and so that the plans provide requirements for spousal survivor benefits to a much greater extent than now. That is one of the reasons many senior women are facing such hardship.

I am fully aware that pensions are to a large degree a matter for provincial control. I am also aware that this government's track record in negotiating with the provinces is pretty dismal indeed. It does not make one very optimistic about any future leadership role which this government may play in providing some direction for improved existing pensions.

I was very disturbed when the minister said her government has no philosophy, no ideology in connection with pensions. If this is true, it is clear this government has been running off in all directions and accomplishing nothing. I suggest this government would be wise to have some philosophy and ideology to guide them in the way they approach the whole pension field.

However, in spite of that, I urge the Minister of National Health and Welfare (Miss Bégin) to take her courage and her humility in both hands and proceed to negotiate a reasonable program to encourage the private sector to improve existing pension schemes. I am sure that, in collaboration with provincial governments, a scheme can be put in place so that the vast amount of our pension requirements over and above the government schemes are provided by private industry.

A problem which is basic to the question of pensions and one to which I must refer is the question of aging and population trends. It is a well-known fact that the age structure of the Canadian population will shift dramatically in the next several years. The result of this shift will be that Canada will see a steady increase in the proportion of its elderly and pensioner citizens, and at the same time, and this point is crucial, a much smaller work force.

The number of Canadians over 65 years of age is forecast by Statistics Canada to increase from the present 9 per cent of the population to 20 per cent early in the twenty-first century. That is more than doubling the number of senior citizens. The dependency rate for elderly Canadians, that is, the population of age 65 and over, expressed as a proportion of the population aged 18 to 64 will rise to 30 per cent over the same period from its present 14.5 per cent. Thus, by the year 2031 there will be three working adults for each senior citizen. There are now seven working adults to each senior citizen. It does not take much of a mathematician to understand the tremendous tax burden that will be imposed on those workers in the early part of the twenty-first century if we do not plan now to provide senior citizens with retirement income.

Briefly, we may expect in the future more old dependents and fewer workers to support them. These facts alone are reason enough that it is essential plans be put in place now to meet this future obligation of our society. We hope and anticipate that these elderly Canadians will be supported by their savings, employer pensions and government pension programs. However, since at that time there will be a relatively smaller working population, if the tax burden on those working people is not to be an excessive burden, we must plan now to encourage savings and properly funded private and government systems.

It may appear that the year 2030 is a long way off, but it is well to remember many of the Canadians who will retire in the critical period from 2010 to 2030 are already in the work force. If Canada's system of income security for the aged is to be altered, changes have to be announced well in advance so that people can take them into account when planning retirement. That is why it is so essential that the forthcoming

conference on pensions mark the beginning of serious reform to solve existing inadequacies and future requirements.

I hope it will not be out of place for me to quote some statistics to place the matter in perspective. In 1979 there were approximately 2.1 million OAS/GIS pensioners in Canada, representing about 9 per cent of the total population. Over $5.365 billion were paid out by the governnment as OAS and guaranteed income supplement benefits in 1979. It is also well known that the elderly are significantly over-represented among the poor, whatever definition of poverty line is chosen. Employing Statistics Canada revised definition of low income—an income level such that more than 62 per cent is spent on basic necessities—the proportion of individuals 65 to 69 years of age with a low income was 46.4 per cent in 1976; the proportion among those 70 and over was even higher, 58.1 per cent. The average income for families headed by individuals over 65 was only about half the average for all age groups. In 1979 approximately 57 per cent of all old age pensioners qualified for the federal government's means tested GIS, another indication that Canada's elderly number significantly among the poor.

These statistics show to a degree the magnitude of the problem. We are speaking of exceedingly large sums when we plan a system of income security for older people. We must remember that this is only one of several valid social objectives in the national scheme in Canada, that health and education, and many other valid objectives place demands on our society and its capacity to pay.

The Acting Speaker (Mr. Corbin): Order, please, I regret to interrupt the hon. member but his allotted time has expired. He may only continue with the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

● (1650)

Mr. Dantzer: Thank you, Mr. Speaker, I have only a few minutes to go.

I repeat and emphasize that the methods we use to provide adequate income security for senior citizens must be those which will also encourage and assist the economy of this country in supporting our social objectives. We all know the resources of this country are limited, as they are everywhere. We must choose social objectives which are attainable and affordable. It is a principle of the Conservative Party that the government should assist those persons least able to help themselves. It is also a principle of my party that our senior citizens, who have worked long and hard to achieve a full and satisfying life, who have raised their families and contributed to this great country, should be rewarded and cared for by society in their retirement years. As a Conservative I feel this can best be done by ensuring that those policies are compatible with policies of economic direction which are designed to ensure that a healthy and vigorous private sector can provide the real economic wealth necessary to support these retirement programs.

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Thank you, Mr. Speaker. I am very glad to have this opportunity to say a few words on the extremely important subject of pensions; that is, the income of retired people. I think it is obvious to everybody that the finance department and the Minister of Finance (Mr. MacEachen) himself have a direct and special interest in the field of pensions. It is obvious as well that it is a subject of utmost interest to all government members because of the well-known philosophy of our party, namely, that our first concern is for those most in need, and it is a fact that retired people indeed account for a great many Canadians who are in dire need.

I would also like to take this opportunity to commend our Minister of National Health and Welfare (Miss Bégin) for the extremely significant and liberal works she is doing not only in the field of health generally, but especially because of her awareness of the problems experienced by the elderly and retired people.

Mr. Lapointe (Charlevoix): Hear, hear!

Mr. Bussières: We all know that the National Pensions Conference is scheduled for March 31, April 1 and April 2. The aims of that conference have been very clearly defined by the Minister of National Health and Welfare and they were repeated by the Minister of Finance. I am convinced that spokesmen for the private pension sector, the government sector, the provincial governments and the other sectors of the population who will have the opportunity to participate in the conference will do a profitable, beneficial and advantageous job on behalf of retired Canadians.

It is always interesting to look at the figures even though you must always see them in a certain perspective if you do not want to overestimate them. However, it is worth recalling, for instance, that our present pension system does not provide what we could call a decent income for a great many senior citizens. On the average, the income of senior citizens in Canada is substantially lower than that of other Canadians. If we attempt for instance to make a comparison based on the average income for Canadians as a whole, which would be $16,300, the comparative income for senior citizens would come at most to nearly $7,000. We can see that there is a difference of over 50 per cent between the two, that is the average income of pensioners and that of other Canadians. We can look at other kinds of figures. For instance, when a worker retires, whatever his income when he was working, it is automatically reduced by about 50 per cent. This means that if the work income was $20,000, on retiring, this income will automatically be reduced to $10,000.

I shall keep to those two statistics even though, as I said at the very beginning of my intervention, they give only a rough idea of the facts, and I shall now draw the attention of all the members of this House to the problems that face people when

they retire. Obviously, when your income is reduced by 50 per cent, you have problems paying your grocery bills, meeting your housing payments and buying clothes. All these needs do not change that much when you suddenly stop working and retire. We must still be aware of them.

The National Pensions Conference which I mentioned earlier will give us an opportunity not only to review the income problems of our pensioners, but also to examine all the other aspects involved in harmonizing and co-ordinating the various pensions plans available in Canada, whether it be the government plan, in other words the Canada Pension Plan or the Quebec Pension Plan, whether it be the pension system ordinarily called the old age pension system, whether it be the guaranteed income supplement, whether it be the private plans established jointly by private companies and their employees or unilaterally by the employer for a group of employees, or whether it be an individual plan either through some type of insurance or another type of plan, all these means of providing a retirement income will be examined, for the purpose of standardizing these various plans. Naturally, any attempt to reach an ideal must eventually confront harsh reality. Obviously our economy is going through extremely difficult times, and in such a case the best thing to do is always to try to implement policies in keeping with current conditions. But I am confident that the groups that are to meet and will meet at that conference, under the joint leadership of the Minister of National Health and Welfare and the Minister of Finance will achieve an in-depth study of the problems confronting our society with regard to pensions, and that solutions will be found that will surely benefit Canadians.

I must limit myself to those few remarks, Mr. Speaker. In closing I advise the House that despite consultations with party representatives, we have been unable to reach an agreement on the application of Standing Orders 75A and 75B on the report stage and third reading of Bill C-59, to provide supplementary borrowing authority. I therefore have the honour, Mr. Speaker, of informing the House that in the course of a future sitting, I shall present a motion under Standing Order 75C to allot one sitting day to each of the stages of the bill I referred to.

Mr. Speaker, I wish that conference every success and I am sure all hon. members will be very happy to participate in the formulation and approval of new policies when the government introduces them.

● (1700)

[*English*]

Mr. Walter McLean (Waterloo): Mr. Speaker, it is a pleasure to participate in this debate today. I wish to join other members in the House in expressing my affirmation of the importance of Canada expanding its pension system to meet the devastating need of so many of our senior citizens across the country.

I want to congratulate the hon. member for Winnipeg North Centre (Mr. Knowles) for his continuing concern. I want, however, to say that I differ with him as to whether the response to this lies just with government. Rather, I hope the result of the coming conference will be that we will find an accommodation between private and public sectors in order that this problem is addressed. As the minister has stated, the questions which will be addressed will surely be whether reforms will be enough and whether they will deliver benefits to those who need them most.

As a member of the official opposition and the Conservative party I am happy to be identified with social issues and to suggest it is in the balancing of concerns about compassion and incentive that we can find the resources to meet the needs of the men and women of our nation.

As we look at the problems facing us in respect of pensions, we see there is not enough money flowing through the system to the elderly. Only 13 per cent of the income to the elderly is generated by private pensions, while 55 per cent is generated from government sources. The coming conference will be important in that it will look at this imbalance.

In the few minutes given me I want to look at the specific problems facing elderly women regarding pensions. The needs of older women are the same as those of everyone else. They need interesting work to do, money to live on, a place in which to live and other people to care whether they live or die—"Being old does not mean that I will be alone". Unfortunately, three out of five women over 65, or four out of five women over 75 are widowed, divorced or single. Only half of Canadian women over 65 live with their husbands, their children or any other relative. They think, "At least I will have my home and my neighbours". But again that is true only if you are one of the lucky ones. Two out of five single, widowed or divorced retired women over 70 do live in their homes. One out of every four single, separated or divorced women over 70 lives in a rooming house, and almost 70 per cent of the residents of nursing homes are women over the age of 65.

Others will say: "Well, my nest egg will see me through; I have been saving through the years". Maybe, but when we look at the facts, we find that three out of four single, widowed or divorced women over 70 had annual incomes under $5,000 in 1977, and about 333,000 single, widowed or divorced women over 60 lived in poverty, three times the number of men.

We could also look for a moment at poor single parents who cannot afford to save for retirement. They stay poor, and the vicious circle continues.

Facts show that elderly women are poor, but that they suffer under current pension arrangements. In 1979, in preparation for the election campaign, there was this statement from the Progressive Conservative Party: "Improving the situation for older women is an important election commitment". The statement said, and I quote:

> Women suffer under current pensions arrangements. Many reports document the fact that old women are the poorest of the poor. They are largely supported by government. Problems of current pension schemes affect women even more

severely than men: lack of stability, lack of coverage among small employers, lack of indexing of deferred pensions and pensions-in-pay and lack of survivor benefits.

Women suffer more because they are more likely to work for small employers, they are more likely to be in and out of the labour force due to family responsibilities and they are more likely to be widowed.

Subsequently the previous government recommended a full review of the pension and retirement income system and began contacting the provincial governments. This review will now be a part of the coming conference.

I was interested a few weeks ago to receive a letter from Lucy Pickard, the editor of *The Owl*, an adult recreation centre bulletin in Waterloo, expressing deep concern about women between the ages of 45 and 65. Lucy Pickard referred to women in that age group who find themselves doubly handicapped because of their limited education. Many of them had gone into teaching, for which they had inadequate qualifications. Many were provided with fewer educational incentives than then.

Lucy Pickard wrote:

The single woman restricted through her limited education was usually prevented from gaining the economic security derived from home ownership. Until relatively recently, lending institutions demanded the signature of a man as a guarantor in case of default in mortgage payments.

I have compared that tradition with another part of the Waterloo constituency; the matter of community building. I was talking today about the Mennonite tradition and the tradition of the doddy house, whereby the youngest son or daughter takes over the family farm and, through the years, the other sons and daughters are funded so they can buy their farms. I learned today of one family daughter who bought a farm from a childless couple near Heidelberg. That couple will live in the small doddy house. The tradition of caring goes on in parts of our community. Somehow to extend that tradition across the community is the challenge of the pension conference, soon to be held.

There are problems associated with the Canada Pension Plan, especially for women. The amount of one's pension under that plan is scaled to the amount of one's income, and, since on average women across Canada earn only 58 per cent of what men earn, automatically most women in the work force can expect lower pensions than men, but after retirement their needs are not fewer than those of men.

With respect to the eligibility of housewives, the recent Progressive Conservative convention confirmed that the Canada Pension Plan must be reformed to reflect more adequately the contribution of spouses to the economy. It recognized that there are big problems with the minister's suggestions for possible voluntary contributions by housewives. What happens, for example, if a working husband does not want to give his wife money to contribute? She will be unable to contribute. The government has not suggested an obligatory clause which would force husbands to allow wives to contribute. Wealthy spouses would be able to afford contributions, but not the poor. This would perpetuate the cycle of vicious poverty for the poor.

I must say we are encouraged by the start made in the income tax changes which will be retroactive to January 1 and which will allow spouses working in non-incorporated businesses to participate in their own right in the Canada Pension Plan, as do all other salaried workers in Canada. This provision was in the Crosbie budget, and we are encouraged that the minister has included this in the programs this government is bringing forward.

Private pension plans in the past have not been of much help to women. I am one who wishes these plans would deal with the problems faced by women. It is our hope that the National Pensions Conference to be held next week here in Ottawa will address some of these problems.

● (1710)

Company pensions do not help many women, as we are reminded by the Advisory Council on the Status of Women. Four out of five single, divorced or widowed women over 65 years of age receive no income from private pensions. A women does not automatically receive her husband's pension after he dies because he may not have had a company pension. Only one in two Canadian workers benefits from company pension plans, and of those who do less than half have a widow's pension option. Those widows who do get a pension from their husband's employer usually collect only half of what their husband would have received.

For women working in private industry, accessibility to private pension plans has been minimal because plans have usually been confined to upper income workers, which excludes many women and almost all part-time workers and, of course, part-time workers are almost invariably women.

Because women tend to live longer, private industry has the real actuarial problem of the equal cost of the plan versus equal benefit. The insurance companies in my riding have been telling me regularly of the dilemma they face in trying to address this real problem. For example, if women will benefit five to ten years longer on average than men, should women's payments be larger? Could a company which institutes such a program then be charged with discriminatory regulations on the basis of sex?

The facts show that more and more women are living longer than men. Everyone becomes old, but women can expect to live to the age of 77, or seven years longer than men, on average. Right now, one million women in Canada are over 65, a quarter of a million more women than men in the same age group. We are told that in just 20 years the number of women over 65 will reach two million, and half of them will be over 75. By the turn of the century women over 75 will outnumber men in the same age group by two to one.

The third problem we have is the problem of vesting. The recent Progressive Conservative convention favoured an immediate review of private pension plans to encourage earlier vesting and complete portability. It is essential that next week's conference should look at this issue as it is a particular problem for women.

There is also the problem of indexing. Employers in the private sector say they cannot afford to index pensions. The problem is that without indexation, women who have greater financial problems to face in retirement than they have throughout their lives will see their small pensions decrease because of inflation. For example, when there is no indexation, $100 at the annual rate of inflation of 8 per cent will be worth $24.87 in 18 years. If a pension has not been vested, we can see how the employee who leaves a job loses all rights to the employer's contributions on his or her behalf and simply gets back his or her contribution.

According to Statistics Canada, in 1977, 95 per cent of women who participated in private pension plans found that the plans did not provide full vesting until the employees had ten years or more of service. A comparison of this with turnover rates, which show that three quarters of women aged 22 to 44 change jobs at least every five years as compared to two thirds of men, demonstrates that very few women who participate in private pension plans are likely to get a pension when they finally retire. It is not realistic to expect this situation to change by itself in the coming years, at least not so long as women keep occupying the least interesting jobs and are still held primarily responsible for taking care of children.

These are problems which not only the minister but the conference and all of us are asked to face. What plans are there to help women aged 55 to 64 to become eligible for reasonable pensions, and how does the government plan to address the problems of voluntary contributions by housewives to the pension plan? Specifically, does the minister plan to discuss with private industry the problems faced by part-time workers in private industry and eligibility to private pension plans? I also hope that the actuarial problem of equal cost versus equal benefit, especially as it relates to women, will be discussed.

In a document entitled, "Women and Aging", we find the following statement at page 95:

> Old women in Canada need help. They urgently need more money, housing assistance, better public transportation systems and adequate health and social services.
>
> Their poverty is not a result of an accident. Women are poor in old age because most of them have devoted their lives without pay to their husbands and families and were led to believe that if anything happened they would be taken care of. When they become widows, as they almost inevitably must under our present marriage customs, the vast majority find that the promised security does not exist.
>
> Another reason elderly women are poor is that they were discriminated against throughout their lives. Socialized to believe that they need little or no education and training, women end up working for low pay at subservient jobs that do not give access to pensions . . . most important, we must stop our present casting out of the old. Instead of complaining about the elderly becoming an increasingly heavy burden, we should allow them and help them to remain useful members of society as long as possible. This position was best expressed by Miriam Krieg in a presentation to the U.S. federal council on the aging in 1975:
>
> "We can no longer ignore the economic plight of the older woman. We have three choices: (1) Let her slowly starve; (2) provide her increasing expensive, inadequate welfare services; or (3) help her to remain an independent, contributing member of society.
>
> We can give her a fish and feed her for the day . . . or we can teach her to fish and she will feed herself, and perhaps some others too."

The motion suggests a concern, not only of the NDP, but of the official opposition, as it is the concern of the government. We look forward to being part, along with others in the House and from across the country, of the conference next week, and we look forward to addressing this great need across our nation.

Mr. Neil Young (Beaches): Mr. Speaker, I also welcome this opportunity to participate in the debate today on the motion of the hon. member for Winnipeg North Centre (Mr. Knowles). I listened rather carefully to what the Minister of National Health and Welfare (Miss Bégin) had to say when she referred to the remarks of the hon. member, and specifically to the points she made when she spoke about her understanding of what is the NDP policy with respect to pensions and retirement income. The minister knows or ought to know that when the hon. member for Winnipeg North Centre stands up and presents the position of the NDP on pensions or retirement income, the hon. member for Winnipeg North Centre is NDP policy on pensions and retirement income. I did not hear the hon. member for Winnpeg North Centre say anything which was not consistent with NDP policy, as I certainly understand it. Of course, in terms of policy, it has always been consistent.

● (1720)

As have other hon. members in the House, I have received numerous letters from senior citizens, not only in my constituency but across the country, in which they have expressed their continuing concern with the inadequacies of pension income. It is not particularly surprising to understand that, when even those of us who are not at retirement age and are still active members of the work force know exactly what inflation and the increasing cost of food and accommodation means. Even though it has a severe impact on those of us who are members of the work force, of course it has a severe impact on those people on fixed incomes. Certainly the senior citizens with whom I am acquainted are having an increasingly difficult time to make ends meet on a weekly basis. I am referring to the essentials of life, the costs of food and accommodation.

There is no one in the House who does not recognize the need for an adequate retirement income policy in Canada. I think that is obvious to everyone. My own practical experience within the private sector, particularly in industrial relations prior to coming to the House, convinces me that we will never achieve the level of retirement income both necessary and very much in need for those on retirement if we only rely on the private sector. We will never achieve that desirable state until we have full portability of pension plans. I think this can only come about through more government involvement in retirement income policies. While this has been perfectly true in the past, it is even more true today when one considers the decline in economic activity.

In the last ten years prior to coming to this place, I was involved in six plant shutdowns of varying employment force sizes. Although the Conservative members on my right seem to get some enjoyment from that, I can assure them there was no

enjoyment for the 2,000 people affected by those plant shutdowns and lay-offs. They should remember the severe impact of those shutdowns on the lives of people who enjoyed fairly steady employment over a period ranging from 20 to 35 years. Those individuals suddenly found themselves without jobs, mainly as a result of decisions in head offices located outside of Canada. The head offices made decisions to transfer wealth from Canada to some other country. This was not because the plants were not productive, but because the corporations did not make enough profit and felt they could make more profit if they invested that wealth outside Canada.

Because of the existing legislation, those people did not have enough service with the companies to give them vested rights in pension plans. It is an example of what the hon. member who spoke prior to me said. Those persons were only entitled to receive back the contributions they had paid into pension plans. Some people with up to 14 or 15 years of service with those companies left with no guarantee of retirement incomes. I do not see anything humorous in that particular situation at all. We are talking about some form of financial security for people who have invested up to 15 years of their lives in corporations and end up knowing that those 15 years will not count in terms of retirement income at age 65.

Another area of concern is how the private sector treats people who leave work because of particular disabilities and apply to the Canada Pension Plan for disability pensions under its provisions. Many Canadian private pension plans have a provision which indicates that if an individual applies to CPP and receives a disability pension, any entitlement to a disability pension with private insurance carriers is deducted from the pension income, simply because he or she is eligible for disability benefits under the Canada Pension Plan.

This is inequitable because, when a person buys a pension in the private sector he or she is buying it with moneys regarded by employees as deferred wages or salaries. If the person did not buy a pension, it is assumed that the pension premium would otherwise be reflected in the wage package at the end of each week. Those are moneys to which that individual is and should be entitled when he or she becomes eligible, without being faced with private insurance carriers deducting those benefits when the individual most needs the money.

Pension funds are not small change. Collectively, pension funds in the private sector control some $40 billion worth of assets. Moreover, this figure is doubling every four years, and the Economic Council of Canada predicts that in the next 50 years pension assets will be worth two thirds of the gross national product. Also, pensions reflect a good chunk of total savings.

Between 1972 and 1976, 23 per cent of all savings or $40 billion was spent for retirement purposes. Where was this money invested? Most of it went into corporate stocks, and today pension plans own close to 20 per cent of all shares traded on Canadian exchanges. In addition, a sizeable amount was invested in mortgages and bonds. For example, in 1975 pension funds bought 41 per cent of new corporate bonds, 34 per cent of government securities, and 13 per cent of all mortgages.

There are some 15,000 pension plans in Canada. This figure covers the entire gamut of occupational pension plans, including the public and private sectors, multi-employers versus single employers, both defined benefits and non-defined contribution plans. These plans covered some 4.2 million people in 1978 or 40 per cent of the labour force. Most of these plans or 73 per cent of them, to be exact, have invested through insurance companies which are able to pool assets across a large number of small plants. While it may very well be that this arrangement is preferable for small employers, large employers have sizeable pension assets and they tend toward trust fund arrangements. Under this arrangement, large companies can pick and choose between trust companies and have a greater say in portfolio selections.

• (1730)

In 1978 trustee plans made up 27.2 per cent of all pension plans, but they comprised a much larger fraction of total plan membership, or in the area of 67 per cent. For the largest firms, pension assets are sufficient for self-management of the funds. For example, the Canadian National pension fund, with $2 billion in assets, is self-managed. As an example of its financial clout, the Canadian National fund owns 23.5 per cent of Siebens Oil and Gas Limited.

With these funding arrangements, it is apparent that the control of pension assets is highly concentrated in Canada. For the smaller plans, the investment decisions are made by a handful of insurance companies which specialize in this particular business. The trusteed funds, with the bulk of the assets, are managed by either a few trust companies or are self-managed. For example, the largest 50 pension plans hold two thirds of all pension assets. In total, it has been estimated that some 200 people control the investment of all pension funds in Canada.

It has been proposed that pension investments be redirected in the best interests of both pensioners and workers. In my view, this would involve a strategy of social or alternative investments in growing industries which would include housing, public facilities, and the like. This must be done in such a way as to protect the interests of current and future pensioners. In other words, alternative investments need to be scrutinized to see that they provide comparable rates of return to the fund to fulfil the pension promise. Alternatively, a portion of the fund's assets could be set aside for alternative investments without jeopardizing pension security.

There are numerous examples where pension funds could be redirected to benefit Canadians. For example, pension funds could be used to buy back our foreign-owned industry. The CN pension fund's holdings of Siebens Oil and Gas is but one example of this. Other large funds, like the OMERS—Ontario Municipal Employment Retirement System—fund, with assets of more than $2 billion, should be encouraged to do likewise. At the very minimum, this would stem the dividend outflow

from Canada, thus increasing our supply of capital and improving our balance of payments position.

I see my time is practically up, but I would simply end by saying that in my view in the private sector there is a strong argument that the employees, through either the representatives in their unions or associations—and I argue this very strongly—must have the legal right to have representation on private pension boards so they can have a say not only in how moneys will be invested and as it is workers' money in the first place and in the main part, but also to have a say in how that money will be redistributed for those individuals who have paid into those pension plans for income security upon retirement.

Hon. Bryce Mackasey (Lincoln): Mr. Speaker, I want to thank the hon. member for Beaches (Mr. Young) for not using up all his time, as a matter of fact, in order to allow me ten minutes to speak very briefly on this extremely important subject.

There are certain issues which, for one reason or another, and I think this is one of those issues, that tend to be the pet interest, the main interest of all political parties. I am pleased that virtually all the contributions I have listened to today, without exception, can be considered to be positive. They reflect a concern that somehow the pension system in this country, desirable as it is, is wanting; it is imperfect and improvements are needed.

I am particularly pleased, as a Member of Parliament, one who has been concerned with social policy for a long time, that there will be a National Pensions Conference next week. I am not too sure if all hon. members quite appreciate the significance of this conference, but those of us who were, for one reason or another, closely associated with social policy in the 1960s can tell you that this type of conference was undreamed of and frowned upon less than a decade ago. The thought that private enterprise; that is, the pension industry, would join forces at such a conference a with labour groups, with senior citizens, and with government, both provincial and federal, was unthinkable. It is heartening and encouraging that we have reached that point.

Of course, one of the reasons for that co-operation is that we are reflecting public opinion. People are concerned. People want progress made in this particular field. People tend to live longer, homes are smaller, and the many problems of senior citizens are compounded. There is a growing awareness that somehow Canada must do more to make certain our senior citizens can live adequately, if not in luxury.

There is not the same—thank goodness!—tendency, when discussing pensions with senior citizens, to fall back on the old argument one hears in other fields where there is more resistance to helping the less fortunate: "Well, they should have looked after themselves. They should have looked after their old age." But, people do not have control over their jobs, their destiny, their health, war, whatever.

I want to say in the short time I have, because there is not really enough time to do justice to the subject, that to be a minister of health, one is required to be a certain type of individual. I was very pleased to hear the hon. member for Winnipeg North Centre (Mr. Knowles) pay tribute to the present Minister of National Health and Welfare (Miss Begin). Her job is, at best, a vocation; a difficult role in the cabinet. One must plead quite often for help for the people who really do not have a lobby. There is really no such thing as a senior citizen's lobby or a pension lobby on the part of employees, like there is representing every other vestige of Canadian society. Lobbies are legitimate. However, there is really no one organization which comes forward on the Hill periodically to say, "Hey, we want something done about the inadequate pensions of this country." This is the difficult role of the minister. Other ministers around the table can say, "I speak for", or "I represent the views of this lobby", or this group or "the farmers or industry" or "the CMA" or the "chamber", or "labour"; "that is my role." There is nobody who can really stand up in cabinet and say, "My 1.8 million people want some improvement in our pension scheme."

Therefore, we are very fortunate—and I say this in a non-partisan way—to have the present Minister of National Health and Welfare. She has done yeoman service; she has worked very hard—

Some hon. Members: Hear, hear!

Mr. Mackasey: —to bring this pensions conference to a head. She, more than any other single member of our government, is responsible for this conference. It was her concept in 1979. It was her realization that if we were going to do justice to this whole complicated subject it required the co-operation, in a conference, of all the groups in society which have a vested interest in pension planning. That includes the pension industry, as well as unions and other organizations.

I was pleased at the contribution of the hon. member for Beaches (Mr. Young), abbreviated as it was, because in this House we speak quite logically and often about senior citizens, war veterans, people over 60, 65, or 70. In this country we have done something to make their lives a little more bearable. Not enough has been said, however, about private pension plans, about the plans to which working people in Canada contribute day in and day out. Nor has enough publicity been given to the points raised by the hon. member for Beaches, such as the tragic circumstances of a worker who may have worked for a company for 20 years or 17 years or 19 years and then finds that company has gone bankrupt. The vested interest of the employer is lost and that person has to start all over to develop some equity in a pension in order to supplement what will be available to him at age 65. We must do something about vesting and about portability.

● (1740)

The challenge at the conference will be really directed to the industry. I do not know of any party which advocates that the government should take over the pension field. I have not heard that proposition put forward in debate by the NDP.

I have a theory which I should like to develop in the 30 seconds or so left to me. We are a unique country because of our social policies; family allowance, unemployment insurance, medicare, education. Free enterprise and the more enlightened people realize that they benefit from this as much as the employees. We have available the best educated work force in the world because of accessibility of schools and educational programs. Because of medicare, we have the healthiest people in the world. More important, as one vice-president of an automobile company mentioned when speaking about laying off hundreds of thousands of auto workers, "Thank God we have some form of income for people laid off. Otherwise there would be blood on the streets." That was his expression, not mine.

Regardless, our social policy has resulted in the fact that the major political parties in this House are moderate, not extremists to the left or extremists to the right, because there is no fertile ground for that kind of uncertainty or insecurity on the part of the less privileged that we see among people in the Third World.

We all have an interest in bettering the quality of life in this country, particularly that of the worker. Private enterprise recognizes that fact. That is why I believe in free enterprise. I think certain fields require the combination of initiative, drive and incentive that free enterprise employs with the federal government setting the parameters and standards and pointing out the issues at conferences. Government can say to private enterprise, "These are the flagrant abuses and weaknesses in your system." We need portability because the average Canadian worker will change jobs no less than six times in his lifetime, and female workers more than six times. This through no fault of the worker, but because of the changes in technology, because of recession, depression and all the other things necessitating a change.

When you think of that, Mr. Speaker, portability makes sense. There are problems, of course, and portability cannot be applied in all facets. It could be combined with a variation of the RRSP concept where week in and week out a contribution could be made from the employee's pay in cases where portability does not work out. I think that combination would bring portability well within the realm of possibility. Portability, combined with vesting, is the challenge facing the pension industry. If the private pension industry cannot meet that challenge within a reasonable period of time, then the Canadian public will demand that the government take steps. Quite often government is forced by public opinion into areas that could best be administered by private industry, but for one reason or another private industry neglects. I do not believe in more regulation; I believe in less, but most regulations I am aware of are forced on the government. The government is forced to implement them by public opinion and by the fact that for one reason or other private industry has not fulfilled.

While looking at the clock, I just want to say that perhaps the most welcome aspect from my point of view, as far as the conference is concerned, is that you have the direct participation not only of the people who put the money in, the employer and the employee, not only the federal and provincial governments, not only members from all parties in the House, but participation by the interested spokesmen on behalf of the industry. I do not mean the lobbyists who will go to try to prevent change. If they prevent change it will be at their own peril. Just as we were forced into maternity benefits because private industry refused to meet that responsibility. So will this federal government be forced into portability, vesting and taking a bigger role in the pension industry if the industry neglects to follow up the great opportunity this conference will provide.

Some hon. Members: Hear, hear!

[*Translation*]

Madam Speaker: It being 5.45 p.m., it is my duty, pursuant to Section (10) of Standing Order 58, to interrupt the proceedings and put forthwith every question necessary to dispose of Supplementary Estimates (C) and Interim Supply, and for the passage of all stages of the bills based thereon.

* * *

SUPPLY

MOTION FOR CONCURRENCE IN SUPPLEMENTARY ESTIMATES (C)

Hon. Donald J. Johnston (President of the Treasury Board) moved:

That Supplementary Estimates (C), 1980-81, laid upon the Table, Wednesday, March 4, 1981, subject to the ruling made by Madam Speaker earlier this day, be concurred in.

Motion agreed to.

Mr. Johnston thereupon moved that Bill C-62, for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March 1981, be read the first time and be printed.

Motion agreed to, bill read the first time and ordered to be printed.

Mr. Johnston thereupon moved that Bill C-62, for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March 1981, be read the second time and referred to Committee of the Whole.

Motion agreed to, bill read the second time and the House went into committee thereon, Mr. Francis in the chair.

[*English*]

On clause 2—

Mr. Knowles: A point of order, Mr. Chairman. Can the President of the Treasury Board assure the committee that everything in this bill is all right?

Mr. Johnston: Mr. Chairman, the form of this bill is the same as that of bills passed in previous years.

Clause agreed to.

Clauses 3 to 7 agreed to.

Schedule agreed to.

Clause 1 agreed to.

Preamble agreed to.

Title agreed to.

Bill reported.

Madam Speaker: When shall the bill be read the third time? By leave, now?

Some hon. Members: Agreed.

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

Madam Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

An hon. Member: On division.

Motion agreed to on division, bill read the third time and passed.

* * *

[*Translation*]

INTERIM SUPPLY

Hon. Donald J. Johnston (President of the Treasury Board) moved:

That the House concur in Interim Supply as follows:

That a sum not exceeding $8,267,119,391.59 being the aggregate of:

(*a*) three-twelfths of the total amounts of the items set forth in the Estimates for the fiscal year ending March 31, 1982, $7,227,421,694.50;

(*b*) an additional eight-twelfths of the total amount of Indian Affairs and Northern Development Votes L45 and L50 and Public Works Vote 45 (Schedule A) of the said Estimates, $12,956,000;

(*c*) an additional seven-twelfths of the total amount of Transport Vote 35 (Schedule B) of the said Estimates, $2,216,666.67;

(*d*) an additional six-twelfths of the total amount of Industry, Trade and Commerce Vote 20 and Treasury Board Vote 10 (Schedule C) of the said Estimates, $60,275,000;

(*e*) an additional five-twelfths of the total amount of Communications Vote 50 (Schedule D) of the said Estimates, $1,729,166.67;

(*f*) an additional four-twelfths of the total amount of Treasury Board Vote 5 (Schedule E) of the said Estimates, $73,333,333.33;

(*g*) an additional three-twelfths of the total amount of Indian Affairs and Northern Development Votes 35 and 40, Industry, Trade and Commerce Vote L30 and Secretary of State Vote 30 (Schedule F) of the said Estimates, $93,975,000;

(*h*) an additional two-twelfths of the total amount of Consumer and Corporate Affairs Vote 5, Employment and Immigration Vote 25, Energy, Mines and Resources Votes 1 and 20, Indian Affairs and Northern Development Votes 15 and 55, Labour Vote 15, Public Works Vote 40 and Transport Vote 20 (Schedule G) of the said Estimates, $610,248,066.67;

(*i*) an additional one-twelfth of the total amount of Communications Votes 20 and 80, Energy, Mines and Resources Vote 15, External Affairs Vote 35, Fisheries and Oceans Vote 10, Governor General Vote 1, Indian Affairs and Northern Development Vote L60, Industry Trade and Commerce Vote 10, Labour Vote 5, Secretary of State Vote 1, Supply and Services Votes 1 and 10 and Transport Votes 50, 85 and L100 (Schedule H) of the said Estimates, $184,964,463.75;

be granted to Her Majesty on account of the fiscal year ending March 31, 1982.

[*English*]

Madam Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

An hon. Member: On division.

Motion agreed to.

• (1750)

ESTIMATES FOR FINANCIAL YEAR ENDING MARCH 31, 1982

Hon. Donald J. Johnston (President of the Treasury Board) moved that Bill C-63, for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending March 31, 1982, be read the first time and printed.

Motion agreed to.

Mr. Johnston thereupon moved that Bill C-63, for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending March 31, 1982, be now read the second time and be referred to Committee of the Whole.

Motion agreed to, bill read the second time and the House went into committee thereon, Mr. Francis in the chair.

The Chairman: Shall Clause 2 carry?

On clause 2—

Mr. Knowles: Mr. Chairman, can the President of the Treasury Board (Mr. Johnston) assure us there is nothing in this bill that ought not to be in it?

Mr. Johnston: Mr. Chairman, the form of this bill is the same as that passed in previous years. The proportions requested in this bill are intended to provide for all necessary requirements of the Government of Canada up to June 20, 1981.

In no instance is the total amount of an item being released by the bill and the form of the bill is the usual one for interim supply bills.

The passing of this bill will not in any way prejudice the rights and privileges of members to criticize any item in the estimates when they come up for consideration in committee. The usual undertaking is hereby given that such rights and privileges will be respected and will not be curtailed or restricted in any way as a result of the passing of this bill.

Clause agreed to.

Clauses 3 to 5 inclusive agreed to.

Schedules A to H agreed to.

Clause 1 agreed to.

Preamble agreed to.

Title agreed to.

Bill reported.

[*Translation*]

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

Motion agreed to, bill read the third time and passed.

Madam Speaker: It being six o'clock, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 2(1).

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Thursday, March 26, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

CAPITAL PUNISHMENT

REVIEW BY STANDING COMMITTEE—MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Given that the latest Gallup Poll indicates a majority of Canadians support the return of capital punishment, and given that criminal activity is often compounded by the use of firearms, I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That this House endorse the resolution recently passed by the regional municipality of Niagara and urge the Solicitor General to introduce legislation immediately whereby the minimum sentence for anyone convicted of a criminal act while carrying a firearm would be 20 years, and further that the death penalty be invoked if a police officer is killed in the line of duty, and that this matter be referred to the Standing Committee on Justice and Legal Affairs for more study.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION

FUNDING FOR ARENA IN ST. WALBURG, SASK.—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. I have been contacted by a firm in St. Boniface, Manitoba, regarding serious inconsistencies involved in the awarding of a contract to build an arena at St. Walburg, Saskatchewan. The contract, awarded by the Saskatchewan government under unorthodox practices, did not go to the lowest bidder, Western Steel Span Buildings Ltd. of St. Boniface. As this contract involved federal government funding, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That the minister responsible for CMHC withhold all federal funding for this project until the minister has completed a full investigation into the awarding of this contract.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

SUPREME COURT RULING—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, I rise to propose a motion under the provisions of Standing Order 43.

In view of the fact that many prominent Canadians, most recently the New Democratic Premier of Saskatchewan, have publicly stated that it would be improper for a joint resolution to be sent to the Parliament of the United Kingdom if the resolution was before the Supreme Court of Canada, and in view of the fact that the Supreme Court of Canada is seized with the Manitoba appeal, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That this House not act upon the joint resolution until the Supreme Court has had an opportunity to rule on its constitutionality and legality.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ABORIGINAL RIGHTS

SUGGESTED WITHDRAWAL OF BILL C-48—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 to raise an issue of urgent and pressing necessity.

On March 19, 1981, representatives of the Yukon and Northwest Territories' governments, the Committee for Original People's Entitlement, the Dene Nation, the Inuit Tapirisat of Canada, the Council for Yukon Indians, and the Northwest Territories Metis Association met, and in an historic unanimous decision opposed Bill C-48, the Oil and Gas Act, because the legislation has totally ignored the issues related to aborigi-

nal people north of 60. Representatives of these people will be appearing before a committee of this House tonight and tomorrow. Therefore I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That the Minister of Energy, Mines and Resources withdraw Bill C-48 and immediately convene a conference of northern leaders to redraft the legislation and that the Minister of Indian Affairs and Northern Development be compelled to live up to his responsibilities to the Crown and appear as a witness before the present committee meetings discussing Bill C-48.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SEARCH AND RESCUE

TRIBUTE TO ARMED FORCES SPECIALISTS—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise under Standing Order 43 on a matter of urgent and pressing necessity. I move, seconded by the hon. member for Haldimand-Norfolk (Mr. Bradley):

That this House recognize the daring and heroic efforts by the Canadian Armed Forces Search and Rescue specialists in their daring night mission to rescue three victims of a helicopter crash near Fort Severn, Ontario, in the past 48 hours.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CRIMINAL CODE

SUGGESTED AMENDMENT OF ABORTION PROVISIONS—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under Standing Order 43.

Whereas it is inconceivable that the mother's health was endangered warranting a legal abortion under Canadian law in the vast majority of the 65,000 abortions carried out in Canada last year, therefore I move, seconded by the hon. member for Grey-Simcoe (Mr. Mitges):

That the government forthwith bring in amendments to the Criminal Code to stop this murdering of unborn children.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ENVIRONMENTAL AFFAIRS

PROTEST AGAINST REPORTED PLAN TO CHANGE LEGISLATION IN UNITED STATES—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of some urgency. It was reported in the news today that the Reagan administration, supported by members of the United States Congress, plans to change parts of the American clean air act, changes which would prevent the act from being used to reduce emissions causing acid rain.

I move, seconded by the hon. member for Hillsborough (Mr. McMillan):

That the Prime Minister immediately contact President Reagan to protest strongly the planned American action which would result in serious consequences, particularly in eastern Canada.

Madam Speaker: Is there unanimous consent for such a motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SMALL BUSINESS

DELAYED INTRODUCTION OF COMPETITION BILL—MOTION UNDER S.O. 43

Mr. Otto Jelinek (Halton): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. The small business climate in Canada today is, to say the least, decidedly unhealthy resulting in part from crippling interest rates, government controls and regulations, lack of working capital and so on. Compounding these problems is the additional threat of being squeezed out by increasing monopoly mergers which further limit competition.

In view of the insensitive attitude by the Liberal government toward small business as a whole, I move, seconded by the hon. member for Parry Sound-Muskoka (Mr. Darling):

• (1410)

That the government stop delaying the introduction and passage of a competition bill, as it has done for 13 years and, further, that the Minister of Consumer and Corporate Affairs introduce immediately an interim policy that will disallow any further potentially dangerous mergers such as the Hudson's Bay-Zellers bid prior to the perpetually forthcoming passage of stiffer competition laws.

Madam Speaker: Is there unanimous consent for his motion?

Some hon. Members: Agreed.

Some hon. Members: No.

NATIONAL PRESS CLUB

CONDEMNATION OF SOUTH AFRICAN FUNCTION—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, whereas all members of this House should condemn racism wherever it exists and regardless of the political situation in which it occurs, and since all MPs are honorary members of the National Press Club, which operates in government-owned facilities, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That this House support the journalists who have announced their intention to protest against the Press Club hosting a South Africa night this weekend, since such an event serves to legitimize the repressive and racist regime of that country, and further, urges the Press Club to reject any applications in the future from countries which do not accept the United Nations Declaration of Human Rights, and further, urges the Press Club to cancel this Saturday's entertainment.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

TRADE AND COMMERCE

RECOMMENDATIONS OF TEXTILE AND CLOTHING BOARD—MOTION UNDER S.O. 43

Mr. Bill Vankoughnet (Hastings-Frontenac-Lennox and Addington): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In light of the need to foster growth, productivity, employment opportunity and prosperity of the Canadian economy, and also to ensure that Canadian business and industry in Canada survives and grows in the future with particular emphasis on the textile and clothing industry in Canada, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That this House direct the Minister of Industry, Trade and Commerce to implement fully the recommendations made by the Textile and Clothing Board and to announce his decision on the board's report forthwith in order that Canada will continue to have a healthy domestic textile and clothing industry.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

S.O. 43

INDIAN AFFAIRS

SEVERE ECONOMIC SITUATION FACING BIGSTONE BAND IN WABASCA, ALTA.—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the rate of unemployment has reached a staggering 75 per cent for the Bigstone Indian Band in Wabasca; whereas funding for economic development has been virtually non-existent; whereas members of the Bigstone Band have been moved by their desperate situation to stage a 240-mile march from Wabasca to Manpower and Indian Affairs offices in Edmonton to draw attention to their plight, I move, seconded by the hon. member for Wetaskiwin (Mr. Schellenberger):

That this House direct the Minister of Employment and Immigration and the Minister of Indian Affairs and Northern Development to meet with the chief and members of the Bigstone Band this week to seek an immediate and satisfactory solution to the severe economic situation facing the Bigstone Band.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

EQUALITY OF MEN AND WOMEN—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, as the Minister of Justice (Mr. Chrétien) yesterday chose to address the Canada Club in London, a club which still bars women from its membership, and which is a questionable forum for sensitivity to the criticisms by Canadian women that the constitutional resolution does not guarantee their rights and freedoms, I move, seconded by the hon. member for Vancouver Centre (Miss Carney):

That this House deplore the hypocrisy of the government in pleading the case of the charter before sexist forums and urges the Minister of Justice to include in the charter a statement that men and women are equal, which could find acceptance on both sides of this House and from all parties.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AUTOMOTIVE INDUSTRY

POSSIBLE DUMPING OF JAPANESE CARS ON CANADIAN MARKET—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I rise on a matter of urgent and pressing necessity. In light of

the fact that Japanese auto exports are continuing to rise, and that European countries are now ready to take defensive action, and given the fact the United States has begun discussions with the Japanese to review Japanese exports, it is clear that within the next six months the Japanese may feel it necessary to unload their current auto production on the Canadian market. I therefore move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the government recognize the danger to Canadian auto workers presented by the possibility of Japanese auto manufacturers dumping unsold cars on the Canadian market and to this end the Canadian government should undertake immediately discussions with Japanese officials to discuss our concerns and prepare appropriate protective measures.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

MANITOBA APPEAL TO SUPREME COURT—REQUEST FOR WITHDRAWAL OF CONSTITUTIONAL RESOLUTION FROM CONSIDERATION BY PARLIAMENT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is to the Prime Minister who will know that Beauchesne holds that the reference of a bill to the Supreme Court of Canada withdraws that bill temporarily from the jurisdiction of Parliament. And he will know that the reason for that parliamentary custom and rule is because a question cannot be considered by two public bodies at the same time. The Prime Minister will know that the Manitoba appeal of the government's constitutional position has now been accepted by the Supreme Court of Canada and that court is seized of that question.

Will the Prime Minister then follow the rules of Parliament and withdraw his constitutional proposal from this House until the Supreme Court of Canada has had the opportunity to decide the question?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Leader of the Opposition argues from Beauchesne and suggests that I know certain things. I do not know about this interpretation of the rules, but I would be prepared to wager with him that when Beauchesne talks about reference, he means a reference by the Government of Canada to the Supreme Court, not an appeal to that court by any constituent of Canada.

Mr. Clark: The Prime Minister indicates that he does not know the rules of this House nor the custom set out in Beauchesne's.

Some hon. Members: Oh, oh!

Mr. Clark: What is at stake here, and what is spelled out very precisely in Beauchesne, is the fundamental—

An hon. Member: Read it.

Mr. Clark: "Read it" someone says. I shall read it.

Some hon. Members: Hear, hear!

Mr. Clark: The principle reads:

The question cannot be before two public bodies at the same time.

That is the reference.

Mr. Trudeau: What number?

Mr. Clark: And the rule very clearly is that when the question is before two bodies—

Mr. Trudeau: What is the rule?

Mr. Clark: The reference is Citation 338. When the question is before two public bodies, and one is the Supreme Court of Canada and the other is Parliament, then it is Parliament that withdraws to allow the Supreme Court to exercise its function.

Will the Prime Minister of Canada respect the jurisdiction of the Supreme Court of Canada, will he respect the rules and customs of this House, and will he withdraw that constitutional resolution until the Supreme Court has had the opportunity to decide the question?

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the Leader of the Opposition suggests I do not know the rules. I suppose if there is such—

An hon. Member: You said you did not.

Mr. Trudeau: —a rule he would have it open to him to raise a point of order and refer to you for judgment, Madam Speaker. However, if I can answer and express a view on the rule as I read it, I refer to Section 338, paragraph (4) of Beauchesne's, where I read these words:

The reference of a bill to the Supreme Court of Canada withdraws that bill temporarily from the jurisdiction of Parliament.

Now, unless the Leader of the Opposition does not know what the word "reference" means, or what a "bill" means, and that is a real possibility, Madam Speaker, I would suggest that he now argue that there is a reference to the Supreme Court and that he do it by using "reference" in the sense Beauchesne meant it.

REQUEST FOR CALLING OF GENERAL ELECTION

Right Hon. Joe Clark (Leader of the Opposition): The Prime Minister, as is his custom, has quoted selectively from the rule—

Some hon. Members: Oh, oh!

Mr. Clark: —and conveniently ignored the statement of principle that the question cannot be before two public bodies at the same time. He refuses—

An hon. Member: Parliament is supreme.

Mr. Clark: —to answer my question. Someone behind him says "Parliament is supreme." Last night in London, when his Minister of Justice was lobbying the British on a matter still before this House, the minister said that the people of Canada are supreme and, if they do not like what the government is doing with its constitutional resolution, then they can throw this government out at the next election.

The Prime Minister knows that his constitutional proposal was not discussed during the last election. He knows he has no mandate for the constitutional proposal he is trying to push through this House of Commons.

● (1420)

Let me ask the Prime Minister of Canada, if he believes that the people of Canada have a right to throw a government out because it pushes forward a constitutional position the people do not agree with, will the Prime Minister of Canada call an election now on the question of the constitutional resolution?

Some hon. Members: Hear, hear!

An hon. Member: Scrape up your courage, Pierre!

Madam Speaker: Order, please. This is quite early in the question period for my having to get up to call order constantly.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I did not think the Leader of the Opposition would use a debate on the future of the Constitution of Canada, use this device to prop up his leadership which has been withdrawn from him.

Some hon. Members: Oh, oh!

Some hon. Members: Call the election!

Mr. Andre: Spineless!

Madam Speaker: Order.

Mr. Trudeau: Madam Speaker, I am glad to respond to that challenge. Let us—

An hon. Member: Yes or no!

Mr. Trudeau: Let us pass this bill in all stages—

An hon. Member: No, no! Let's have it now!

Mr. Trudeau: They do not want to hear this challenge.

An hon. Member: Put it to the people first.

Mr. Trudeau: Let us pass this bill in all stages, both Houses of Parliament, let us send it to Britain, and then let us call an election.

Some hon. Members: Oh, oh!

An hon. Member: After the fact.

Mr. Trudeau: The people will obviously be called, one day or another, to judge this action by this House. I suggest that if hon. members opposite are so sure that the people would not support this—

Mr. Andre: You place your bets before the starting gates open, not after the race is finished.

Mr. Trudeau: They are afraid to answer my challenge of passing this bill, and then—

An hon. Member: You coward.

An hon. Member: Bill Davis did it last week.

Mr. Munro (Hamilton East): Bill Davis won on it last week!

Madam Speaker: Order, please. Will the hon. members please let the Right Hon. Prime Minister finish his answer?

Mr. Baker (Nepean-Carleton): I think he is finished. He is finished now!

Mr. Trudeau: As to the referral to the rule, Madam Speaker, I read the end of the paragraph: "the question cannot be put before two public bodies at the same time." That is repeating my point made earlier. Who has referred a bill to the Supreme Court of Canada? If the Government of Canada had referred such a bill, then indeed it would not make much sense for the Government of Canada to press forward with this bill in front of the House. This is the obvious common sense meaning of this rule, and if the—

Some hon. Members: Oh, oh!

Mr. Trudeau: —if the opposition does not agree with the common sense meaning of this, let them appeal to the Speaker. She is entitled to rule on whether this bill is properly before the House or not.

Mr. Clark: Madam Speaker, the Prime Minister speaks about leadership. I am prepared to face votes, as he is not.

Some hon. Members: Hear, hear!

Mr. Clark: The Prime Minister knows that he has no mandate for what he is trying to do.

Some hon. Members: Hear, hear!

Mr. Clark: He is afraid of the views and the opinions of the people of Canada. He prefers to have Canadian questions settled in Britain. We want these Canadian questions settled here in Canada.

Why will the Prime Minister of Canada not call an election on this fundamental question so the people of Canada can speak clearly and settle our questions here in Canada?

Some hon. Members: Hear, hear!

• (1425)

Mr. Trudeau: The Leader of the Opposition talks about leadership and the courage to face votes. Why will he not face a leadership convention?

Some hon. Members: Oh, oh!

Madam Speaker: Order, please.

ELECTION CHALLENGE

Hon. Jake Epp (Provencher): Madam Speaker, I should like to direct my question to the Right Hon. Prime Minister. He is obviously, after his answers today, hiding behind the majority he has in the House. He is opposed by eight of the ten provinces and he is opposed by 64 per cent of the Canadian people. I ask him, if he is so brave—and he said the other day that this is no time for cowards—why he is not willing to accept the challenge of the Leader of the Opposition.

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, in the course of the debate on this resolution we have heard argument after argument from the other side that the referendum proposal in this resolution was unacceptable.

Some hon. Members: Oh, oh!

An hon. Member: Let the people decide.

Mr. Trudeau: And they talk about going to the people. Well, there are provisions in this resolution for going to the people.

An hon. Member: Let's go now.

Some hon. Members: Oh, oh!

Mr. Trudeau: Madam Speaker, I put it to the opposition that there are other ways of getting rid of their leader than going through an election. They will just have to take their courage in their own hands.

Some hon. Members: Hear, hear!

Mr. Epp: Madam Speaker, I direct my question again to the Right Hon. Prime Minister. Obviously the words of the Minister of Justice in London yesterday about an election were empty rhetoric. Today the Prime Minister's words are empty rhetoric, and obviously his words on Monday about cowardice apply to him.

Some hon. Members: Hear, hear!

Mr. Epp: I ask the Right Hon. Prime Minister why he is so stubborn and why he insists that he wants his package without having the people of Canada decide on it beforehand, and why he wants to leave as his legacy a divided country.

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the hon. member talks about cowardice. I wonder how one would describe a party that wants us to do their dirty work for them. Why do they not get rid of their own leader?

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. The hon. member for Oshawa.

An hon. Member: Here comes the relief.

Some hon. Members: Oh, oh!

An hon. Member: Here is the little red rump.

Madam Speaker: Order, please.

* * *

THE ECONOMY

IMPLEMENTATION OF WAGE CONTROLS—GOVERNMENT POSITION

Mr. Edward Broadbent (Oshawa): Madam Speaker, there is nothing quite so lofty as a constitutional debate to bring dignity to Parliament, I always say.

Some hon. Members: Hear, hear!

Mr. Broadbent: I would like to ask—

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. I think there has been quite enough shouting for today. Let us call it quits for the shouting.

• (1430)

Mr. Broadbent: Madam Speaker, I hear my friends to the right saying something about—

Some hon. Members: You have no friends.

Mr. Beatty: Your friends are over there.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. There are other parties in the House, besides the official opposition, that might have questions to ask.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Nowlan: There is only one opposition.

Madam Speaker: Order, please. Can we now hear the hon. member for Oshawa?

Mr. Broadbent: Madam Speaker, I just want to say that I have read the leadership polls as they have—

Some hon. Members: Oh, oh!

Mr. Broadbent: A couple of weeks ago the Minister of Finance stated the following in the House:

—there is no plan in my department to launch a program of wage controls.

Earlier this week I obtained a document from his department clearly outlining a process by which wage controls could be implemented. I would like the minister to clear up this confusion completely today by assuring the House that no wage controls in any form will be introduced in 1981.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, there is no plan in the department; I have no plan; I have brought no plan before cabinet to introduce wage and price controls.

POLICY TO COMBAT INFLATION

Mr. Edward Broadbent (Oshawa): Madam Speaker, I trust everyone noted that the Minister of Finance did not answer the question. He did not give us an assurance that wage controls will not be introduced this year. He knows, as well as I, that a secret document has been discussed in his department which lays out precisely a program for the implementation of wage controls, whether or not the government has yet decided to act upon it.

The same document makes clear that wages have not been the cause of inflation, but points to many other causes. Since the government has ruled out a fair prices commission, has turned down a policy which would lower interest rates—and, incidentally, they have just gone up again today—and has ruled out every other specific suggestion to control inflation made by this party and others, is he prepared to announce today one new policy to bring down the level of inflation, or is he saying to the people of Canada that they will have to sit back and take it?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I want to repeat and amplify what I said earlier to the hon. member for Oshawa. I have seen no program anywhere in any document in my department for wage and price controls. I have no hesitation in telling the hon. member that no such proposal has been presented to me, that no such proposal has been approved by me, that no such proposal has been brought by me to cabinet. That is the situation. I remind the hon. member that he is asking me to say what may happen in 1981, 1982 or 1983.

Mr. Broadbent: No. This year, 1981.

Mr. MacEachen: It is rather irresponsible to request—

Mr. Broadbent: Oh!

Mr. MacEachen: —an assurance from me about a hypothetical possibility. If he wants a straight answer, the answer is that there is no plan whatsoever to bring in wage and price controls. If the situation changes, I assure him that in the normal course the House and the hon. member will be notified.

* * *

ENERGY

PRICING PRACTICES OF OIL COMPANIES—REQUEST THAT GASOLINE PRICE INCREASE BE ROLLED BACK

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my supplementary question is directed to the Deputy Prime Minister and Minister of Finance. It concerns energy, about which he can do something. Twenty-two days ago in the House I asked the Minister of Consumer and Corporate Affairs about the six cents increase oil companies piggybacked on the most recent increase in the cost of gasoline. The Minister of Energy, Mines and Resources confirmed that rip-off.

Here is something which is visible and concrete, an anti-inflationary step which the minister can take right now; he will not have to wait until 1982 or 1983. Is the minister prepared to stand up and tell the House that he will roll back that six cents increase in the price of gasoline?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, of course I am not going to stand up and say that I will roll back that price.

Mr. Waddell: Why not?

Mr. MacEachen: Because I have no authority to do it. I remind the hon. member that this morning I picked up a newspaper and read that the Premier of Saskatchewan was saying the present policy of restraining world oil prices was insanity.

Mr. Waddell: It is not the same thing.

Mr. MacEachen: The hon. member must try to reconcile the various differing views which exist on the question of increases in oil prices. One thing which is clear is that at least the Premier of Saskatchewan has a view; he wants higher oil prices. The New Democratic Party has been very careful in the House to avoid any clear statement on where it stood on this very important point, except to come in from the margin and ask about six cents cost increases made by oil companies. Why don't you face the issue head on, frontally, and tell us what your policy is?

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Oral Questions

LABOUR RELATIONS

REQUEST BY CANADIAN LAKE CARRIERS ASSOCIATION FOR INTRODUCTION OF BACK-TO-WORK LEGISLATION

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, my question is directed to the Minister of Labour. Would he confirm that he met with representatives of the Canadian Lake Carriers Association, that the discussion included a request by the association for back-to-work legislation, and that this occurred in the new year, prior to the commencement of labour negotiations between the association and the Canadian Marine Officers Union? Would the minister not feel that this could be prejudicial to the bargaining in good faith between those two groups?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I thank the hon. member for the question. My recollection is that I met with representatives of the Canadian Lake Carriers Association earlier in the year. They made representations in relation to the reforms in legislation they would like to see. I do not recall them talking about any back-to-work legislation. In any event I certainly made no commitment on any of the representations they made to me at that time.

Mr. McKnight: Madam Speaker, my supplementary question is directed to the same minister. He has already admitted to meeting with that association prior to the commencement of negotiations between the carriers association and the marine officers. They requested legislation from him regarding back-to-work rules and changes they wish to see in the contract. Does he feel that is conducive to bargaining in good faith between two parties in Canada? Will he continue to deny what the union is saying, that they feel this is bargaining in bad faith on behalf of the association?

Mr. Regan: Madam Speaker, the hon. member is on one of those not so passive Sable Island ponies galloping to conclusions.

Mr. McKnight: It is better than riding the dead horse which the minister is on.

Some hon. Members: Hear, hear!

Mr. Regan: Well, the hon. member is a leading authority on dead horses, when he sees the policies of this party on the Constitution at the present time; there is no question about that.

Some hon. Members: Hear, hear!

Mr. Regan: In regard to this particular dead horse, it would do him well to stop beating it. The discussion I had with the representatives of the Lake Carriers Association was the same as the discussion I have had with labour or management groups from time to time. It did not relate to any contract discussions. To the best of my knowledge, I was not asked anything about back-to-work legislation. But the hon. member should be familiar, from my previous utterances on the matter, with the fact that I believe back-to-work legislation is very much a last resort, only when the social need of the country is so great that it is required.

* * *

TRANSPORT

EFFECT OF OUTCOME OF LABOUR NEGOTIATIONS ON MOVEMENT OF GRAIN

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, my question is directed to the Minister of Transport. It has to do with the concern of many of us over the present situation with regard to the marine officers union negotiations. At two recent meetings marine officers voted unanimously to reject the company's offers. Is the minister aware of this situation? Does he have any contingency plans to see that grain moves during a possible strike? I think this is very important in view of the fact that we can have a record shipping season because, as we all know, the Seaway will be open a week early this year.

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, it is well known that I am a natural worrier; I worry about everything, and this particularly. Of course the grain situation is dependent upon the labour front. I inquired yesterday about that very subject, and I was given the impression that things were going reasonably well.

• (1440)

I was cheered by the settlement which was achieved at the Port of Montreal, for example. I follow the paper every night to see the good accomplishments made in terms of keeping peace on the labour front with respect to grain transportation.

CONTINGENCY PLANS FOR GRAIN SHIPPING ARRANGEMENTS

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, my supplementary question is for the same minister. It also has to do with grain transportation. I think the minister will be aware that a year ago there was the distinct possibility that Canada would be short approximately a million tons in its shipping on the Great Lakes. The thing that really saved our bacon in that situation was the American embargo, which freed some American shippers.

Has the minister had a chance to have discussions with officials of the Canadian Wheat Board with respect to preventing that from happening in the future? Has he discussed such things as long-term contracting, which the Wheat Board should be considering with some of the shippers? What can the minister tell us about that situation so that we do not again get trapped into not having enough shipping available to move the grain we are capable of producing?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I will have a conversation with the minister responsible for the Wheat Board as early as I can arrange it, and I will report to the hon. member.

PUBLIC SERVICE

APPROACH TO CANADIAN HUMAN RIGHTS COMMISSION ON EQUALITY FOR MALE AND FEMALE EMPLOYEES

Mr. Rod Murphy (Churchill): Madam Speaker, my question is for the President of the Treasury Board. Yesterday I asked him a question about the government's commitment to equal pay for work of equal value. He dismissed my allegations at that time. Since then it has come to light that the Treasury Board has tried to make a sweetheart deal with the Canadian Human Rights Commission, asking it not to accept any more complaints on the general services group of PSAC in return for a final settlement offered by the President of the Treasury Board. With that in mind can the minister confirm this to be the truth? If it is, why does he feel he is above the laws of this land?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I thank the hon. member for the question. Yesterday I took the liberty of supplying him with quite a detailed analysis of this particular complaint and the efforts which have been made by the Treasury Board to resolve this problem. Unfortunately, as I indicated yesterday, the matter is one of extreme complexity and I would not like to take the time of the House during the question period to review the entire formula.

Very briefly, I would like to explain that what was done was to take the national pay level for both the female-dominated groups and the male-dominated groups to establish an average pay level in each, then to take the difference, expressed as a percentage, and increase the pay level in the female groups by that percentage. For example, that would have the effect with respect to level two in zone 11 of increasing two of the female-dominated groups above male-dominated groups. You will recall that yesterday I mentioned there are actually 22 different pay zones in Canada.

The request to the Human Rights Commission was to the effect that if an averaging formula is accepted for what would appear to be a very equitable settlement of this particular claim, then clearly no more complaints could be accepted with respect to that complaint. In other words the averaging formula would make no sense. I think that is perfectly clear. There is no attempt to avoid in any way the application of the law. In fact, every attempt is being made to comply with the spirit of the legislation.

WIDENING GAP IN PAY SCALES FOR MEN AND WOMEN

Mr. Rod Murphy (Churchill): Madam Speaker, I wish I could thank the minister for his answer.

The point is that the Human Rights Commission did find the government's offer inadequate. A recent Statistics Canada study pointed out that a group of 1976 university and community college graduates working for the government are in a situation in which the women are earning $3,300 less per year than the men. This is indicative of the over-all problem of unequal pay in the public service.

I would like to ask the minister whether or not he will finally take some action to stop the widening gap between men and women in the public service. If he will not take action, then will his route be to ask the Secretary of State to exempt himself and his department from the human rights legislation? Is that his way out? Or will he finally take some action to resolve the problems which exist within the public service?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I have had the occasion to answer this question before in the House. Members of this government and myself continue to take action, and we are concerned. That is why we have an equal opportunities for women program. That is why we have introduced affirmative action pilot studies, which are moving forward very effectively. I would suggest there are a number of reasons, some systemic, which account for the differentials which were expressed in the newspaper article based upon Statistics Canada information, to which the hon. member makes reference.

I insist that any suggestion that we are not taking action is completely and totally unfounded. It is a matter of continuing consultation amongst my colleagues. I can assure the hon. member that I remain committed in every way to the affirmative action program and the equal opportunities for women program, as do all my colleagues.

* * *

[*Translation*]

INCOME TAX

INQUIRY WHETHER DECISIONS CONCERNING CANADIANS WORKING ABROAD WILL BE RESPECTED

Mr. Marcel Roy (Laval): Madam Speaker, my question is directed to the Minister of National Revenue and it concerns an injustice on the part of the Lévesque-Parizeau government against 2,000 Quebec families and companies.

Two and a half years after granting a tax exemption to at least 2,000 Quebecers who had obtained a non-resident status while posted abroad, the Quebec minister of revenue has just unilaterally decided to repeal the written agreements concluded for that purpose with some 200 Quebec professional firms and companies. Since the Lévesque-Parizeau government has made of those Quebecers second-class citizens and has discriminated against them in relation to their colleagues in other provinces, my question is as follows: will the Canadian government abide as a responsible government with the decision previously taken by its officials in connection with the non-resident status granted to those Quebecers and other Canadians working abroad during a certain period, that is, before the autumn of 1979?

[*English*]

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, I want to assure the hon. member that this government intends to keep the commitments it made to these

citizens of Quebec or, indeed, of any other province of Canada, who work abroad for Canadian companies. There was a change in the regulations in 1980, whereby non-resident status was governed by a period of two years. Previous to that it was six months. But there were firms which entered into contracts abroad based on the previous ruling. We intend to keep our commitment to those firms, since the contracts were entered into in good faith. It is unfortunate if the government of Quebec takes a different view, but for our part we intend to keep our commitment to those workers.

Some hon. Members: Hear, hear!

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF HON. HUGH PLANCHE, MINISTER OF ECONOMIC DEVELOPMENT OF ALBERTA

Madam Speaker: I would like to draw the attention of the House to the presence in our gallery of the Hon. Hugh Planche, Minister of Economic Development of Alberta.

Some hon. Members: Hear, hear!

* * *

[*Translation*]

CANADIAN BROADCASTING CORPORATION

DISPUTE BETWEEN CORPORATION AND JOURNALISTS' UNION IN QUEBEC—GOVERNMENT POSITION

Mr. John Bosley (Don Valley West): Madam Speaker, my question is directed to the Secretary of State and Minister of Communications. Last week, the CBC made the striking journalists of the French network an offer which it qualified as "final", knowing full well that some of its clauses would be rejected by the journalists, 78 per cent of whom in fact did so this week. The CBC now refuses to resume negotiations. Can the minister tell the House what steps he now intends to take in order to get the CBC back to the negotiation table?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, as the hon. member pointed out, I too was advised by the CBC that last week it had made the union offers which it qualified as "final". The hon. member also knows that those offers include a 20.5 per cent increase for the last two years and a 10.5 per cent year raise for the year starting March 1, 1982. Those are the figures arrived at by the CBC. Those offers, in terms of the whole period, represent an over-all increase of 33 per cent. The Corporation itself has said its offers were final.

Mr. Bosley: Madam Speaker, the minister is well aware, I think, that the offer provides for an increase of 30 per cent, while reducing the power of the union over non-monetary matters. Madam Speaker, the responsibility of the government and the CBC is to make sure the Quebecers are not deprived of news coverage in French, especially now that an historic election campaign is being fought. Could the minister advise the House whether his refusal to settle this strike, as he had promised he would a few months ago, is based on his opinion that this strike should continue for reasons known only to the Liberal Party, or does he want to force the union into a position which the government could use as an excuse to adopt unjustified legislation to force these workers back to work?

Mr. Fox: As the hon. member no doubt knows, Madam Speaker, the CBC management is solely responsible for its labour relations. When I referred a while ago to the final offer made by the CBC management, I failed to mention that each journalist has been offered a lump sum of $3,500.

I certainly would like to know what is the position of the official opposition on the wage issue, and especially that of the hon. member for York Peel. I wonder if he would have the government agree to a settlement in the public sector which calls for a pay raise of over 33 per cent over a three-year period.

* * *

• (1450)

[*English*]

NATIONAL SECURITY

BRITISH REPORT OF ELECTRONIC BUGGING OF U.S.S.R. EMBASSY IN OTTAWA

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my question is directed to the Solicitor General. World-wide publicity is being given today to a British report that when the Soviet Embassy in Ottawa was rebuilt in 1954, the Canadian intelligence authorities placed electronic eavesdropping and interception devices in the building in locations suggested by Gouzenko, in order to bug conversations by members of the KGB, but that due to leaks in the Canadian intelligence establishment, when they unsuccessfully swept the building, the KGB location was deliberately moved to a part of the building that was not bugged. The primary purpose of the exercise was thus foiled because of the leaks which originated in Ottawa in the first place. Has the minister inquired if that report is true? Can he tell the House whether the report is true or false?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I have, of course, been following these so-called revelations and have been briefed about them. But, more than anyone else, the hon. member will know very well that it is not the practice or policy of the Solicitor General to comment on such allegations, and I have no intention of doing so.

IDENTITY OF BRITISH AGENT WHO INTERROGATED IGOR GOUZENKO

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, in a matter which so vigorously attacks the reputation of the Canadian intelligence and security establishment and community, I would expect that the minister would be concerned enough to at least inquire.

My supplementary question is to ask if the minister has inquired about the allegations that he repeated the other day, to the effect that the information given to the British MI5 interrogator by Gouzenko differed substantially from information given by that interrogator to the British government. If so, what was the result of his inquiry, and has he now established the identity of that British interrogator?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I want to repeat that I did not in any way give any information about anything that took place between Gouzenko and others. What he had said was reported to me and I was asked to comment on it. I said that I had also read that in the newspapers, but I certainly was not prepared, and I am not now prepared to comment on that.

I should like to tell the House that the integrity of the security service is certainly a matter of concern to the Solicitor General and that we have operational policies in place to ensure the integrity of the service. It is my responsibility to be satisfied that those policies are in force and are effective, and I am.

REQUEST FOR APPOINTMENT OF ROYAL COMMISSION—ROLE PLAYED BY CHARLES HOWARD ELLIS

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, my question is also directed to the Solicitor General who is no doubt aware that Mr. Charles Howard Ellis, who was Britain's third-ranking intelligence officer at the end of World War II and who later rose to higher ranks in British intelligence, reported to have been a post-war Soviet agent and allegedly made a confession in the year 1965, which was never made public. Will the minister tell the House whether he has ordered or will order an investigation, or if he has been asked by another government to have one, about any contacts Mr. Ellis had with the Canadian security services?

More important, perhaps, is the minister prepared to recommend to the government that it follow the example of Mrs. Thatcher in England of setting up a royal commission to examine in detail what he says he wants protected, namely the integrity of the security service, and whether that integrity and security have been what they should have been from the time of the Taschereau papers to the present day?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, as to the integrity of Mr. Ellis, that obviously is a matter for the British to look into and for them to take whatever action they feel might be justified. From our point of view I can confirm that I have inquired about it. I have learned that Mr. Ellis had no direct contact with the security service and that he never came to Canada, for example, for meetings with our security service in a way which might have compromised that service.

Finally, on the question of whether a commission is justified, I do not think that anything that has happened suggests that a commission to investigate the integrity of the security service in Canada is justified. Far from it.

TASCHEREAU COMMISSION PAPERS REVIEW—TERMS OF REFERENCE

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I preface my supplementary by saying that there may be no evidence that Mr. Ellis ever came to Canada, but I would point out to the minister that people can be communicated with without coming here. There is such a thing as a telephone, and I am sure that the minister must have heard of it at some time.

Yesterday the minister confirmed, in answer to one of my questions, that a review was taking place of the approximately 6,000 pages, that still have not been made public, of the Taschereau papers, in order to decide whether such items should be made public. I think he neglected to answer the most important part of my question and I would therefore like to repeat it today. What are the terms of reference of the man who is making the review? Can the minister tell the House what those terms of reference are? I am referring to Mr. Branscombe. Will his report be tabled in this House so that it will be public property, and can the minister guarantee to the House that there will be no government interference whatsoever with the recommendations made in Mr. Branscombe's report?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I confirm that Mr. Branscombe, who is the retired public servant who is doing this work for the Privy Council office, has been asked whether disclosure of the revelations or matters contained within those papers which, as I said yesterday I have not seen, would significantly damage the reputations of any living individuals. When his recommendations are brought forward they will be reviewed by the government and decisions will be made about them. I cannot confirm now that they will be made public because if the recommendations are that the Taschereau papers not be made public, obviously the information in the report ought not to be made public either, for the same reason, that its disclosure would perhaps significantly damage the reputations of individuals who are still living.

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McDONALD ROYAL COMMISSION

INQUIRY RESPECTING OPERATION DIRECTED AT CHINESE EMBASSY IN OTTAWA

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, my question is also for the Solicitor General. I want to ask if the McDonald commission inquiry has been given access to the record of the operation mounted by the security service, with

assistance from the CIA, against a foreign embassy in Ottawa which was unfortunately interrupted by the unexpected return of the occupants of the apartment being used for that purpose. Given that the essence of such operations, commendable as they are, is that the agents not be caught, and as a result of this fact the then secretary of state for external affairs, the Hon. Mitchell Sharp, found it necessary to phone John C. Doyle, of Canadian Javelin fame, who just happened to be the owner or occupier of the apartment, when these agents were caught, could the Solicitor General tell us what ramifications, if any, flowed from this rather embarrassing incident? Is he prepared to say that the McDonald commission was given access to this for evaluation?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, let me begin by saying that I have no knowledge of that particular file, whether it exists or not, and whether it has been accurately described by the hon. member. I would certainly confirm, and it is a matter of public record, that the McDonald commission has been given full access to all the records of the security service of the RCMP and of the whole of the RCMP.

PROCEDURE FOLLOWED IN INTER-DEPARTMENTAL CONSULTATIONS

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I want to ask the Secretary of State for External Affairs whether, in instances like this where sensitive operations are mounted by the "E" specials or other arms of our security service against foreign embassies—in this case it was the People's Republic of China—there is any prior consultation between his officials and the officials of the department of the Solicitor General to see if these operations are properly mounted, and to give him, or his predecessors, advance warning in case something should go wrong, as was the case in this event?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, without accepting any of the premises of my hon. friend's question with respect to such operations, I can say that it is our practice, certainly, to consult fully among ourselves before taking any significant action as a government.

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● (1500)

EMPLOYMENT

REDUCTION IN ALGONQUIN COLLEGE BASIC SKILLS PROGRAM

Mr. David Orlikow (Winnipeg North): Madam Speaker, I wish to direct my question to the Minister of Employment and Immigration. In the last couple of days it has been announced that Algonquin College in Ottawa will probably have to cut its staff by 100 people. This cutback has been occasioned to a large extent as a result of a reduction in the number of seats which the minister's department contracts with the college, particularly for courses such as basic skill training and business. Given the very large number of people in Canada who are functionally illiterate and need this kind of training, would the minister explain why his department is cutting back these courses at Algonquin College and whether his department is ordering similar cuts in other community colleges across Canada?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, in reply to the hon. member's question, the decision to cut back the basic skills program is a decision Algonquin College is making. It is not one that we are making. We happen to think that the investment in basic skills is a very useful one, and we want to see it continued, but that is a choice being made by Algonquin. However, I can assure the hon. member that in terms of training programs we are maintaining the assistance and the training allowance for the provinces at the same level or at a higher level in the coming year.

As the hon. member knows, each college and the curriculum of each college are determined by provincial authorities. We simply buy the places. In this case I think his question would be better directed toward provincial authorities.

Mr. Orlikow: Madam Speaker, in each of the last five years there have been substantial reductions both in the funding and in the number of people who have been permitted to take the basic skill training or basic education programs. In every city where the parliamentary task force on employment has held hearings, we have had representations made emphasizing these programs and urging the government to increase rather than decrease the funding. Could the minister explain why this situation has occurred when he now says that it is the fault of the provincial government?

Mr. Axworthy: Madam Speaker, as changes occur in occupational areas, there are different demands for new skills. There has been increasing demand for skills of on-the-job training, skills which can be acquired in the industrial area, not in the institutional area in the experience of our commission. If the hon. member would look at the shift in funding and in the allocation of our funds for the last several years, he will notice that the funds increasingly have been going into the development of technical and manual skills where the demand is highest. This will apply both now and in the future.

We have tried to adapt to changing labour markets instead of being struck with the status quo. That is why we are shifting the allocation of our training skills into those areas where they are most seriously needed.

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INDIAN AFFAIRS

IMPLEMENTATION OF JAMES BAY AGREEMENT—REQUEST FOR REVIEW

Mr. Keith Penner (Cochrane-Superior): Madam Speaker, my question is for the Minister of Indian Affairs and Northern Development. As the minister knows, there is a considerable amount of dismay, disappointment and anger on behalf of the

James Bay Cree and the Inuit of northern Quebec regarding the way in which the so-called James Bay agreement has been implemented. Could the minister tell us whether he has any plans to introduce a new process or mechanism whereby this important agreement, which was considered to be something of a model, could be fairly and honestly implemented? In addition to that, could the minister tell us whether he would be prepared to accept suggestions and recommendations from the Standing Committee on Indian Affairs and Northern Development which is now carefully studying this very serious and urgent problem?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, to answer the first part of the hon. member's question, I have spoken to my colleague, the Minister of Justice, and we are prepared to review the agreement from the point of view of the implementation aspect in terms of it being adhered to and in terms of the spirit to which the parties entered into the agreement. As far as suggestions from the committee are concerned, yes, we are prepared to entertain the suggestions as they come forward.

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BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Baker (Nepean-Carleton): Madam Speaker, could the government House leader indicate to us precisely his intentions with respect to government business in the next day or so?

[*Translation*]

Mr. Pinard: Madam Speaker, if we do not proceed today with the debate on a motion to allocate a period of time to conclude the debate on the bill authorizing the government to borrow a certain sum of money, a bill which is very urgent and which as everyone knows the Progressive Conservative Party has prevented us from adopting within a reasonable period of time, we will proceed with that motion tomorrow or, I hope, some time next week. As for the rest concerning the normal business of the House of Commons we intend to begin today with the motion to allocate a period of time to put an end to the constitutional debate and, in the next few days, we will debate topics related to the Constitution.

[*English*]

STATUS OF MOTION TO EXTEND SITTINGS DURING DEBATE ON CONSTITUTION

Mr. Baker (Nepean-Carleton): Madam Speaker, I have a matter for clarification. I refer to *Hansard* for March 24, 1981. At page 8566 in the second column under "Government Orders", the words appear "Business of the House—Motion to extend sittings during debate on Constitution". Then we read: "On the order: Government Notices of Motions: March 19, 1981—The President of the Privy Council:". There appears

next the text of the motion which is subject, as you know, to a point of order. I raise this matter because I would like the status of the motion clarified.

When the motion was eventually called by the Table, the order was made, according to my recollection of what occurred in the House at that time, but the motion itself was not read. My recollection is that there was no request that it be dispensed with and the only reference on the floor of the House was with respect to the mention of the motion by the Clerk Assistant, and yet the motion appears in *Hansard*. As I have always understood it, *Hansard* is a verbatim account or an account of what would have occurred if something had not been dispensed with and there was no dispensation.

I raise this matter because I had a conversation with the *Hansard* office. That same evening I spoke, you will recall, on the point of order. When I went upstairs to the *Hansard* office, the person then in charge asked me whether or not that motion had been put in the House. I answered no, to my recollection it had not been put in the House, that although the first Clerk Assistant had just begun his preliminary remarks, no one had put the motion. Although I recall the conversation, I cannot recall the person's name, but in my presence that person called someone I believe in the legal branch of the House. I cannot recollect his name, but I think it is Cooke. The same question was put to him. The answer came back, as related to me, no, the motion had not been put in the House. As a result, the *Hansard* editor at that time took his pencil and ran it through the blues, from which this seems to be a transcription, striking out.

That becomes important from the point of view of processes which might be within the realm of the authority of the government to use so as to establish the status of the matter. I rise now to bring that to your attention, Madam Speaker. I must confess I have not looked at *Votes and Proceedings* because I have not yet had a chance, this having just come to my attention.

Given the importance of the subject matter, I think it is important that we have the status of this alleged motion, as it appears on the Order Paper, clarified. It may well mean you will have to consult with the officials of *Hansard*. There may be another explanation. However, I would like the matter clarified. Are we dealing with a motion that has been called or a motion that has been put? I put that to you, Madam Speaker, on the basis that the authorities of the House dealing with that matter on Tuesday night thought they were dealing with a motion that had only been called.

• (1510)

Madam Speaker: Is the hon. member rising on the same point? I can answer his question. If the hon. member for Yukon has another question, I will entertain it.

Mr. Nielsen: It is on the same question, Madam Speaker. You will recall I have raised on several occasions in the past the appearance in *Hansard* of matters that have not happened in this House, the appearance of words in *Hansard* that have

not been uttered in this House. This is simply another example, and a gross example, I might add. I attribute no responsibility or blame for it; it has happened. In my submission in support of the opposition House leader, I say it should not have happened at all.

My recollection of the events of that day were that the Clerk Assistant very briefly called the subject matter of the motion. By no means did he read it word for word as it now appears in *Hansard*. At that point, Madam Speaker, the hon. member for Winnipeg North Centre rose, the Chair recognized him and there arose as a result of that an exchange as to the traditional practices, courtesies or whatever of the House. I moved a motion that the hon. member for Nepean-Carleton be now heard, the division bells rang, the vote followed its normal course. At no time was the motion read by you, Madam Speaker.

In support of what the opposition House leader has said, not only does the fact that it appears in *Hansard* now as though it had been put, which it has not, affect the options which are available to the government, but it affects the submissions that the Chair is now in the process of hearing. As you know, Madam Speaker, I am next on my feet on the point of order raised by the hon. member for Nepean-Carleton. Depending on whether or not the House is seized of the motion is the direction in which the procedural arguments are going to go, because there are also different options available to the Chair, according to whether or not the House is seized of the motion.

In my submission, Madam Speaker, it leaves you in a much more flexible position to deal with this matter, as Mr. Speaker Michener dealt with a similar situation some years ago, if the House is not seized of the motion. In any event, I do not think there can be any doubt that the motion was not read, that the appearance of the verbatim transcript in *Hansard* should not be there because it did not happen in this place. I certainly submit to you, Madam Speaker, that your direction on the clarification requested by the opposition House leader should be, in view of the events that have transpired, that the motion has been called but not put.

Mr. Knowles: Madam Speaker, if I may, I should like to say a word about this matter. I do so because to my knowledge many times, perhaps scores or hundreds of times, *Hansard* has had to insert "On the Order:" and then whatever the subject was about. As I say, that has been done hundreds of times.

All that has happened in this case is that *Hansard* has put something in there so that it would be clear what we were talking about. Members do not get the floor or the right to speak if there is nothing before us; there has to be a point of order, a question of privilege, or some motion that has been moved. All that *Hansard* is doing in this instance is indicating that the discussion that follows is on the order of that particular motion. The motion is spelled out in *Hansard* so that readers of *Hansard* will know what we were talking about. There is no suggestion in *Hansard* and no suggestion in *Votes and Proceedings* that the motion was put or dealt with as such.

Mr. Nielsen: It wasn't put.

Mr. Knowles: I just said it was not put. If my hon. friends have not looked at *Votes and Proceedings*, it says:

> The Order of the Day for Government Business No. 41 in the name of the President of the Privy Council having been called;
>
> And the Chair having recognized the hon. member for Winnipeg North Centre (Mr. Knowles);
>
> Pursuant to Standing Order 29, Mr. Nielsen, seconded by Mr. Kempling, moved,—That the hon. member for Nepean-Carleton (Mr. Baker) be now heard.

The vote is there and so on. If one looks at today's Order Paper, item No. 41, it is the same as it was the other day. There is no suggestion in any of the documents—*Hansard*, *Votes and Proceedings* or the Order Paper—that that motion was proceeded with. All that you have in *Hansard* in the printing of the motion is an indication of what we were talking about on the point of order. I suggest that *Hansard* is following a practice it has followed for a great many years and that it does not deserve this criticism.

Some hon. Members: Hear, hear!

Madam Speaker: I will start with the last intervention. I would say that the hon. member for Winnipeg North Centre put it almost as well as I could!

Some hon. Members: Oh, oh!

Madam Speaker: If the motion appears in *Hansard*, it is only there for the purpose of members knowing what we were talking about. I want to make it quite clear that the order was called. The fact that it appears in *Hansard* does not indicate that the question has been proposed. The motion was called. I am now hearing points of order on that motion. In no way does *Hansard* indicate that the Chair has proposed the motion to the House. It has been called but not proposed.

WEEKLY STATEMENT

Mr. Cossitt: Madam Speaker, on several occasions I have asked the President of the Privy Council about certain bills now on the Order Paper. He replied that they have not been called and, in effect, blamed the opposition for holding them up by debating the Constitution. I would ask if he can enlighten the House—that is, when he has time to listen to what I am asking him—whether he is prepared to call some of these other bills or whether the government is prepared to introduce further bills to deal with high interest rates and inflation, which are far more important subjects than whether the BNA Act comes back. After all, it has been in England for 114 years. Actually, it is within his power and that of the government to withdraw the Constitution resolution and proceed to other business which is far more important at this time to this country. We can go back to the other later.

Has he forgotten that people are suffering from the effects of high interest rates and inflation? What is this government going to do about the situation in this country? Does it simply want to make a hero of the Prime Minister so that he can get into the history books?

[*Translation*]

Mr. Pinard: Madam Speaker, may I draw the hon. member's attention to the provisions of Standing Order 18(2)?

[*English*]

Mr. Blenkarn: Madam Speaker, the hon. member for Winnipeg North Centre asked the government House leader about House business. The government House leader said something about dealing with Bill C-59, the borrowing authority bill, today or maybe tomorrow. Would he be more specific as to whether he intends to call Bill C-59 today on government orders, or is he intending to call it tomorrow? When exactly does he intend to call that bill?

• (1520)

[*Translation*]

Mr. Pinard: As I said earlier, Madam Speaker, there is a certain urgency in proceeding with the report stage and third reading of Bill C-59. It may be recalled that we began the report stage last Friday and that the official opposition party introduced an amendment. It has become a tradition in the House that this type of bill to authorize the government to borrow a certain sum of money has to be debated for a limited time so it can be adopted. That was done when the Progressive Conservative government was in office and that is done practically every year. We had to do that to refer the bill to committee. When we reached the report stage we thought we could have final passage last Friday. But given the circumstances where the opposition would rather bring Parliament to a standstill, we were unable to complete third reading of that bill on that day. Therefore my answer to the questions of the hon. member cannot be more precise. We have been forced to serve notice that the debate at the report stage and on third reading will be limited to two additional days, that is one day per stage, and that notice was given yesterday. We are now in a position to move a motion to that effect, which will require two hours of debate, and then two additional days will be devoted to complete the study of that bill which should normally have been adopted in a few hours had the hon. member's party given us a minimum of co-operation.

He is asking me to tell him precisely when we will proceed with that study. I can assure him that we will do so as soon as possible after the House has approved the motion to grant two additional days for debate.

[*English*]

Madam Speaker: I would like to recognize only those members who rise on government business. I will recognize others later on.

Mr. Stevens: Madam Speaker, I have no alternative but to reply to what the President of the Privy Council has just said. I spoke on that bill and I resent greatly being told that I was an obstructionist. The fact is it involves $14 billion of borrowing, yet the government House leader has the audacity to tell us that two hours should be sufficient. He is talking about $7 billion an hour.

Some hon. Members: Hear, hear!

Madam Speaker: That may have been a point of order but I doubt that it was a question on government business.

Mr. Domm: Madam Speaker, this arises from the discussion yesterday where you said that my point was well taken but the minister was not here to respond. I would like to draw the Minister of Consumer and Corporate Affairs' attention to the answer he gave as recorded in *Hansard* for March 24 and—

Madam Speaker: Order, please. I asked that only those members wanting to discuss government business rise at this time because I have other matters to deal with.

* * *

PRIVILEGE

MR. NIELSEN—OFFICE OF MR. MUNRO (HAMILTON EAST) IN WHITEHORSE, YUKON

Hon. Erik Nielsen (Yukon): Madam Speaker, my question of privilege involves the illegal use of government funds by the Minister of Indian Affairs and Northern Development (Mr. Munro) which I submit directly affects my rights and responsibilities as a Member of Parliament and impairs my ability to carry out the duties expected of me. It has to do with a question responded to by the minister, but by no other government departments as yet, concerning the establishment of political offices in certain ridings with no sitting Liberal member.

My question appears in *Hansard* of March 9, 1981, at page 8026, and the relevant portion is paragraph 4(a):

> 4. (a) What is the rent paid for the office of the Minister of Indian Affairs and Northern Development situated at 307 Jarvis Street in the City of Whitehorse, Yukon (b) who is the landlord of the building (c) what is the salary being paid to the so-called ministerial assistant (d) what other staff is being hired and at what salary (e) what is the purpose in establishing such an office?

Then paragraph (5) reads:

> Are other similar offices being set up in other constituencies where there is no Liberal Member of Parliament?

The Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) responded on the same page that the rental was $7,560 per year; the landlord was Davos Holdings Limited. Part (b) of my question was answered by saying that in so far as the Department of Indian Affairs and Northern Development is concerned, the salary being paid was $17,549 to $20,321. Part (d) was answered by saying no other staff was employed.

Coming to part (e), the central portion of the question which I would like the Chair to consider, it reads:

> The purpose of the office in Yukon is to provide a direct communication link to the minister's office in Ottawa, to allow Yukoners the same access to the minister of IAND as is provided to other Canadians, to facilitate more consultation with Yukoners on matters that affect them and to expedite the early

resolution of concerns that may develop in respect to DIAND responsibilities in the north.

The fact is, Madam Speaker, that the Commissioner, the senior civil servant appointed by the minister, is responsible for co-ordinating the efforts of almost 3,500 federal and territorial civil servants in Yukon, as if that were not enough communication to the minister's office. If he establishes an office for the purpose of giving Yukoners the same access to the minister as other Canadians, what is the purpose of the Commissioner being appointed at all? What is he doing? He has a director of northern affairs responsible for almost 1,000 federal civil servants in Yukon, 1,000 direct links to his department, to say nothing of the director of northern affairs he appoints.

In short, Madam Speaker, the minister has established, in precedent-setting circumstances, a political office in Yukon. It is nothing less than that. It will be noted that the office was established in privately-leased premises, not in government quarters. It performs only the functions of an ordinary constituency office. This House makes a generous allowance to me, in my opinion, for the operation of a constituency office. The taxpayers have to bear that burden. It also provides a generous allowance for staffing that office. The individual who has staffed that office since its creation, I believe in 1972, has been providing a most adequate service to my constituents.

Then the Minister of Indian Affairs and Northern Development comes along and establishes a political office for the purpose of undercutting, undermining and eroding my responsibilities. Whether it is myself or anyone else makes no difference; it is legally and morally wrong for the minister to take such a political action and use, as he has, public money to support that operation.

Search as you might in the Treasury Board guidelines for the establishment of ministerial offices, Madam Speaker—and this is something with which you are familiar—you will find no authority for ministers of the Crown to establish ministerial offices in constituencies which they do not represent.

• (1530)

The Minister of Consumer and Corporate Affairs (Mr. Ouellet), who is in his seat, knows full well, as do you, Madam Speaker, and as does the Minister of Employment and Immigration (Mr. Axworthy), that they are entitled to establish a ministerial office in their own constituencies so that they might perform their ministerial responsibilities when they are in their constituencies. Similarly, there is provision under Treasury Board guidelines for the Minister of Indian Affairs and Northern Development, if he should so choose, to establish a ministerial office in his constituency for the purpose of discharging his ministerial responsibilities, and for that purpose only. But here he has established, going beyond those Treasury Board guidelines, a ministerial office, not only in my constituency, but also one in Yellowknife, according to page 8026 of *Hansard,* and one in Calgary, Alberta. He now has ministerial offices in places which have literally thousands of public servants to maintain that communications link which he gives as the excuse for establishing those offices.

In my submission, that is an illegal use of public funds; but more important to me is that he is impeding my ability to perform my responsibilities as a Member of Parliament representing that constituency.

I will let the hon. member from the Northwest Territories speak for himself with respect to the Northwest Territories, and those hon. members from Calgary who are here can speak for themselves with respect to the actions of the minister in their constituencies.

I would not be stretching any imagination, nor could I be accused of exaggeration whatsoever, if I asked you, Madam Speaker, to accept the fact that those offices have been established for political purposes. The individual on staff there, who has a salary range of $17,549 to $20,321—which, incidentally, is beyond the salary range which is provided for the hon. member's own staff in that constituency office—is performing exactly the same function that my constituency office and my constituency office secretary have been performing for eight years in a very adequate fashion. It erodes my function; it erodes my effectiveness as a Member of Parliament. Indeed, it creates a political situation which is extremely undesirable.

I am sorry that this matter had to be raised, because only one person staffs that office at the moment. However, if this practice is allowed to continue, then the rights of other hon. members will be affected, as have mine.

I do not know what to propose by way of remedy. The easiest remedy would be for the Minister of Indian Affairs and Northern Development to close the office, in Whitehorse and the one in Yellowknife. Because there is no way he can convince any reasonable Member of Parliament that, with 7,000 or 8,000 public employees in the two territories combined, there is not sufficient communication linkage between himself and his departmental officials here in Ottawa. It seems to me that little purpose is served in setting up an office in the private business sectors of these communities and staffing them with individuals of his choice.

If you find, Madam Speaker, that I have an appropriate question of privilege and that the actions of the minister and his illegal use of public funds seriously impair my ability to carry out my responsibilities as a Member of Parliament, I would move the appropriate motion to have the matter referred to the Standing Committee on Privileges and Elections. This might be a very wise moment to allow this question to go to the standing committee, before the practice grows, so that a decision could now be made as to whether this kind of practice will be permitted to expand. If the Minister of Indian Affairs and Northern Development can do it, and taken back-to-back with what has happened in Broadview-Greenwood and all the other Ontario and Quebec constituencies, who will be the next minister to set up so-called ministerial offices beyond Treasury Board guidelines in constituencies where no Liberal member is sitting? That, indeed, seems to be the purpose and the practice. It is a practice which, in my own personal submission, should be stopped at the earliest possible moment. Even if you do not accept that personal submission, Madam Speaker, surely the easiest and fairest way to have the

matter resolved would be to recognize that there is a question of privilege which should be referred to the Standing Committee on Privileges and Elections so that the whole matter can be reviewed, to stop at the outset what appears to be a growing and highly undesirable practice by the minister.

Some hon. Members: Hear, hear!

Madam Speaker: I have listened carefully to this question of privilege which is now being raised by the hon. member for Yukon (Mr. Nielsen). I will listen to a few other hon. members who I have noticed are rising to speak on the question. However, I just want to remind the hon. members of the House that I have already ruled on questions which were very similar and very close to this kind of question of privilege; namely, the erosion of the capacity of an hon. member to function in the face of someone else functioning beside him, parallel, or in some other way.

The present example which the hon. member is submitting is different, on the facts, from the examples on which I have ruled. As far as I can see from the intervention of the hon. member for Yukon, the principles involved are very much the same, and it is on those principles that I have previously ruled.

I will accept that the hon. member is not commenting on a ruling, but I want to ask other hon. members who might be wanting to intervene on this matter to point out to me the privilege and not debate whether one could have an office in the constituency close by one's own. I would like them to tell me where their privilege has been breached. I remind hon. members that privilege must deal with molestation, arrest—

An hon. Member: Or interference.

Madam Speaker: —or violence preventing the hon. member from functioning as a member in this House. Those are the basic rules on which a question of privilege can be based.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I will not speak for very long on this matter. It is my contention that this is a slight variation on the question upon which you ruled a few weeks ago. You have intimated that, but you are being generous with the hon. member for Yukon (Mr. Nielsen) in allowing further debate.

I submit that the opening of ministerial offices in any part of this country really comprises part of the administrative duties of any government. I am sure that when the hon. member for Yukon was a minister of the Crown offices of the Department of Public Works were located across the country—

An hon. Member: Not political offices.

Mr. Collenette: —and performed work similar to that which is being done by the office—

Mr. Clark: That is not true.

Mr. Nielsen: On a point of order, Madam Speaker. The parliamentary secretary is way off line here. He says that I, as minister of public works, would have had ministerial offices throughout the country, and that is absolutely false. Even though I was permitted to have a ministerial office under Treasury Board guidelines, which are quite strict, in my own constituency of Yukon, I did not establish one there because I thought it would be too political to do so. I was probably the only minister in cabinet who did not establish such an office. Maybe there were others, I do not know.

Mr. Baker (Nepean-Carleton): I did not either.

Mr. Nielsen: But when he accuses me of having ministerial offices all over the country, that is simply false.

Mr. Collenette: Madam Speaker, I said I would be brief and I will. I would appreciate the courtesy of the hon. member for Yukon, having listened to his argument, rather than raising a point of order and interrupting me somewhat rudely—

Some hon. Members: Oh, oh!

• (1540)

Mr. Collenette: It is my contention, Madam Speaker, that there is nothing unusual about this kind of practice. It falls within the normal ambit of the administrative duties of government. Therefore I think the hon. member for Yukon is really splitting herrings—

Some hon. Members: Oh, oh!

An hon. Member: He is pickling them!

Mr. Collenette: Madam Speaker, I am sorry for taking licence with the English language. Perhaps I have been in the House a little too much listening to the Leader of the Opposition (Mr. Clark) putting more meaning into words than they have.

I think the argument is clear. There is no question of privilege; it is really a question of sensitivity on the part of the hon. member for Yukon. The Minister of Indian Affairs and Northern Development (Mr. Munro) has special responsibilities for the Northwest Territories and Yukon which fall under the jurisdiction of the federal government.

Second, if you are going to permit further argument, I submit, Madam Speaker, that you should reserve your ruling on this case until the Minister of Indian Affairs and Northern Development appears in the House and chooses to respond. That would be the courteous thing to do.

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I will be extremely brief and to the point, unlike the previous speaker. I want to make the specific point that what has happened here is that there are certain facts which are determined and established beyond question. One is that the minister in this instance has breached Treasury Board guidelines with respect to the establishment of ministerial offices. There

is no question of that; it is a fact. He is doing it illegally and there can be no argument about that.

The second point, which I think is germane to the rights and privileges of individual Members of Parliament, is simply, as Your Honour will know, that it has now been established under your direction and control that MPs are allowed to maintain constituency offices for the purpose of serving their own constituents. This is a welcome development of parliamentary practice in our country. What we have here is another aspect of the situation respecting the establishment of these offices, which is also beyond question and cannot be attacked as being anything but a fact, and that is that the purpose of these offices, which are created and established by ministers for political purposes, is to undermine the ability of the member in that region from carrying out his responsibilities toward his constituents.

In other words, the government is attempting, by virtue of these offices, to sidetrack the public from going to see their Member of Parliament. While there has not been any physical molestation in the sense of battering rams or "split herrings", I suggest that what has happened in this instance is that there is an infringement of the ability of a Member of Parliament to carry out his duties. In other words, what is there to prevent a cabinet minister—we have not heard from the cabinet minister responsible for my riding for some time—from opening up an office in my riding or in the riding of my colleague, the hon. member for Kindersley-Lloydminster (Mr. McKnight), in order to undermine our ability as members to deal with our constituents and also impair our ability to represent those constituents in the House?

That is the precise and simple point I want to bring to Your Honour's attention. I think that if one looks at what is involved in this question of privilege, one finds that it consists of the infringement of the ability of a Member of Parliament to carry out his responsibilities in the House of Commons. I say that so long as these illegal political offices are maintained in our constituencies and there are no provisions under Treasury Board guidelines, no governmental decrees and no rules of the House of Commons permitting the opening of such offices because the people who are manning these ministerial offices are members of the House of Commons, they are impeding my ability and the ability of my colleague, the hon. member for Yukon, in carrying out our functions as Members of Parliament.

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, following on what my colleague, the hon. member for Saskatoon West (Mr. Hnatyshyn), has said, it seems to me that the question you have to decide is whether or not the various privileges which are established by the House for its members, regardless of party, have any independent value or meaning, or whether they can be undermined or eroded by virtue of the unilateral decision of the government to establish any number of ministerial offices which offer a competing service, which compete directly with the service offered by an MP. As well, there is the question whether the general services which members are encouraged to provide are, in a sense, an extension of the function of being a Member of Parliament which is worthy of protection, or whether the government can unilaterally establish whatever institutions it chooses politically to establish, thereby rendering virtually meaningless the privileges and rights which the House has decided to establish for all its members—

Madam Speaker: Order, please. I think I have to ask members not to repeat the argument that there is competition in a particular constituency because a certain office has been established, that office having to be regulated by criteria emanating from the Treasury Board. First, I cannot determine whether or not the regulations of the Treasury Board have been violated, or whether or not the matter in question is illegal. So I ask hon. members not to submit this kind of argument to the Chair because the Chair is not competent to decide it.

As for the matter of competition if another office is located next to a member's office, this matter equally is one which I cannot decide. If the hon. member were able to represent to me, as I thought the hon. member for Saskatoon West (Mr. Hnatyshyn) was going to do, that some physical barrier had been put up in order to prevent his constituents from coming to his office because of the fact that this other office was in existence, perhaps I could have entertained such an argument.

However, I do ask hon. members not to play on words but to come straight to the matter that they feel constitutes a breach of privilege, not repeat arguments which I have already heard; members know that when arguments begin to be repetitive, my inclination is to feel the Chair is sufficiently informed. So I want to remind the hon. member for Broadview-Greenwood (Mr. Rae) that I do not believe I can entertain those arguments. If he has other arguments to submit, I will be prepared to listen to them.

Mr. Rae: Madam Speaker, having heard what you have to say, I do not think there is much point in my continuing my submission. I say that you have to ask yourself how far governments can go in undermining the rights of Members of Parliament by establishing other services. It is a conflict between the unlimited power of government and the rights of MPs which have been established by Parliament itself. If Madam Speaker finds that argument repetitive or unconvincing, I am sorry but there is nothing more I can add.

Mr. Jim Hawkes (Calgary West): Madam Speaker, I will attempt to be brief. The ministerial office in the Calgary area is staffed by a cabinet minister from the other place. I suggest that the barrier to my ability to represent my constituents and to the ability of other Members of Parliament in their areas is a matter on which there is confusion. When people who reside in that community in fact approach the minister in his office, they believe they are talking with someone who is representing them in the House of Commons. Madam Speaker will know in that particular case that it is not reality. The people feel they are speaking with a member of the House of Commons who can bring their case to this House—

• (1550)

Madam Speaker: I should like to ask the hon. member a question. Is it in any way indicated on the door of that office or printed somewhere else that the hon. member is from the House of Commons? If people believe he is a member of the House of Commons, that is nothing upon which I can act. But does that hon. member indicate anywhere that he is a member of the House of Commons?

Mr. Hawkes: Madam Speaker, I have no first hand knowledge of any such sign. On a number of occasions the people who work in my office and myself have been directly informed by a number of individuals that it was the understanding with which they went to the minister's office, and that it took them quite some time to discover that in fact they had talked with someone who was not able to bring their case before Parliament. It might be worthwhile to have that barrier of confusion examined by the Standing Committee on Privileges and Elections, as the hon. member for Yukon (Mr. Nielsen) suggested.

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise on a point of order. In answer to your question to the hon. member for Calgary West (Mr. Hawkes), yes, there is confusion in western Canada. When they see a picture of the Hon. Bud Olson spread out and "Alberta's Man" in black letters right across the top of it, they believe that he is their representative in Ottawa.

Madam Speaker: That was not the object of my remarks, and the hon. member knows it.

Is the hon. member for Peterborough (Mr. Domm) seeking the floor on this question of privilege?

Mr. Bill Domm (Peterborough): Madam Speaker, I rise on the question of privilege raised by the hon. member for Yukon (Mr. Nielsen). The thing which is most disturbing is trying to determine in my mind what is an infringement of my rights as a Member of Parliament in performing my duty in the House and representing my constituents. I will make this intervention a very brief but very sincere one. I have risen on this same question of privilege in other areas where my rights have been infringed respecting my duties to my constituents in my riding.

Let me tell hon. members opposite that this whole matter is like poison ivy; it is spreading all across the country. What is happening in my riding directly ties in with this question of privilege. In my riding of Peterborough, there is a steady stream of correspondence and telephone calls to the acting minister responsible for my riding.

Some hon. Members: Hear, hear!

Mr. Domm: Hon. members opposite can clap and applaud, but it could be their job some day. There is an erosion of our responsibilities as Members of Parliament by this kind of action.

Some hon. Members: Oh, oh!

Mr. Domm: Let me give some examples to which, perhaps, members opposite may care to listen. What happens when people come to ministers responsible for ridings which they were not elected to represent is not always good. It is bad, because these ministers who are supposed to be responsible for the riding of Peterborough lose more than they win. What has the Minister of Public Works (Mr. Cosgrove) ever done for Peterborough? He lost Parks Canada, he lost Eldorado Nuclear, he lost the de Havilland Dash—

Madam Speaker: Order, please. The hon. member is debating this question.

Some hon. Members: Hear, hear!

Madam Speaker: He has not yet brought forward one argument which is pertinent to the question of privilege. If he does not do so very soon, I will have to say that I have heard enough from him.

Mr. Domm: Thank you for your patience, Madam Speaker. As the matter pertains to my ability to serve my constituents, I do not feel members opposite have to run into my riding like a gestapo group and nail up a sign on my office door which says: "Do not visit the Member of Parliament for Peterborough; go down the street and visit the minister responsible." The point is: Where do we draw the line?

Some hon. Members: Hear, hear!

Mr. Domm: Members opposite are applauding. They would like to go into those ridings, so that they can win more things for them and gain those seats. In reality—

Some hon. Members: Hear, hear!

Mr. Jelinek: They are proving their point.

Mr. Domm: They are just proving their point. Madam Speaker must be aware of the fact by now that these members are actually gloating in glory of the fact that they can walk into these ridings, gain prominence and importance, and win security in future elections. Well, they will never win any security in future elections if they lose everything when they intervene. We had more going for us when we were in government than they have ever brought to Peterborough since they started this practice.

If Madam Speaker does not see anything in this question of privilege which is eroding my responsibility to my constituents, then I suggest your Honour should review why my constituents are now writing to and telephoning directly cabinet ministers from other ridings who are responsible—

Some hon. Members: Oh, oh!

Mr. Domm: Listen, this is what is happening; it could happen in your riding. You will not always sit in government over there. You will be in the opposition some day, and you will stand up and say, "We do not want this government setting up offices in our ridings."

Madam Speaker: Order, please. I must call the hon. member back to order for two reasons. First, he is discussing a political matter; second, as he knows he must talk in the third person. It is not easy, but he must keep to that.

Mr. Domm: With all due respect, Madam Speaker, it is a very political matter. I will try to address my remarks to you directly.

The question we are discussing is whether the minister is responsible for the riding of Peterborough. I am not deviating from the subject. The minister responsible for the riding of Peterborough has been a complete disaster.

Some hon. Members: Order.

Mr. Domm: I ask you, as the Speaker of the House, to refer this matter to the Standing Committee on Privileges and Elections in order that I will be given the opportunity, as a backbencher in the House of Commons, to go before that committee to plead the case that, when constituents elect Members of Parliament, they expect those Members of Parliament to represent them here in Ottawa.

Some hon. Members: Hear, hear!

Mr. Domm: With all due sympathy for the groans and moans of the government opposite over its concern about what it obviously feels is an infringement of our rights, I would beg Your Honour to refer this matter to the Standing Committee on Privileges and Elections so that we do not have to take up hours in the House of Commons arguing what is purely and simply an infringement of our rights as Members of Parliament. I cannot function and represent my people with the interference of cabinet ministers who get nothing for Peterborough. I cannot operate in my riding with the interference of ministers who are not responsible for the riding in which they are interfering.

It will not work. The sooner we get this matter before the committee so we can present our case without time limitation, as is the case in the House of Commons, the sooner Madam Speaker will satisfy hon. members of the opposition that their privileges are not being infringed by ministerial offices being opened in ridings ministers were not elected to represent, or by regional ministers representing other members' constituencies and doing a lousy job of it.

Some hon. Members: Hear, hear!

Madam Speaker: Does the hon. member for Nepean-Carleton (Mr. Baker) want to speak on this question?

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I want to give you an authority.

Madam Speaker: I will hear the hon. member for Nepean-Carleton, but I am afraid after that I will have to cut off the debate.

Mr. Baker (Nepean-Carleton): Madam Speaker, if I may say so, what is really at issue here is the question of equality among members. Any time we deal with the Standing Orders of the House, any time we deal with Parliament's traditions, precedents, or what have you, we deal with the question of the equal treatment of members in terms of their privileges—their right to speak and to represent.

This is really the issue, and it arises in a couple of ways. After a long period of effort through the work of the Standing Committee on Management and Members' Services, the House created constituency offices, at a great deal of public expense, so that Members of Parliament for respective ridings in Canada could serve the people. I think they could serve them and represent them in accordance with all of the traditions of parliamentary democracy as we understand it. Therefore, it is not just a matter of the government dealing with an issue because it has a majority; I will be arguing a point with respect to that shortly. It is Parliament which established these offices, which set stringent rules saying, for instance, that offices could not be used for political purposes. I stress, they could not be used for political purposes.

• (1600)

The allegation, of course, is that ministers are in fact infringing on this whole aspect of the equality of each of us as Members of Parliament, whether ministers or private members—no one is a backbencher. Ministers are infringing on this question of privacy, whether we are dealing with matters of tradition, custom or rules of order. I think that is the principle. The fact is, rules of order are only a part of what makes Parliament work; the other parts are customs, traditions and precedents which are set forth. These are precedents which we build over a period of time, like the provision for constituency offices.

Beauchesne's fourth edition has this to say:

> The principles that lie at the basis of English parliamentary law, as Bourinot so aptly says, are: 'to protect a minority and restrain the improvidence or tyranny of a majority'.

It is not sufficient to say that it is not contained in the Standing Orders of this House. That is not what Bourinot says nor is it what Beauchesne says. It is not what Erskine May talks about in his learned treatises on parliamentary democracy. We talk about customs, traditions and precedents. If you translate that document, which applies to every aspect of our lives as Members of Parliament, and apply it to what is being done, as described by the hon. member for Peterborough (Mr. Domm), the hon. member for Yukon (Mr. Nielsen) and the hon. member for Broadview-Greenwood (Mr. Rae), you see that there is an expenditure of public money and, in fact, an imposition on that aspect of equality, the aspect of the representative part of the life of a Member of Parliament. It is wrong. If it infringes on Treasury Board guidelines, as someone said, then it is more wrong than absolutely wrong. It is illegal.

I say with respect, Madam Speaker, that I cannot conceive how this could not be an appropriate subject for consideration by a committee of this House of Commons. Traditionally, that committee is the Standing Committee on Privileges and Elections.

Mr. Nowlan: We increased the allowance.

Mr. Baker (Nepean-Carleton): As my hon. friend from Annapolis says, the matter of these constituency offices was before the members' services committee yesterday. Therefore, the House is seized of it in the committee structure of the House of Commons. I think that is very important.

The hon. member for Winnipeg North Centre (Mr. Knowles) at one time in the course of an argument said something which is applicable here. He said:

> If any attempt is made to change the rules of this House and to do it in a manner which destroys that equality and gives the government not only the force of its majority, but the force of the rules—

The government is being given the force of the rules, since rules established a constituency office. The rights given by those rules are being affected in the sense that they are being diminished by the establishment of those offices. The hon. member for Winnipeg North Centre went on to say:

> —we have gone completely contrary to the basic principle of parliamentary procedure on which this House relies.

Every custom, every tradition and every precedent that we have quoted here before speaks to fairness, equality and even-handedness. When the House has attempted to make that member equal in his work as a Member of Parliament, whether he is a minister, a former minister, a parliamentary secretary or a private member, then I suggest to you, Madam Speaker, that the customs, traditions and rules—small "r" or large "R"—are being affected by this action of the government.

I put that to you, Madam Speaker, because I felt I had to give you something to rely on from the point of view of traditions and precedents of Parliament. I think they are important. We raised this matter the other day, we have raised it today, and we may raise it later on in the debate from the point of view of the protection of those traditions and precedents. The argument I tried to make the other night applies in so many ways.

You, Madam Speaker, have the unique position of being the first Commoner to be the protector of those rights, freedoms and traditions and to take the Standing Orders and interpret them. I say that, with respect, having regard to the traditions of fairness and equality and the precedents and history of this place. Some people may say this institution is archaic, and maybe in a way it is, but those things grew up over time. They were fought for and argued about. They were gained, in an historical sense, against the wishes of people in other days who themselves thought that only the majority counted, that only power counted. This House of Commons is something else. It is not—

Madam Speaker: I believe the hon. member is debating the question as though I had decided there was a prima facie case. The debate on that question should take place once I have decided whether there is a case of privilege or not. I would like the hon. member to restrict himself to the area in which he thinks the privilege lies.

Mr. Baker (Nepean-Carleton): I conclude, Madam Speaker, by referring to the history of it all, since it relates to the very issue which you are deciding. Under the rules, customs and traditions of this Parliament, the point you must decide is whether it is appropriate and fair. You cannot decide on any other basis. If custom, tradition and precedent mean anything at all, then I say, with respect, that you cannot decide on any other basis. If there is any doubt, then the doubt must be resolved in favour of Parliament, in favour of the parliamentarian, not in favour of the government. The job of this Parliament is not to be the handmaiden of the government; the job of this Parliament is to make the government accountable.

I respectfully suggest that there are usages creeping into our practice which make me think that the reverse may be true. We must look to you, Madam Speaker. On the question of fairness under the rules broadly interpreted, as I have indicated I think they should be—and I say this with respect—there is a point of privilege here. It is time this matter was examined. It is particularly important that it be examined, because of the issues being raised with respect to the ability of Members of Parliament to represent the people who sent them here.

Some hon. Members: Hear, hear!

Madam Speaker: I think I can now cut off the debate on this particular question. I have heard several interveners on this matter. I will reserve on this matter since the Minister of Indian Affairs and Northern Development (Mr. Munro) is not in the House. I think he should be allowed to reply, if he so desires—and I do not know whether he does. But I must give him a chance to reply.

Mr. Pat Nowlan (Annapolis Valley-Hants): I rise on a point of order, Madam Speaker, with respect to why I think this question is relevant and comes within your domain. I speak as a member of the members' services committee which yesterday approved the recommendation of the Commissioners of Internal Economy. We have approved the fourth and fifth report of that committee increasing the allowances to constituency offices by $1,000. We increased it by $1,000 from $2,500. Anyway, Madam Speaker, you know what I am talking about and I do not have the minute before me. I listened to the hon. member for Yukon (Mr. Nielsen). I was not going to participate in the debate but I thought the remarks of the hon. member for Broadview-Greenwood (Mr. Rae)—

● (1610)

Madam Speaker: Order, please. Does the hon. member have a point of order?

Mr. Nowlan: My point of order is that this matter has a very insidious aspect. I am not talking about power. I am not repeating the argument of the hon. member for Peterborough (Mr. Domm). I am talking about the power of the purse.

Some hon. Members: Order!

Mr. Nowlan: The order is the whole reason that this chamber was established. Something no one has mentioned yet is the power of the purse. If you marry these two things, the fundamental power of the purse is why we are here to begin with, not legislation or government—

Madam Speaker: Order, please. The hon. member is obviously arguing the question. I have said that I will reserve on this matter. The hon. member has told the House that the expenses allowed for constituency offices have been increased, and that is true—

Mr. Nowlan: But I have not finished that sentence!

Madam Speaker: That should be helpful to the hon. member rather than otherwise. However, the debate is closed on this particular point.

I shall now hear the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) on a question of privilege.

Mr. Nielsen: Madam Speaker, I rise on a point of order.

Madam Speaker: The hon. member for Yukon (Mr. Nielsen) on a point of order.

Mr. Nielsen: Madam Speaker, in one sentence, I simply want to inform you that, because of the importance and relevance of those guidelines, I will be obtaining a copy of Treasury Board guidelines for the establishment of ministerial offices. I shall provide you with that copy so that it might be considered when you are considering the whole question.

Madam Speaker: That might be helpful and I thank the hon. member. The hon. member for Surrey-White Rock-North Delta on a question of privilege.

MR. FRIESEN—USE OF CONSTITUENCY OFFICES

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise on a matter which touches upon the privileges of all members of the House. I believe that when Your Honour has heard the evidence that I shall present, you will find there is a prima facie case of privilege.

It has always been my contention, and I am sure it is the belief of all members of the House, that we were elected to serve not only those people who voted for us but those who voted against us, as well as those who did not vote at all.

It is understandable that, after a hard fought campaign with emotions running high, some people might feel some reserve or hesitation about having a meeting with their Member of Parliament if he or she is not of the same political persuasion. That is unfortunate, but there is that possibility. It is therefore all the more important for an MP to serve all constituents. We must remove every possible impediment which might discourage citizens from seeking our help. Therefore, it is imperative that constituency offices do not advertise the political affiliation of the member who occupies that office.

My question of privilege arises out of impropriety on the part of some members of this House in the use of the services provided to them by the House of Commons and the privileges associated therewith, so that they might better discharge their responsibilities to their constituents as the Member of Parliament for that constituency.

The actions of these members, whether deliberate or not, have called into question the ability of all other members to serve their constituents in as non-political a way as possible when dealing with case work, and possibly have misled constituents into believing that one political party, rather than the elected member of that electoral district, represents them in the House of Commons.

Furthermore, and most important, it is against the rules established by the House of Commons under the guidelines, "Allowances and Services" to use the services in any other way for the constituency office. I quote Section 8, paragraph 9 as follows:

> The constituency office may not be used by electoral campaign committees and may not be located in political party headquarters.

This regulation finds its authority under the Standing Committee on Management and Members' Services, as provided by Standing Order 65(1)(s).

Madam Speaker: Order, please. Hon. members are well acquainted with the rules governing the services which they can offer their constituents. I should like the hon. member to tell me the point that he is trying to develop. Who has breached what rule, and is it a rule of the House of Commons? I have to remind the hon. member that the rules governing these services are policed by members themselves, who delegate that authority to the Standing Committee on Management and Members' Services. I do not know at this point, but this might not be properly addressed to the Chair.

Mr. Friesen: Madam Speaker, I would refer you to the telephone directory for the lower mainland of British Columbia. On page 820 there appears in bold face type the heading, "New Democratic Party of B.C." Under that heading is listed the NDP office of Burnaby-Edmonds and all the other provincial constituency offices. Scattered among them is the telephone number of the office of the hon. member for Vancouver-Kingsway (Mr. Waddell), with his office address and phone number. When I cross-reference that with his name, Mr. Waddell, I find that the address is the same as the number listed under the New Democratic Party of B.C. and the telephone number is the same. I suggest to you, Madam Speaker, that the constituency office that is used by the hon. member for Vancouver-Kingsway is doubling as the office for the political party.

What is even worse, I see that the hon. member for New Westminster-Coquitlam (Miss Jewett) is functioning in the same way. That office is listed as being at 722-12th Street, New Westminster, phone No. 521-8111. It lists Dennis Cocke MLA at the same address and gives the same phone number. Pauline Jewett is listed at the same address and with the same phone number. I throw in parenthetically, that it does not even mention the other half of her constituency which is Coquitlam, so I take it that it is not represented in that office.

When I cross-referenced the telephone directory, I found that under her private listing she has an office address and an office phone number which, coincidentally, happen to be the same as the NDP office on 12th Street in New Westminster.

Moving over to the director—

Mr. Rae: I rise on a point of order, Madam Speaker. I realize that the definition of filibuster is reading from a telephone book, but I wonder whether it might not be in keeping with parliamentary practice and courtesy, if the hon. member has a point which he wishes to address concerning the practices of certain Members of Parliament, to give notice to those members. This would allow them to be in the House when he raises a question.

Madam Speaker: The hon. member for Surrey-White Rock-North Delta.

Mr. Friesen: Madam Speaker, I would direct the hon. member for Broadview-Greenwood to the fact that I was just going to the telephone directory for the city of Winnipeg. I see that the hon. member for Winnipeg North Centre (Mr. Knowles) is here. At page 437 of the Winnipeg telephone directory, under "New Democratic Party", there appears "Winnipeg North Centre, 1036 Notre Dame", with the telephone No. 722-5795. Or is it 6795?

Mr. Knowles: It is 775-1019.

Mr. Friesen: As I cross-reference I find that he is also listed under his name at 1036—

Madam Speaker: Order, please. I have to interrupt the hon. member. He has not even mentioned the word "privilege" yet. From what he has said until now, I think this is obviously a question that has to be dealt with in other circumstances. This is not a question for the Chair to decide as Speaker of this House. This has to do with the rules which are policed by members themselves through the competence of the Standing Committee on Management and Members' Services. If the hon. member is not satisfied with the way these rules are being applied or with the way the rules are set down, then he can submit his case to the particular committee and hon. members can correct whatever he feels is not done properly. I cannot hear him along the line of his argument and the facts he has advanced up until now. Unless the hon. member now goes directly to a question of privilege very well framed, I will have to disallow his question.

• (1620)

Mr. Friesen: Madam Speaker, I began by saying that I was rising on a question of privilege. My question of privilege arises from the regulations and the rules established by this House that constituency offices may not be used as electoral campaign committees and may not be located in political party headquarters. I was going through the references which indicate—

Madam Speaker: Order. These rules are not established by the House. They are established by the members and pertain to their constituency function. These are not rules of the House.

Mr. Elzinga: Madam Speaker, I rise on a point of order. It has always been my understanding that this committee reports directly to you. The ultimate decision and the ultimate responsibility for carrying out these regulations pertaining to the House of Commons falls under your jurisdiction.

In my humble opinion, Your Honour, in all fairness to the hon. member, he should have an opportunity to present his case, and after hearing his case I think you will be in a better position to give a fair judgment as to whether or not he does have a question of privilege.

Madam Speaker: I have been listening to the hon. member's case now for about ten minutes, and after hearing his case for this period of time I feel this matter should be brought before the Standing Committee on Management and Members' Services.

That committee does not report to me. It advises me. I appear before it on occasion when members want to transmit to me some of the things they might want. The Speaker then gets authority through discussions with the Commissioners of Internal Economy. That point has to be quite clear. I do not think the hon. member is dealing with a question that should be dealt with here in this House.

The hon. member for Surrey-White Rock-North Delta.

Mr. Knowles: Madam Speaker, I have a question of privilege.

Madam Speaker: Order, please. I am already hearing a question of privilege. I could entertain a point of order, but as I am seized with a question of privilege, I have to deal with it before I can hear another one.

Mr. Knowles: Madam Speaker, I have a question of personal privilege arising out of what the hon. member said in his reference to me.

Madam Speaker: Order, please. The hon. member for Surrey-White Rock-North Delta.

Mr. Friesen: Madam Speaker, in the debate on the question of privilege preceding this one, one of the long and serious arguments which you heard was that each of the offices had to establish its own independence. I remember members of the New Democratic Party arguing this very point, that the government ought not to use tax dollars to establish offices that are separate from those of Members of Parliament.

It seems to me that if we find that tax dollars are being used to help political parties, we have to have recourse somewhere, and I appeal to you, Madam Speaker, to hear this question of privilege.

Madam Speaker: The hon. member's recourse is to the Standing Committee on Management and Members' Services. Therefore, I have to rule out that question for consideration as a question of privilege.

I will hear now the hon. member for Winnipeg North Centre (Mr. Knowles) who has asked to be heard on a question of personal privilege.

MR. KNOWLES—REMARKS OF MR. FRIESEN RESPECTING USE OF WINNIPEG CONSTITUENCY OFFICE

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I ask to be heard on a question of personal privilege. The hon. member for Surrey-White Rock-North Delta (Mr. Friesen) has made a general reference to Manitoba and the only Manitoba member to whom he has referred is the member for Winnipeg North Centre. He did not get around to it, but he is implying that I am responsible for accepting tax dollars for premises used for political purposes as well as for my constituency office.

I strongly suggest to the hon. member that he ascertain his facts before he makes a scurrilous charge such as that.

You do not know it, Madam Speaker, but this can be checked with the officers of the House. It is true that my constituency office is in a building that we, the New Democratic Party, own.

Some hon. Members: Oh, oh!

Mr. Rae: Wait for it, fellows.

Mr. Knowles: Such lack of intelligence really startles me.

The present Clerk, the previous Clerk and all of the officials involved in this matter know that I have insisted, even though I was told I could do otherwise, that because my office is in a building we own I do not want any rent paid by the government at all, and no such rent is paid.

My constituency secretaries, two of them, are paid as we are entitled to have them paid, but there is no rent charged to the Government of Canada.

Mr. Kilgour: What about the rule?

Mr. Knowles: What rule?

Mr. Kilgour: What about the rule which says you are not supposed to have it in your office?

Mr. Knowles: The rule is that you cannot collect rent for premises which are used for other purposes. I collect no rent at all. I suggest that the hon. member for Surrey-White Rock-North Delta, if he is the gentleman I believe he is, apologize forthwith.

Some hon. Members: Hear, hear!

Mr. Friesen: Madam Speaker, maybe the hon. member for Winnipeg North Centre (Mr. Knowles) has not been in his office lately. I would point out to him that the rule does not say "pay rent." The rule says, and I will read it to him—

Madam Speaker: Order, please. The hon. member is continuing to debate this question. I reiterate to the hon. member that the proper place to deal with this matter, if he does have a case, is in the members' services committee.

Mr. Baker (Nepean-Carleton): Madam Speaker, the hon. member for Winnipeg North Centre (Mr. Knowles) has indicated that something has been said or implied, and he used the word "scurrilous" with respect to the hon. member for Surrey-White Rock-North Delta (Mr. Friesen). That is the opinion of the member for Winnipeg North Centre. Coming from a member of his stature in the House, it is a very serious charge.

Mr. Cousineau: He should have respect for that.

Mr. Baker (Nepean-Carleton): Just do not get excited.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): What I want to suggest, given the seriousness of the charge that the hon. member has engaged himself in scurrilous behaviour, is that the member, rightly or wrongly, should be given an opportunity to deal with that charge. I thought he was about to do that, Madam Speaker, and I wonder, therefore, whether he might be allowed to do so.

Madam Speaker: If my understanding is correct, the hon. member for Winnipeg North Centre (Mr. Knowles) did not accuse the member of being scurrilous. He said there was a scurrilous charge, and that is a different matter. Let us not enter into this kind of debate. It seems to me that the hon. member at the time did not use any unparliamentary language.

I have notice of a question of privilege from the hon. member for Leeds-Grenville (Mr. Cossitt).

MR. COSSITT—RIGHT OF MEMBERS TO BE HEARD

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I rise on what to me is a very serious question of privilege concerning the rights of Members of Parliament to be heard in this chamber. I did not receive this right on a question of privilege that was before the House on Tuesday. It is a similar situation to that which I notice has occurred on several previous occasions. The specific question of privilege raised before the House concerned a matter in which I was directly involved.

First, may I refer to the remarks made Tuesday by the Prime Minister (Mr. Trudeau). In reply to the question of privilege raised by the hon. member for Durham-Northumberland (Mr. Lawrence) on the so-called Taschereau papers, the Prime Minister directly referred to me twice. I am not saying that he said anything derogatory; I simply mention that I was drawn into the question by having my name mentioned on two occasions. The hon. member for Durham-Northumberland also referred in his remarks to the member for Leeds-Grenville, I think on two occasions. So even if I had not wanted to be, I was involved in the question of privilege by having been mentioned a least four times.

This is also a matter in which I have been heavily involved over the last three or four years, a fact which I think is generally known to most members of the House. Therefore, I believe a breach of my privileges occurred on Tuesday when I was unable to contribute the evidence which I had before me at that time on the matter on which you were about to rule. In some ways it seemed to me that the situation was somewhat like a court where judgment was being given before all the evidence had been heard.

• (1630)

Parliament, as has often been pointed out, is the highest court in the land, but surely such a situation does not apply here. To give just one example, I was in a position on Tuesday to offer absolute evidence that the hon. member for Durham-Northumberland was quite correct in stating that he had initiated an investigation into the withholding of the Taschereau file, but I did not have that opportunity. I agree with the view the Chair expressed on Tuesday.

Madam Speaker: Order. I must interrupt the hon. member. He is offering more comments on precisely the question on which I said the Chair was sufficiently informed. I remind him, as I did the other day, that even if the hon. member feels he has new evidence to bring forward with regard to the substance of the subject, the reason I did not hear him was that he was bringing evidence with regard to the subject being discussed and not to the direct matter of privilege. Today he is offering to bring new evidence as to what the minister did or did not do. That is not pertinent to the question of privilege and I cannot allow him to speak further on the matter. I said I was sufficiently informed. What he must do is raise a new substantive question of privilege. Otherwise I cannot hear him since I cut off debate on that question the other day.

Mr. Cossitt: Madam Speaker, I am not trying to introduce evidence pertaining to something that has happened. I am trying to base my question of privilege on the right of members to speak in this House. I merely cited that as an example. I can cite many other examples. My question of privilege has to do with the right of members to speak in this House.

Madam Speaker: There is a right to speak in this House, but at that particular time the right of the hon. member to intervene had to be frustrated. It was my duty then to terminate the debate on that particular question because argument had been sufficient. The first intervener had not convinced me there was a question of privilege. Therefore, I thought that other interveners not directly affected by the question of privilege could not further inform me as to where the privilege lay.

Freedom of speech is not absolutely unrestrained in this House. At some point other rules come into play in order to at some point limit the right to speak of an hon. member. That is the way the procedures of this House are organized. Therefore, it is not a right completely unrestrained. If that is what the hon. member is telling me, I have to tell him that I am under a duty to restrain members when I feel that other members' privileges are being impeached.

Mr. Cossitt: Bearing in mind the remarks you have just made, Madam Speaker, I feel that when a member has been mentioned in the House as being connected with a very serious matter before the House, that member has the right to take a stand on the matter and be heard.

I am not referring specifically to what happened on Tuesday. In another question of privilege before this House a moment ago, the hon. member for Winnipeg North Centre (Mr. Knowles) exercised his right to be heard as a result of having been mentioned. I think I have that same right.

The former member for Prince Albert, the late Right Hon. John Diefenbaker, gave us our present bill of rights. Section 1, subsection (d), guarantees freedom of speech. I agree that freedom of speech does not of itself give us a licence to do anything. However, in the charter of rights resolution before the House, after guaranteeing freedom of speech, Section 31(1) reads:

> This charter applies
>
> (a) to the Parliament and Government of Canada and to all matters within the authority of Parliament—

They may not seem appropriate, but I think the words of Thomas Jefferson are appropriate. He said, "For God's sake, let both sides of the question be heard." That statement really sums up what I am trying to say. I stand to be corrected, but I know of nothing in the rules of the House that prevents me from taking part in a question of privilege in which I have been specifically mentioned.

I cited only one example and perhaps I should not have used that one. However, it is very clear from British parliamentary practice and the traditions of this House that it is the duty of the Chair to protect the rights of members. Part of the protection that should be extended to us is the right to defend ourselves or to reply when our names are mentioned in a question of privilege or point of order, and to say what we think is the truth if we think that something that has been stated is inaccurate.

If we are deprived of that right, we may come to the point where freedom of speech is gone in this chamber. I am certain that is not the wish of the Chair. I am sure it is not the wish of most members in this House, although I can think of a few who would wish that that was so, without mentioning any names or specifics.

I believe I have a legitimate question of privilege. I see nothing in the rules or in Beauchesne which says that a question of privilege should be cut off by the Speaker at a specific point. The Speaker has to make a judgment as to when it should be cut off. However, I have been in this House approximately nine years when two of your predecessors, Mr. Speaker Lamoureux and Mr. Speaker Jerome, were in the chair. When a question of privilege arose pertaining to specific members, pretty well all those members were allowed to comment. There was no restriction.

I have noticed recently a tendency to move a little in the other direction. Maybe I am incorrect in the way I am observing it, but with all respect I feel that a tendency in this House to move toward limiting speech rather than to go maybe a little too far in the other direction is not in the best interests of freedom of speech and the rights and privileges of members of this House.

An hon. Member: What about our privileges?

Mr. Cossitt: I hear remarks from the NDP. I do not know what they are saying.

Mr. Deans: Why don't we get on with things that are important?

Mr. Cossitt: When I tried to raise the subject of interest rates today, they heckled me. That is not important to them. They do not care about interest rates. They do not care about inflation. They do not care about anything.

Some hon. Members: Hear, hear!

Mr. Cossitt: This is not the New Democratic Party; "NDP" stands for "no damn principles."

Some hon. Members: Hear, hear!

Mr. Deans: You are wasting time.

Mr. Cossitt: Madam Speaker, I cannot conclude if those on my left are going to keep up this barrage of nonsense.

Mr. Deans: You concluded years ago.

Mr. Cossitt: I am still here. I have been here a little longer than the hon. member and I will probably be here when he has gone.

Madam Speaker: Order, please. Will the hon. member conclude his question of privilege.

Mr. Cossitt: Yes, Madam Speaker. If the parlour pinkos to my left will give me permission to do so, I will be glad to attempt to conclude it in a very few words.

An hon. Member: What are you, the big blue behind?

Mr. Cossitt: I do not think a remark such as that is worth the dignity of a reply. The hon. member talks about a blue behind. All they are is blue after what happened in the Ontario election.

Mr. Clark: They are behind too.

Mr. Cossitt: There are other kinds of behinds, like certain animals. I conclude, Madam Speaker, by asking that this matter be given serious consideration. I raise this question not in any way as a severe complaint against the Chair or questioning the judgment of the Chair, but in the interests of members knowing where they can go, cannot go or should go. I ask the Chair to refer it to the Standing Committee on Privileges and Elections so that they can consider what limits they would recommend to this House. Madam Speaker, it is very difficult to talk with this bejabbering over on the left.

• (1640)

Mr. Deans: Just keep talking, you are making no sense anyway.

Mr. Cossitt: Well, the people of Ontario showed they thought you made no sense.

Madam Speaker: Order, please. The hon. member was just about to conclude and I am dying to hear that conclusion.

Mr. Cossitt: Madam Speaker, I would not want the Chair to suffer such a fate, even though I might wish it on the gentleman on the left, so I will conclude by saying that I hope this matter will be given consideration and referred to the Standing Committee on Privileges and Elections.

Madam Speaker: I want to make it quite clear to the hon. member that the determination of a prima facie case of privilege does not necessarily demand a full debate. Nor is it pertinent to submit that, if you can contribute new evidence to the subject which brought forward the question of privilege, that is pertinent to the question itself. I did not establish that the hon. member for Durham-Northumberland (Mr. Lawrence) had a prima facie case of a question of privilege; therefore, the hon. member cannot complain that he was not allowed to speak on it. I could not entertain a question of privilege because quite clearly there was no question of privilege. So I feel that, on the basis of his intervention today, I cannot even think of submitting it to the committee as there is no prima facie case of privilege.

Mr. Cossitt: On a point of order, Madam Speaker. I abide by your decision and I will not pursue the matter further because I also respect the wilting health of the hon. member for Hamilton Mountain (Mr. Deans).

Madam Speaker: Of course not. The hon. member cannot pursue the matter further because I have ruled on it.

MR. WILSON—NOTICE OF QUESTION TO BE RAISED

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, at the end of yesterday's question period I gave you notice of my intention to raise a question of privilege relating to an answer I had been given. I wanted to relate that answer to answers given to me on several occasions by the same minister concerning the National Energy Program, and particularly with relation to the activities of drilling rigs in Canada.

Madam Speaker: Order, please. While it is true that the hon. member gave me oral notice yesterday of his intentions, that is not sufficient. He has to give me a written statement, which he did not, so I can hear him another time.

Mr. Wilson: Madam Speaker, I will give you notice in writing for tomorrow.

MR. FRIESEN—USE OF UNPARLIAMENTARY LANGUAGE BY MR. KNOWLES

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise on a matter of personal privilege arising from the remarks of the hon. member for Winnipeg North Centre (Mr. Knowles) who is speaking to his soul mate from—I said "soul mate" not "cell mate".

An hon. Member: You are a disgusting bunch.

Mr. Friesen: Madam Speaker, I intend to refer this matter to the management and members' services committee, but when I rose earlier I was simply reading the regulation that constituency offices may not be located in a political party headquarters. I then proceeded to read—

Madam Speaker: Order. Those rules are not the rules of the House.

Mr. Friesen: I understand that, Madam Speaker.

An hon. Member: Then sit down.

Madam Speaker: What I do not understand is why the hon. member persists in bringing this question before the House when the whole matter is governed by rules established by members themselves and policed by the committee in question.

Mr. Friesen: It was raised, Madam Speaker, and there is no way that should have aroused the hon. member for Winnipeg North Centre in the way it did. I would simply refer him to Beauchesne's fifth edition, which he may have had on some occasion an opportunity to read. On page 110 it lists the word "scurrilous" as being considered unparliamentary, a word he used in relation to me and the remarks I made, and I would ask him to withdraw it.

Mr. Knowles: Madam Speaker, if you direct me to withdraw it, I shall do so and substitute the word "disgusting."

Madam Speaker: I thank the hon. member for Winnipeg North Centre (Mr. Knowles) for his co-operation.

MR. MAYER—REPLY OF MR. PEPIN DURING QUESTION PERIOD

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, my question of privilege is long-standing and arises partly from an answer I received today during question period from the Minister of Transport (Mr. Pepin), who was responsible to this House for the Canadian Wheat Board.

I would like to point out to you, Madam Speaker, that the Canadian Wheat Board is not a government department like other departments. It is not funded out of general tax revenues but, rather, largely by western Canadian producers. We have had many, many problems over a long period of time getting answers to some of the matters raised by our constituents regarding the Canadian Wheat Board.

We now have a situation where the minister responsible for that board does not sit in this House and therefore cannot be responsive to those problems, because by definition a minister from the other place cannot speak in this House.

Madam Speaker: Order, please. That does not constitute a question of privilege. The custom of having members sitting in the other place responsible for certain government matters is well established. It has happened in governments of all parties, so that in itself does not constitute a question of privilege.

I would ask the hon. member to state clearly and briefly what his question of privilege is, and it has to be related directly to today's deliberations. The hon. member said "partly"; there is no question of "partly"; it has to be related to the deliberations of today.

Mr. Mayer: Madam Speaker, I asked the Minister of Transport what he was doing to see that there was additional tonnage available for shipping during the current shipping season and, to paraphrase his answer, he said he would have discussions with the minister responsible for the Canadian Wheat Board. If this is not a question of privilege, Madam Speaker, I appeal to you to give me some direction as to how I can better serve my constituents with regard to the Canadian Wheat Board.

I have documentation in the form of letters to the clerk of the Standing Committee on Agriculture and also the clerk of the Standing Committee on Transport. I have had discussions with and written a letter to the government House leader, asking him to see if he could get the board in front of the appropriate committee so that all members could ask the officials of the Canadian Wheat Board the appropriate questions.

Madam Speaker: Order, please. The fact that an hon. member is not satisfied with an answer that he received in the House does not constitute the basis for a question of privilege; that has to be quite clear to hon. members. I cannot allow the hon. member to continue on that particular question of privilege on that basis. I have listened to him for five minutes and I still do not know what the question of privilege is.

Mr. Mayer: With all due respect, it has been a very short five minutes. If it is not a question of privilege, then maybe the Chair can give me some direction. The board is a very large operation in western Canada. The total budget of the Canadian Wheat Board is approximately equal to the total budgets of the provinces of Saskatchewan and Manitoba, yet Wheat Board officials have not appeared in front of a parliamentary committee so that those of us who have constituents—

• (1650)

Madam Speaker: I am in no way capable of helping the hon. member in this respect. If he wants a particular body to appear before a parliamentary committee, he is perfectly capable of requesting that in the proper place. I have no authority to call witnesses before any committee. I am simply here to apply the rules of the House. The rule that I am applying now is that whatever the hon. member is discussing at this point is not a point of privilege. I cannot hear him any longer if he does not

have a clear question of privilege to present to me. What he has said up until now has nothing to do with privilege. I can help him only by saying that if he wants to help his constituents he can continue to ask questions, to probe or discuss this matter at times when the House is debating these questions, but not through the device of raising a question of privilege.

Mr. Mayer: With all due respect, Madam Speaker, how am I to ask questions of a minister responsible for the Canadian Wheat Board when he is not present in the House? Can I then give you notice, Madam Speaker, that I would like to raise this question as a point of order at a later date?

Madam Speaker: The hon. member may raise a point of order when he wishes to.

* * *

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I am rising on a matter discussed in question period today which dealt with the propriety of the question whether the constitutional resolution should be before the House of Commons at a time when the Supreme Court of Canada is seized with a question having to do with that very resolution.

The House will recall that in an exchange earlier today I asked if the Prime Minister of Canada (Mr. Trudeau) would respect the rules of this House and the traditions of the Supreme Court of Canada and withdraw the resolution until the matter with which the court has now been seized is resolved. The Prime Minister, while not answering my question, invited me to present the case in the House of Commons before yourself, Madam Speaker, as to whether it is appropriate to have simultaneous consideration of the constitutional resolution by the Supreme Court of Canada and the House of Commons.

I am now responding to that invitation by the Prime Minister to argue that point of order, to argue that it is inappropriate for these two institutions, under our rules and practices, to be simultaneously considering the same question.

At the time of the publication of the government resolution on the Constitution, there were a number of objections raised by a number of provinces. Certain provinces brought three specific questions before the Manitoba Court of Appeal. Those questions began to be heard in early December, I believe. The deliberations proceeded, and the decision handed down showed a three to two decision against the province of Manitoba and the other provinces which were raising questions regarding the legality of the constitutional resolution. Hon. members of the House who paid attention to that constitutional matter will remember that the justices in that court were very evenly divided because there were some very real questions of law which remained to be resolved. As a consequence of that decision, an appeal was brought before the Supreme Court of Canada by the government of Manitoba and others. That appeal was accepted by the Supreme Court of Canada and that court now stands seized with the same constitutional question on the resolution which is now before the House of Commons.

The matter which must be considered and decided by the Chair is whether it is appropriate, under the rules relating to questions which are sub judice, for this House of Commons to be considering a matter which is under challenge, which is under consideration by the Supreme Court of Canada. It may well be that an attempt will be made by the justices of the Supreme Court to have priority given to that question so that there can be a speedy dispatch of the appeal now before it. That matter is out of our hands, although it is my understanding that efforts will be made to ensure that it will come before the Supreme court with some dispatch.

In this House we have dealt with questions pertinent to the rule that matters which are sub judice—before the courts—cannot be discussed here in the House of Commons. It is a rule with some specific applications, but it has never been raised in the precise circumstances that I intend to raise today. I will come to that later in my argument.

Very frequently, questions have not been allowed to be put in the House because those questions were before the courts. On other occasions, there have been actions which the House wanted to take but was precluded from taking because those matters were before the courts. The basic principle is set out in Beauchesne's Parliamentary Rules and Forms, which I quoted earlier today, citation 338(4). I will read that citation and then emphasize the particular principle which is most important. That citation says:

> The reference of a bill to the Supreme Court of Canada withdraws that bill temporarily from the jurisdiction of Parliament. If the constitutional situation of human rights is submitted to the Supreme Court, it thereby becomes sub judice and cannot be considered by a committee of the House until the court has given its decision. The question cannot be before two public bodies at the same time.

I repeat, the question cannot be before two public bodies at the same time.

An hon. Member: Nonsense.

Mr. Clark: An hon. member of the New Democratic Party says "nonsense". He is the hon. member for Broadview-Greenwood (Mr. Rae). Perhaps he will write his own edition of parliamentary rules and forms—

An hon. Member: What you are saying is constitutional nonsense.

Mr. Clark: Most of us prefer Beauchesne to the hon. member for Broadview-Greenwood.

Some hon. Members: Hear, hear!

Mr. Clark: If he were to associate himself with Beauchesne on constitutional matters, he would be in better company with constitutional matters than he has been in some of his more recent associations.

Some hon. Members: Hear, hear!

Mr. Clark: The Beauchesne reference which I have just cited, Section 338(4), entered into the categorization and writing of the rules of Parliament as a result of a decision of this House on April 12, 1948. At that time, an attempt was made to move a motion that a committee of the House consider a matter which was then before the courts. The ruling which I have just cited initiated this practice of the Parliament of Canada. It was introduced into our rules and forms as a result of that decision of Parliament in 1948.

The purpose of that rule is clearly spelled out in the nineteenth edition of Erskine May, page 427, in the paragraph relating to matters pending judicial decision. I think it is important to draw the attention of the Chair to the purpose for which that rule exists, which is quite concisely stated as follows:

—the Chair should not allow reference to such matters if it appears that there is a real and substantial danger of prejudice to the proceeding;—

That is to say, prejudice to the proceedings before the courts.

I want to underline the point that there is clearly a danger to the proceedings now before the Supreme Court. If this government is allowed to proceed with the resolution in the way it intends, rushing it through by closure, then the question under consideration by the Supreme Court of Canada will be removed from the jurisdiction of Canada and sent to another country. I cannot think of a more dramatic danger than to have that question taken out of a court in Canada and sent to another country by the Parliament of Canada. That is the intention of the—

Some hon. Members: Hear, hear!

Mr. Clark: I would ask Your Honour to bear the purpose of this rule in mind when you are considering your judgment later.

In his answer to me in the House, the Prime Minister indicated that the rule would only apply if there was a direct reference to the Supreme Court of Canada. I think he was trying to say that the Government of Canada had not made direct reference of the constitutionality of the resolution to the Supreme Court of Canada. The House will recall that many of us thought it would have been more appropriate, more direct and more respectful of Canadian judicial institutions if there had been that kind of reference, but there was not.

• (1700)

Madam Speaker: I am sorry, but I must now interrupt the hon. member to read the proceedings on the adjournment motion.

Business of the House

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Algoma (Mr. Foster)—Energy—Delay in construction of tar sands plants; the hon. member for Hamilton West (Mr. Hudecki)—Nuclear energy—Safeguards respecting sales of nuclear reactors; the hon. member for Comox-Powell River (Mr. Skelly)—Corporate Affairs—Delay in introduction of legislation.

* * *

BUSINESS OF THE HOUSE

Mr. Knowles: Madam Speaker, I rise on a point of order. Since there seem to be so many points to raise today and since the one which the Leader of the Opposition has raised just now is of great importance, I wonder if there would be unanimous consent to dispensing with private members' hour today so that we can carry on with the matters in which my friends are so deeply interested.

Mr. Baker (Nepean-Carleton): Madam Speaker, normally I would agree to that, except for the fact that there are a couple of matters which, I gather from speaking to one of my colleagues, are of some urgency and on which the government intends to move. One of the matters is in the hands of the hon. member for Ottawa-Vanier, which I think we can dispose of quite quickly.

Mr. Knowles: That will take only two minutes.

Mr. Baker (Nepean-Carleton): I have to say this because normally my friend is the defender of private members' business. There is also another member who feels he may have a point which he wants to raise. He might be able to withdraw it, but I do not believe I could ask the hon. member on the other side to withdraw his motion if he wishes to proceed. In any event, I think it is important that, notwithstanding these things, the rights of private members be respected. That is why I wanted to rise and explain the circumstances.

Mr. Collenette: Madam Speaker, I should say that we are in perfect agreement with the suggestion made by the hon. member for Winnipeg North Centre to continue the point of order. On the other hand, I do ascribe to the point of view outlined by the hon. member for Nepean-Carleton because Bill S-16 in the name of the hon. member for Lethbridge-Foothills, a private member's private bill, is somewhat urgent. So I suggest, with all due respect, Madam Speaker, that perhaps we could, by unanimous consent, deal with that private bill and then dispense with the balance of private members' hour and continue with the point of order.

Madam Speaker: Does the House agree to this suggestion?

Some hon. Members: Agreed.

Some hon. Members: No.

Madam Speaker: There is not unanimous consent.

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

Mr. Collenette: I rise on a point of order, Mr. Speaker, because I know that today we are dealing with notices of motions for the production of papers as listed on today's Order Paper. As was stated a few minutes ago by me and by the hon. member for Nepean-Carleton, we do have a rather urgent matter to deal with, namely Bill S-16, which is a private member's private bill in the name of the hon. member for Lethbridge-Foothills. If it is the disposition of this House to give consent, we should proceed with that bill at this stage and then we can revert to notices of motions for the production of papers.

Mr. Deputy Speaker: Order, please. My information is that Bill S-16 has not been reported from committee.

Mr. Collenette: Mr. Speaker, I am sorry, I was coming to that. The bill has not been presented by the chairman, the hon. member for Ottawa-Vanier, but he is prepared to do so now with the consent of the House so that we can move to the other stages of the bill.

Mr. Deputy Speaker: Is there unanimous consent of the House that the hon. member for Ottawa-Vanier shall have leave to present the report of the committee?

Some hon. Members: Agreed.

ROUTINE PROCEEDINGS

[*Translation*]

MISCELLANEOUS PRIVATE BILLS AND STANDING ORDERS

Fifth report of Standing Committee on Miscellaneous Private Bills and Standing Orders—Mr. Gauthier.

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

PRIVATE BILLS

[*English*]

PRESIDENT OF THE LETHBRIDGE STAKE OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Mr. Blaine A. Thacker (Lethbridge-Foothills) moved that Bill S-16, respecting the President of the Lethbridge Stake of the Church of Jesus Christ of Latter-day Saints, be concurred in.

Motion agreed to.

Mr. Deputy Speaker: When shall the bill be read the third time? By leave, now?

Some hon. Members: Agreed.

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

He said: Mr. Speaker, I want to thank in particular those hon. members who attended the committee yesterday on a rather urgent basis to hear the debate on this bill at the committee stage. I offer my special thanks to the chairman of the committee, the hon. member for Ottawa-Vanier (Mr. Gauthier), for the extraordinary efforts he made on behalf of my parliamentary agent and the members of the church.

Some hon. Members: Hear, hear!

Motion agreed to and bill read the third time and passed.

Mr. Deputy Speaker: The House will now proceed to private members' business as listed on today's Order Paper, namely, notices of motions (papers), private bills, public bills.

There being no items on the Order Paper under the heading of private bills, the House will proceed to notices of motions (papers).

PRIVATE MEMBERS' MOTIONS FOR PAPERS

[*English*]

DECENTRALIZATION OF DEPARTMENT OF VETERANS AFFAIRS

Mr. Tom Cossitt (Leeds-Grenville) moved:

That an order of the House do issue for copies of all correspondence, notes, minutes of meetings and other communications relating to the decentralization of the Department of Veterans Affairs to the province of Prince Edward Island.

He said: Mr. Speaker, naturally one hesitates to proceed with this subject in view of the untimely death of the former minister to whose riding this institution was moved. Therefore, it is difficult to proceed, but I hope that anything I say will not be taken as criticism of any kind of the former minister or of anything he may have done, because I know that on all sides of the House we regarded him as one of the finest members of this chamber.

Some hon. Members: Hear, hear!

Mr. Cossitt: It has been my contention since the beginning that decentralization and moving these institutions out of Ottawa makes sense sometimes but does not make sense at other times. This was one of the times it definitely did not. It was a case where it appeared as if the government of the day was moving a very important cog in government machinery to a riding it was afraid it would lose in a subsequent election. It was moved there to prop up the cause of the Liberal Party. That was a pretty poor reason, when the government had facilities in Ottawa which were not inadequate, or could have been enlarged if they were slightly inadequate, at much less expense than taking a whole institution down to the province of Prince Edward Island.

• (1710)

Of course, the biggest problem was created for the veterans of Canada, who found that the service they were receiving from the Department of Veterans Affairs would be cut down because in effect they would be communicating with the extreme end of the country rather than the centre. Through all its branches in Canada and through its national executive, the Canadian Legion strongly opposed this move, but the government failed to listen in any way to the representations of the Canadian Legion on this matter. Also the government failed to listen to the representations of the opposition and went ahead on the basis of a straight political consideration.

Political consideration and taxpayers' funds should not be equated together. Unfortunately there has been too much of a history in the country, particularly with some administrations, of equating the two together, of using public funds to further political considerations. In my opinion, the move of the Department of Veterans Affairs to the maritimes was a straight case of political consideration, rather than service to the veterans or proper expenditure of money by the government on behalf of the taxpayers of Canada.

I presume the matter stands now as a *fait accompli*; it has got to the point of no return. There is no way this matter can actually be stopped without a great deal more expense to the Canadian government and to the taxpayers of Canada.

Mr. Collenette: Mr. Speaker, I rise on a point of order. I am sorry to interrupt the hon. member for Leeds-Grenville (Mr. Cossitt) but I would ask his indulgence for a minute before he closes off the debate on this notice of motion.

The normal courtesy in private members' hour and business in the House requires the co-operation of all parties. It is usual to ask each member whether he or she wishes to proceed with a private member's bill or notice of motion for the production of papers. We had already asked the hon. member for Leeds-Grenville and other members if they wished to proceed today and we had not got agreement. As Mr. Speaker will note, the order for today's discussion should have been order No. 32 in the name of my colleague, the hon. member for Vaudreuil (Mr. Herbert). I draw Mr. Speaker's attention to the fact that we have a terrible breach of courtesy here this afternoon.

Mr. Deputy Speaker: Order, please. The hon. member for Leeds-Grenville has the floor.

Mr. Cossitt: Mr. Speaker, I find what the parliamentary secretary just said confusing. Perhaps I should ask him to elaborate. Nobody consulted me as to whether this motion should be or should not be heard today. When I came into the House, I suddenly found that it was there. I am just wondering what the parliamentary secretary is getting at. He has left the chamber, but I am sure someone will inform him of what I say.

Many weeks ago I received a telephone call from someone whose name I do not even recall but who claimed to be a member of the Privy Council office; he was wondering if I wanted to proceed at that time. At that time the minister had just died, so I said that it would be rather untimely to proceed the week after the minister was buried, that it would be taken as being offensive. I did not want to proceed at that time for that reason, obviously it would be most inappropriate.

I did not know that it was on the Order Paper today. Perhaps it is my fault for not looking at that section of the Order Paper until about five minutes before I was called upon to speak. I was prepared to go ahead, even though I must say that much of the material I would use is in my office. I did not receive the courtesy of notification from the government that it was its intention to call this motion today.

Mr. Deputy Speaker: The hon. parliamentary secretary does not have a point of order. The Chair has observed the rules; the item is on the Order Paper. Any arrangements made individually by members outside of the House are not recorded in decisions of the House. They are private matters; they do not concern the Chair.

Mr. Collenette: Mr. Speaker can rule as to whether or not this was a point of order but, as I said, it requires a certain amount of co-operation for private members' business to operate in this place. As we have just seen from the hon. member for Lethbridge-Foothills (Mr. Thacker), we usually co-operate in a very fair and equitable manner.

I have been informed that the hon. member for Leeds-Grenville notified the government—and we have to organize these debates—of his intention to withdraw this motion from the Order Paper. He did not do so, but I would like that on the record because he has gone back on his word.

Some hon. Members: Oh, oh!

Mr. Deputy Speaker: This is not a point of order.

Mr. Cossitt: I ask the parliamentary secretary to withdraw his remark that I have gone back on my word. In other words, he is calling me a liar. I consider that unparliamentary, and I am not prepared to accept it.

Mr. Deputy Speaker: Order, please. The Chair has listened carefully to the language used. There are certain expressions which are unparliamentary, such as the one to which the hon. member for Leeds-Grenville referred. But with all due respect

to hon. members, the Chair has not heard that expression used and would invite hon. members, in the circumstances, to come back to the item before us.

Is the hon. member for Vaudreuil (Mr. Herbert) rising on a point of order?

Mr. Herbert: Mr. Speaker, my point of order is really a question for clarification, so that there will be no misunderstanding. Certainly my understanding was that my motion was to be called today, but I will not dispute that at this moment. What I do want to ask—

Mr. Deputy Speaker: Order, please. The Chair has recognized a certain order of business. We are proceeding in a routine way with an order of business. The hon. member for Leeds-Grenville has the floor.

Mr. Herbert: Mr. Speaker, on a point of order—

Mr. Deputy Speaker: The hon. member is not establishing a point of order by referring to arrangements which may or may not have been made in other ways.

Mr. Herbert: Mr. Speaker, I want to ask a direct question. Because the hon. member who is presently speaking introduced his motion, can we establish, as we are proceeding now, that he is in effect allowed to speak for the balance of five minutes, at which point in time there will be a reply from the government of five minutes, at which point the motion will be called?

• (1720)

Mr. Deputy Speaker: I understand this item has been considered by the House for 59 minutes prior to today's debate. It is my understanding of the rules that debate can proceed until roughly 5.40 p.m., at which point a minister of the Crown will have the opportunity to reply for five minutes and the mover of the motion for five minutes. According to the rules, I cannot recognize the hon. member for Leeds-Grenville at this point.

Mr. Nielsen: He is already recognized.

Mr. Cossitt: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The hon. member for Leeds-Grenville on a point of order. I have clarified the amount of debate that has taken place up to this point. I have indicated that the 31 minutes remaining will expire at 5.40 p.m., at which time a minister of the Crown will have an opportunity to speak. At that point, subsequent to a minister of the Crown speaking, there will be five minutes remaining for the hon. member for Leeds-Grenville. That will be the procedure.

Mr. Cossitt: Mr. Speaker, my point of order is in regard to the remark—

Mr. Deputy Speaker: Is the hon. member for Leeds-Grenville rising on a point of order, or what is he rising on?

Mr. Cossitt: On a point of order, that is right, Mr. Speaker. It pertains to what the parliamentary secretary said about my going back on my word. You have ruled that is not unparliamentary.

To set the record straight, I should make this one elaboration, which I think the parliamentary secretary will recall is correct. I mentioned a moment ago that I declined to proceed at the time the minister died—within five or six days. On giving this matter further thought I have recalled that, when I was telephoned by someone from the Privy Council office and asked if I wished to proceed further—

Mr. Deputy Speaker: Order, please. There has been dispute on both sides of the House in regard to facts. It seems to me both sides have set out a position. At this stage, are there any members who wish to speak to the motion?

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, I wish to speak briefly on this motion. This has turned into quite a debate, especially in view of the remarks of the parliamentary secretary about the hon. member for Leeds-Grenville (Mr. Cossitt) going back on his word and not withdrawing this motion when he had an opportunity to do so. The hon. member for Leeds-Grenville tried to have this motion removed but he was informed by officials of the House that he could not do so.

Mr. Cossitt: That is correct.

Mr. McKenzie: I think that point should be cleared up. It has absolutely nothing to do with the hon. member going back on his word, and we must proceed with this motion today.

I wish to point out that the move to Prince Edward Island is now a *fait accompli*. While the move is taking place we hope it will not be causing us any problems, but we have some very serious concerns about veterans affairs. I hope those concerns are not due to the move to Prince Edward Island.

We have had questions on the Order Paper for some time now in regard to a number of veterans' problems. There are serious concerns in the country about the estimated number of additional beds which will be required for domiciliary care for chronically ill veterans. This is a question we have raised many times. There are long waiting lists to get into these military hospitals. We do not know whether the move is causing delays in dealing with this particular aspect.

One of our more serious concerns is with regard to the pension commission and the length of time veterans must wait to have their pension reviews dealt with. Some of them are having to wait up to two years and many of them are dying before their application is reviewed. That is a ridiculous length of time for any veteran to have to wait for his pension to be reviewed. Some of the legions across the country which are assisting veterans with their applications are advising that there will be an exceptionally long waiting period before pension reviews will be dealt with. The legion and other service and veterans' organizations across the country are very concerned about this matter. We hope that the delay of the

pension commission's reviews of these applications is not due to the move to Prince Edward Island.

There are many other concerns, one of which is with respect to the Veterans Land Act. We feel that some changes will have to be made in this act with regard to spouses.

There are also very serious problems now faced by ex-prisoners of war. When our committee meets in the near future we will be asking for a review of the prisoner of war compensation with a view to increasing the basic rates. We know today that any former prisoner of war who suffered prolonged incarceration is undergoing serious health problems.

I understand there have been some delays with regard to purchasing land in Prince Edward Island. There are also delays in construction. I hope that these delays will not affect veterans and veterans' organizations across Canada.

Unfortunately, the acting minister is not in the House. I think it is unfortunate that he was not informed that this motion would be dealt with today. I do not even see his parliamentary secretary in the chamber and I do not know who will be answering on behalf of the Department of Veterans Affairs. I hope that the government will have the minister here, or at least his parliamentary secretary, to answer some of our concerns about the move to Prince Edward Island.

Mr. Tom McMillan (Hillsborough): Mr. Speaker, I had not originally intended to speak on this motion, but I was so moved by the eloquence of my colleagues, and by the importance of the subject, that I felt compelled to do so very briefly, with your indulgence, sir, especially in view of the fact that my riding includes Charlottetown, the community to which the Department of Veterans Affairs is to be relocated from the city of Ottawa.

I have a great deal of sympathy with many of the causes which the hon. member for Leeds-Grenville (Mr. Cossitt) pursues. But in this case I feel obligated to disagree with the sentiment behind his particular motion because, with all due respect to him, I believe it is a poorly disguised effort to oppose the principle of the relocation of the department from Ottawa to my riding and to my province. It is a sentiment with which I could not disagree more heartily.

Various people who oppose the relocation of the department to Charlottetown do so for a number of reasons. I think some of those reasons are not at all well founded. I would like to address that aspect in my remarks.

Before doing so, however, I want to stress the good, strong, and positive reasons why that department and, in fact, other departments should be relocated from Ottawa to other centres, including my region of the country. The first reason that comes to mind, and not necessarily the most important one, is the benefits to be derived from spreading the government, as an industry, as much as possible, across the country. We quite frequently think of government as being necessarily located in Ottawa-Hull or the national capital region, so-called, or, for that matter, central Canada. Yet there is nothing etched in stone which requires the federal government, that is, major departments and agencies thereof, to be located in all cases either in Ottawa or the national capital region.

Government, as an industry, produces many benefits apart from services. It produces jobs and creates wealth. It causes dollars to ripple through the economy. There is no single reason why those benefits should be concentrated exclusively in central Canada. In terms of national unity, it serves the country as a whole to have other parts of Canada, not just central Canada, receive the benefits from government as an industry.

• (1730)

Second, I think it is an advantage to have government located as close as possible to the people it serves. We should remind ourselves that not all Canadians are located in Ontario and Quebec. Canadians in western Canada and in the Atlantic provinces are as loyal to this country as those located in central Canada and are, therefore, as deserving of having services provided as conveniently as possible in the area in which they reside.

I recoil every time I see this government move to withdraw parts of major agencies like Canadian National from regions such as mine and I am horrified at the implications for national unity. It means that more and more of the federal government's presence in Canada is removed from regions like Atlantic Canada. Just as I oppose the withdrawal of Canadian National and other Crown agencies from the Atlantic provinces and from parts of the west, so also do I oppose any steps taken to prevent relocations of the kind we are speaking about now.

Decentralization as a principle of government is good when it can be accommodated without any loss of benefits to the people the departments are intended to serve.

There is no evidence the move of the Department of Veterans Affairs from Ottawa to Charlottetown is causing a single veteran in this country to be deprived of services provided by that department.

The fact is that complicated and sophisticated systems of communication are now so advanced that public servants can process applications and adjudicate them in ways that are not affected at all by geography. Whether a department is located in Charlottetown, the Yukon, Ottawa or in Timbuktu has no bearing on the level of services or the speed with which the services can be provided.

The third reason I am not very enthusiastic about this motion is that the federal government, as an institution, must be as visible as possible to all Canadians. That conforms to my remarks of a few moments ago about agencies such as Canadian National withdrawing from regions such as my own. Every time a CN office closes in the Atlantic region, every time Air Canada withdraws a service from my region, every time the federal government consolidates its operations in key centres and major metropolitan areas at the expense of small communities like Charlottetown, people in those communities become more estranged from the federal government.

In the name of national unity, and in the name of the federal government making itself available to Canadians in all parts of the country, and not just in central Canada, I think it is important that we oppose the withdrawal of agencies such as Canadian National from regions like mine. By the same token, we should be enthusiastic about legitimate efforts to decentralize and get away from the principle that bigness, by definition, is necessarily good or is always the best way to proceed.

All too often we have fallen into the trap of believing that governments and corporations in the private sector have to be big and impersonal; the result is that they become insensitive to the public they are designed to serve.

I maintain that government and business alike can be effective, efficient and, in the case of businesses, even profitable, without going hell-bent in the direction of consolidation and bigness.

Traditionally, we in Canada have prided ourselves on our diversity, our linguistic diversity, our economic diversity and our geographic diversity. Why then, all of a sudden, do we in government elevate to a high level of importance the principle that government must be monolithic, must be huge, must be concentrated only in centres such as Montreal and Toronto? Why can we not recognize, consistent with the principle of diversity, that a lot can be gained by appreciating the value of small communities in our country, of small provinces like Prince Edward Island, and of regions like Atlantic Canada that may not have the wealth of central Canada but, nevertheless, have the same attachment to the country as a whole and are, therefore, as deserving as other regions of a piece of the federal government pie?

By all means let us be rational, efficient and effective in government organizations, but let it not be at the expense of withdrawing the presence of the federal government from communities such as Charlottetown.

This government claims to be the champion of national unity. The Prime Minister (Mr. Trudeau) constantly wraps himself in the Canadian flag and present himself as the great Canadian patriot—perhaps the only Canadian patriot! I do not wish to digress from my subject or get into the constitutional debate, because I shall be speaking about the Constitution next week. I must say, though, I find it very strange indeed that the Prime Minister, who claims to be a great patriot, goes over the heads of the people of Canada, and of Parliament, to London to have passed there a package of so-called constitutional reform—a package for which he cannot get approval from the Canadian people. He is not a great Canadian patriot he is "the wild colonial boy."

Consistent with the principle that we should do things in Canada in a Canadian way, I think one of the traditions we should honour is an appreciation for the small communities that comprise the country. Consistent with that theme, I urge all members of the House of Commons to express outrage at any motion or any suggestion that departments of the federal government should not be located, when it is possible to do so, in communities outside central Canada, especially Ottawa.

I am a firm believer that the country as a whole, not just my own province, will be well served by having the Department of Veterans Affairs in Charlottetown, rather than in Ottawa. I regret very much, however, that this has been carried out in a very poor administrative fashion. I believe in the principle of decentralization and I commend the government, to the extent that it had anything to do with it, for proceeding with the relocation. But it should be recognized that it was the Clark government which did more in seven or eight months to bring about this relocation than the present government and the government before the Clark government did in some three years.

The principle of relocation is vital to Canada. I commend the government for recognizing that fact, to the extent that it has. But it has handled the administrative details of the relocation very badly. The community of Charlottetown, the province of Prince Edward Island and, I think, any reasonable person who knows anything about the subject, all recognize that the building that is to be the headquarters for the Department of Veterans Affairs should be located on the waterfront in Charlottetown.

I do not want to get into this in any great detail because I think the battle has probably been lost. The fact is, though, that the city of Charlottetown, the province of Prince Edward Island and the people of Prince Edward Island have long favoured locating the national headquarters on the waterfront in the city of Charlottetown. In that location it would complement a major urban development in the city, while not aggravating parking and traffic problems in the capital city of Prince Edward Island.

• (1740)

In a bullheaded and stubborn fashion, however, this government bucked community opinion, bucked the official representations of the city of Charlottetown, and bucked the same type of representations from the province of Prince Edward Island. Rather than locating the national headquarters on the waterfront, which made a lot of sense, the government has decided to plunk a huge federal government complex in the very heart of the city of Charlottetown, which will disrupt traffic and worsen the parking problems there. Also it will devour a very valuable part of the city of Charlottetown which could be better used for commercial purposes.

Mr. Deputy Speaker: Order, please. I indicated previously that it was the intention of the Chair to interrupt the proceedings at 5.40 p.m. and at that point deem that the time provide under Standing Order 48(2) for consideration of this motion had expired.

Mr. Collenette: Mr. Speaker, I would like some clarification. There was some confusion earlier as the result of lack of notice on debating this item. That has been disposed of. You ruled it was not a point of order. However, I would submit that since the hon. member for Leeds-Grenville (Mr. Cossitt) did not have the right to speak twice on his own motion, except as provided for under Standing Order 48 for five minutes in reply

after the minister, that the time the member from Leeds-Grenville was on his feet erroneously speaking to the motion should not be counted as part of the 100 minutes allotted under the provisions of Standing Order 48.

Therefore, I would respectfully submit the 41 minutes outstanding in this debate should be counted from the time the hon. member for Winnipeg-Assiniboine (Mr. McKenzie) took the floor, which was about 5.25 p.m., or around that time. I would submit that we should not interrupt the debate at this point to hear the customary reply from the minister. Incidentally, the minister to speak will be the Minister of the Environment (Mr. Roberts). The Acting Minister of Veterans Affairs, the Minister of National Defence (Mr. Lamontagne) because of lack of notice could not be in his place for the speech.

Mr. Nielsen: Mr. Speaker, under the provisions of Standing Order 48, the hon. member for Leeds-Grenville (Mr. Cossitt) is entitled to have the question put on his motion. I think members on this side might be disposed to extending private members' hour as long as it does not prejudice the right of the member to have the question put. It is not his fault that the parliamentary secretary got his wires crossed. It is not his fault that Standing Order 48 was not followed initially at the commencement of the debate. Therefore, he should not be prejudiced by private members' hour running out and the question not being put.

If the proper procedures had been followed, then the question would have been put. There would be no disposition on this side to follow the suggestion of the parliamentary secretary if it resulted in the right of the member for Leeds-Grenville to have his motion put to the vote, but if the House is disposed to extending private members' hour so as to allow that question to be put, there would be disposition, I believe, on this side to permit that to happen.

Mr. Collenette: Mr. Speaker, I suppose I am debating the point, but the confusion certainly was not on our side. We had the set normal practices. The hon. member for Vaudreuil (Mr. Herbert) was prepared to go with the notice of motion for the production of papers appearing on the Order Paper as No. 32. The hon. member for Leeds-Grenville was permitted to speak. That procedure was in error. From time to time, these errors do happen. I must insist, from my point of view, that the balance of this debate should start at 5.22 p.m. and conclude when the remaining time has been used up.

Mr. Baker (Nepean-Carleton): You have no right to do that.

Mr. Collenette: With respect to the suggestion made by the hon. member for Yukon (Mr. Nielsen) on the extension of private members' hour, I find this difficult to accept. Earlier, as you remember, I sought consent to aid one of his colleagues, the hon. member for Lethbridge-Foothills (Mr. Thacker). We got consent at that time but we did not get consent to waive private members' hour to deal with a very important matter, namely, a point of order which deals with the future of the constitutional resolution now before this place. I could hardly be expected to agree, on behalf of the government, that we should not observe the provisions of Standing Order 6(1) at this time.

Mr. Nielsen: Mr. Speaker, it is not merely a suggestion that private members' hour be extended and I would think that the parliamentary secretary would be one of the first to stand up in protection of private members' rights. There can be no doubt that the Chair has that responsibility, just as there can be no doubt that the hon. member for Leeds-Grenville has the unquestionable right under Standing Order 48 to have the question put forthwith when the procedures have been followed.

I might just read Standing Order 48(2). You have already referred to most of it, but the pertinent words with respect to the rights of the hon. member for Leeds-Grenville are as follows:

Unless the motion is withdrawn, as provided by Standing Order 50,—

That is, after the right of a minister and the right of the member to reply have been exhausted. The Standing Order continues:

—Mr. Speaker shall forthwith put the question.

There can be no doubt about his right. I would suggest that there was time before the parliamentary secretary rose in his place and there is still ample time for a five-minute ministerial contribution and a five-minute reply. It is still only 5.47 p.m. and the question can still be put. I would urge you, Sir, to protect the right of the hon. member for Leeds-Grenville and have his question put.

Mr. Collenette: I would not want the hon. member for the Yukon to assume that the government is going to act in any particular way on this matter.

Mr. Fraser: Or any other.

Mr. Collenette: There are two reasons why I wish you would observe the suggestion I made in terms of not counting the time used by the hon. member for Leeds-Grenville and starting the debate at 5.22 p.m. instead. First, the hon. member for Laurier (Mr. Berger) and the hon. member for Vaudreuil (Mr. Herbert) both want to make contributions to this debate, as members have on the other side. Second, as we know, the Acting Minister of Veterans Affairs is unable to be here. I am trying to locate him so he can be here. Whatever the misunderstanding was, it was not on our side, but that is a debatable point. I am trying to get the acting minister of veterans affairs here, and I understand there may be a disposition on the part of the government to agree to the motion of the hon. member for Leeds-Grenville.

The hon. member for Yukon when talking about a division and putting the question is acting with great anticipation. It almost seems as if hon. members want to force a vote, ring the bells and continue to filibuster the very workings of this House, whether in normal hours or during private members' business.

Mr. Beatty: You are filibustering.

Mr. Herbert: Mr. Speaker, I rise on the same point of order. I will make it apparent right at the start that I was anxious to speak but I, too, want clarification.

I understand that this debate will go on for a period of one hour and 40 minutes and that the debate has taken up 59 minutes at the first session. I understand that it will continue for another 41 minutes today or until the conclusion of private members' hour.

Because the member for Leeds-Grenville (Mr. Cossitt) was recognized by you at the start of this period, and at your discretion, of course, you recognized two other members of the official opposition, but on this side we have not had an opportunity to speak. I particularly want an opportunity to speak because, if you look back through the order papers for the last three Parliaments you will see an identical motion has appeared in my name. I would like to add some remarks in the light of events in 1981.

I suggest, therefore, that you determine whether the time that has already been taken up by the hon. member for Leeds-Grenville today forms part of the remaining 41 minutes. If not, that time should be struck from the record, thus allowing at least one more speaker—on this side I would hope, but at your discretion—to use up the period of time previously used by the hon. member for Leeds-Grenville. For me, personally, I consider this as a question of privilege now in that I should be given the same opportunity to speak as members of the Official Opposition, three of whom have participated today. I would like you, Mr. Speaker, to determine precisely what time is remaining in this debate and precisely what the procedure is to be that we are going to follow in the remaining ten minutes until six o'clock.

● (1750)

Mr. Baker (Nepean-Carleton): Mr. Speaker, the issue in this matter is whether a Member of Parliament is entitled to the production of papers. In an era of freedom of information, the government has a bill before a committee now calling for openness in government. That is one issue. My respectful submission is that a member is entitled to the production of papers. The government has indicated it cannot say at this point whether or not it might agree.

The other issue is under the Standing Order my friend for Yukon (Mr. Nielsen) referred to; there is a right to have the question put, but that right can be lost if we continue in this debate. It is now nine minutes to six. That private member's right can be lost if we continue. It is wrong for that right to be lost, whatever the confusion. I would like to clear up the confusion. Hopefully I can. I therefore move, seconded by the hon. member for Burlington (Mr. Kempling):

That the question be now put.

Mr. Deputy Speaker: Could I reply to the point made by the hon. member for Nepean-Carleton? The understanding of the Chair is if the vote does not take place, no right is lost because presumably the next time this period comes up in private members' hour the item would be called and the same rights of the hon. member would prevail.

Mr. Baker (Nepean-Carleton): I respectfully remind the Chair that there is now a motion before the House that the question be now put. I am aware of what you have said, Mr. Speaker, but no one has any guarantee that he will hereafter have the right to have that motion to receive that production. Therefore, it is important. The motion is there. I advanced it seriously in the interests of private members and the production of documents. I ask that you recognize that motion and put the question.

Mr. Deputy Speaker: The Chair understands that the hon. member for Nepean-Carleton has moved that the question be now put. This is a debatable motion.

Mr. Nielsen: No it isn't.

Mr. Knowles: Mr. Speaker, that is precisely the point I was going to make, although there are one or two other points I should like to make as well. Hon. members are shouting out right away that, no, it is not debatable. All I have had time to do is pick up Beauchesne's fifth edition and look under "Previous Question" on page 388 and there it is:

Members who spoke on main question may speak again—

There are several references there that can be looked up in Beauchesne. If I may say so, the practice is well known to any of us who have been around here for a while that the motion that the question be now put is debatable. You are, of course, caught with the other proposition, that this debate is not supposed to last in total more than 100 minutes. But certainly, as long as the time has not run out, any member, including the hon. member for Leeds-Grenville if he wants, can get up and speak to the proposition that the question be now put. I know it sounds silly to people who are used to that question being put immediately in other forums, but certainly it is debatable here.

There is another point I want to make. Perhaps again I am confirming something that has been said by the Chair. It has to do with the right of the hon. member for Leeds-Grenville (Mr. Cossitt) to have a vote on his proposition. Absolutely he has that right. The Standing Order was drafted that way. I may say that I happened to write it when I was chairman of the sub-committee dealing with these matters. There is no question about his right to have it. It is a question of when. He would like to have it today. I do not blame him. However, if he does not get it today, because of the passage of time, he will get it on another occasion.

One other point, the request is being made that the time taken by the hon. member for Leeds-Grenville when, as it turned out later, he had no right to have the floor, should not be counted. This reminds me of times when Madam Speaker extends the question period because time was taken for applause, points of order and what have you. It reminds me of occasions when a member is speaking in a debate and his time is up, and Mr. Speaker extends it because there was time taken which should not have been taken.

I think, by the same token, the minutes that were used when the hon. member for Leeds-Grenville was speaking the second time should not be counted in the total of the minutes. There is no criticism of him for having spoken. What he said does not need to be struck from the record. However, I do not think that extra time should be added, just as I do not think he should count the time that has been taken on these various points of order. As for the motion that the question be now put, I refer my hon. friends to the rule books.

Mr. Roberts: On the point of order, Mr. Speaker. I listened with considerable interest to the remarks of the House leader of the New Democratic Party in relation to the motion which was, as I understood it, attempted to be moved by the hon. member for Nepean-Carleton (Mr. Baker). In addition to other rather grave objections which have been referred to, the attempt he is trying to make, surely in terms of the rules of the House, and I do not have the book close by me, is an attempt to move such a motion while rising on a point of order, and to do that on the basis of holding the floor of the House to express a point of order is clearly in opposition to the rules. I am sure there are other hon. members who could direct you to the specific citation, indicating that that is clearly the case. As has been pointed out quite correctly, that kind of motion is debatable. I believe under Citation 452 of Beauchesne that is not the proper kind of motion to be moved by an hon. member rising on a point of order. That is clearly and simply contrary to the rules. I would argue it is also a rather improper attempt, but that would lead us into a debate as to motivation of actions and I do not want that. I would ask Your Honour to look at Beauchesne to verify the point of whether or not the argument I am making is adequate, that it is impossible to make such a motion in the way the hon. member has attempted to do.

Mr. Baker (Nepean-Carleton): On the point of order, Mr. Speaker. I appreciate the remark. As you know from many long years of association with me, Mr. Speaker, I have great respect for the House, the Chair, the rules, the customs, traditions and precedents. I thank the minister for bringing that to my attention. It would never be my intention to offend the rules of the House. If the minister is correct in that, I would most definitely withdraw the motion.

Mr. Cossitt: Mr. Speaker, a moment or two ago the parliamentary secretary said he had some indication the government might be prepared to accede to the production of papers. What we are arguing here is not whether it was right or wrong for the decentralization to take place. The motion before the House is for the production of papers so that people on all sides with regard to any part of this question can see what happened. It is freedom of information. I compliment the hon. member for Hillsborough and others on what they said. What we are getting at is the production of papers so that we can have freedom of information. If the parliamentary secretary can assure us of that, the matter will be concluded.

Mr. Collenette: I do not want to belabour the point, Mr. Speaker, but we did not have notice that this was to be discussed today. I covered those grounds. We have been trying to get in touch with the Acting Minister of Veterans Affairs so he may come to the House and give the assurances that the hon. member for Leeds-Grenville wants. I indicated that the government may well be disposed to allowing these papers to be produced, but, in all fairness, the hon. member for Laurier and the hon. member for Vaudreuil would like to speak.

Mr. Deputy Speaker: Order, please. The hour provided for the consideration of private members' business having expired, I do now leave the chair until eight o'clock.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT

Madam Speaker: I did not understand the Leader of the Opposition (Mr. Clark) had finished his intervention. Since he is not here on this point of order I will take it under advisement and rule later tomorrow.

ROUTINE PROCEEDINGS

[*English*]

ESTIMATES

TABLING OF DOCUMENTS RELATING TO PROPOSAL FOR REFORM OF ESTIMATES

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, pursuant to Standing Order 41(2), it gives me great pleasure to table documents relating to the government's proposal for reform of the estimates.

Madam Speaker: Introduction of bills. The hon. member for Hamilton-Wentworth (Mr. Scott), stand. The hon. member for Athabasca (Mr. Shields), stand.

Mr. Jim Hawkes (Calgary West): Madam Speaker, are we at the point were it is appropriate to discuss the point of order raised by the hon. member for Winnipeg North Centre (Mr. Knowles) regarding the motion of the House leader?

Madam Speaker: No, we are not there yet.

Point of Order—Mr. Clark

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, as you know, the bell sounded very quickly this evening before I had an opportunity to return to the House. You will recall that when you rose to call it five o'clock I was in the middle of a presentation of an argument that had not been completed. I am rising on a point of order now with regard to proceedings in the House.

That argument was only partially completed and there were indeed some very germane questions I wanted to draw to the attention of the Chair in the hope of aiding you in your decision. I would ask your guidance as to whether it would be appropriate for me to now continue with the argument I began before you rose at five o'clock.

Madam Speaker: I, too, am at a loss because I was very conscious that the hon. member was discussing a point of order. I came into the House, I waited for awhile because I was expecting to see someone but the hon. member was not here so I had to proceed. I suppose we would now require unanimous consent to revert to that point. I am in the hands of the House; I had to proceed.

Mr. Clark: Madam Speaker, I would imagine we are still at a point in the proceedings of the House where Your Honour would accept a point of order. The question before you is whether or not you would accept a continuation of a point of order which was being put before five o'clock and which was not completed. I am sure Your Honour would find that it would be appropriate to have argument completed on a point of order, and secondly, since I want to raise elements of that point of order which I believe are new in the practice of the House, you would want to hear them before you had to give consideration as to the appropriateness of the point. It is a point of order of some particular interest because I am making it at the express request of the Prime Minister (Mr. Trudeau) who, during question period today, asked that I put forward the arguments that were requested. I would naturally welcome guidance and I would naturally be prepared to proceed either on a new point of order or on a continuation of the point I was raising at five o'clock.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, if we were to accept the request of the Leader of the Opposition (Mr. Clark) we would be party to their filibuster. Normally the House of Commons resumes its sitting at eight o'clock. Several Liberal members were in their seat and you waited many seconds in your chair before taking a decision.

We have absolutely no request to make. Had we wanted to we could or I could have taken the floor to seek unanimous consent to adopt the constitutional resolution and there was no one on the other side to say no, but we did not do that. All we did was discharge our responsibility to be in the House at the proper time. We were here and we were expecting that the Leader of the Opposition would pursue his argument. Obviously, on the face of it the point he has raised is sheer nonsense. Be that as it may, you have ruled that you would take it under advisement. His rights are not curtailed. You will be making a decision on one of their manoeuvres earlier today and I would suggest that the House proceed with the order of business as it appears on the Order Paper.

Madam Speaker: The Right Hon. Leader of the Opposition (Mr. Clark) must appreciate that I found myself in an awkward situation when I saw he was not present. I took the question under advisement, for it seemed to me that I could not proceed any further without first settling the question of the point of order raised by the Right Hon. Leader of the Opposition. I was really in an awkward position. I looked around me, I waited as long as I could, but I have to proceed and follow the Standing Orders as well.

I took the question of the Right Hon. Leader of the Opposition under advisement. If he has other points to raise after I have delivered my ruling tomorrow, I suppose he might perhaps raise new ones. For the time being I believe I have no other choice unless the House gives unanimous consent to enable us to revert to the daily routine of business. In that case, if the House agrees I will be prepared to hear the rest of the intervention of the Right Hon. Leader of the Opposition. If the House does not agree I cannot proceed otherwise.

[*English*]

Mr. Pinard: Madam Speaker, I see once again you seek unanimous consent of this House to allow the Leader of the Opposition, who was late and who knew he had the floor at five o'clock, to argue once again on a question that you have taken under consideration. Well, if they are all mixed up in their filibuster, there is no way we on this side will act as accomplices to such a low manoeuvre.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, I, of course, have no interest in complicating your life or that of the House. There will be other occasions later this evening when it will be perfectly appropriate for me to raise that point of order again, and I will do so. I will, unfortunately, have to begin my argument again from the beginning and repeat some of the arguments I made earlier, but if that is the choice of the government House leader, particularly in contrast to the willingness of our party the other night when the Prime Minister sought extra time—

Some hon. Members: Hear, hear!

Mr. Clark: —to speak in the constitutional debate, I am prepared to rise again to make the argument in all of its amplitude, repeating what I said earlier. It would be more expeditious, would save the time of the House, and would be more respectful of the traditions here if unanimous consent were given, as we gave the Prime Minister the other night. However, if that is to be denied by the government House

leader for reasons of his own, I will raise the question at another point.

• (2010)

Mr. Pinard: Referring to the consent given the Prime Minister (Mr. Trudeau), in fact nothing was given to the Prime Minister. Under Standing Order 31(1)—

An hon. Member: Oh, yes, there was.

Mr. Pinard: Under Standing Order 31(1), the Prime Minister has a right to unlimited time. The only consent given at the time was to allow him to speak before six o'clock, and the private members' hour was postponed. It was not cancelled. Nothing was given to the Prime Minister.

An hon. Member: Don't worry about any other consent, ever!

Mr. Pinard: If the Prime Minister of Canada, according to the Standing Order, spoke for an unlimited period of time, he was allowed to. If he spoke two hours and 16 minutes, there was nothing wrong in that. The hon. member for Provencher (Mr. Epp), who was the mover of an amendment according to the same Standing Order, spoke one hour and 16 minutes, and he is not the Prime Minister of Canada. He is a Member of Parliament. He is in the House sometimes and goes abroad sometimes; but he is not the Prime Minister of Canada.

Some hon. Members: Hear, hear!

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I hope the government House leader will reconsider what he said. Of course the Prime Minister (Mr. Trudeau) has unlimited time. The Prime Minister used what time was required. It was rather important to the Prime Minister on that evening that we offered him the hour allotted to private members; it was important to the Prime Minister that that happen, that that be done, and he thanked us for that courtesy. I do not think that this is the place for meanness.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): This can be a place for procedural arguments and all the rest of it, but I do not think it should be a place for meanness. As the Prime Minister occupies a special place in the House of Commons, so does the Leader of the Opposition (Mr. Clark) have a special place in the House of Commons. He is an officer of this House. I think it is important that courtesies be extended for the convenience of the Prime Minister, and it is also important that courtesies be extended for the Leader of the Opposition, or, indeed, for the leader of any party in this House of Commons. I believe this kind of courtesy ought to be extended.

I think it is important, as well—and obviously must be important to the government—that the debate be continued and be completed within the rules of the House of Commons. It is important to us that it be carried on within the rules. It seems to me, if we regard this place as a place of harmony with great differences, it is inappropriate for the government House leader to say, with respect to the Leader of the Opposition, in any event, that the Leader of the Opposition ought not to be afforded certain courtesies.

I ask the hon. gentleman to notice that the bell was perhaps the shortest on record. It was about seven, eight or nine seconds. Madam Speaker did say she waited for a short period, and I would not doubt that. The Leader of the Opposition, following the custom which has developed in this House, when the bells began to ring, came downstairs to his place in the House. I would not want to describe the failure of that recognition which should be given to the Leader of the Opposition in the way it might be described outside of the House, but I think it is important to remember that while there are strong differences between us—

An hon. Member: Get up off your knees, Walter.

Mr. Baker (Nepean-Carleton): I am not on my knees, by any means. There are strong differences between them but I think it is quite appropriate, for whatever progress the government House leader wants to make with respect to this matter, that he reconsider, and give to the Leader of the Opposition the courtesy which I believe that position deserves. I frankly ask him for this.

[*Translation*]

Mr. Pinard: In view of the circumstances, Madam Speaker, I would say that the request of the Leader of the Official Opposition to the effect that we should not take into account the atmosphere in the House or the differences of opinion which can exist between the two sides of the House concerning matters under debate, as concerns his request; in view of his explanations, and if we consider the fact that he finds that the bell this evening rang for an exceptionally short time, I shall point out that we found for our part that the bell had rung for an exceptionally long time the day before yesterday. If we also consider that the government prefers the bells to ring more briefly to be able to get more work done and that the Progressive Conservative Party prefers to have the bells ring for a very long time to prevent Parliament from working; if we forget all that, if we put aside the fact that we have witnessed in the last few days a shameful filibuster on the part of the opposition, which is systematically preventing the Canadian Parliament from working, stopping this institution from meeting the aspirations of Canadians and preventing us from dealing with other matters which would be much more useful for the Canadian society; if we can forget this unacceptable and shameful attitude on the part of the opposition party at a time when we have many problems and when Parliament is expected to do much more than in the past, if we can forget all that, Madam Speaker, I would be willing to consider the request of the House leader of the official opposition, but on one little condition, which is quite normal in the circumstances following this long and unacceptable filibuster, namely, that he would allow me this evening to introduce my motion on time alloca-

tion to put an end to the constitutional debate, and I promise that tomorrow I shall allow his leader to reopen the debate and to give his views on the question of privilege that he raised today.

Madam Speaker: As I understand it, permission to the Right Hon. Leader of the Opposition to continue his intervention tomorrow would be granted on the condition outlined by the hon. President of the Privy Council. I must ask whether the House agrees to this proposal.

Mr. Clark: We find this kind of blackmail totally unacceptable, and it certainly does not contribute to progress being made in the House. If the hon. members on the government side want to ignore the rights of the hon. members on the opposition side, we can accept their stubbornness and react in a way dictated to us by their own action and approach. This is not something which we have been seeking, but something which is imposed by the government House leader. We can certainly react in a way which is consistent with his approach. As I said earlier, I will have the opportunity some time tonight to raise again this issue which I raised this afternoon, and I have every intention to avail myself of this opportunity.

[*English*]

Madam Speaker: Just after the Right Hon. Leader of the Opposition had mentioned he would bring this question up again later this evening, I wanted to say something, but the hon. member for Nepean-Carleton (Mr. Baker) stood up, and I heard him. However, I cannot accept what the Right Hon. Leader of the Opposition said at that point to be taken as permission to begin, all over again, the matter which was raised after question period today. The question was raised. I said that I would reserve on it and rule later; that is tomorrow. Therefore, if the Right Hon. Leader of the Opposition wants to come back to the question, it should be a completely new point because I reserved my ruling on the one which he brought out today.

• (2020)

An hon. Member: Absolute nonsense!

Madam Speaker: I see no other way of applying the rule, and I must be firm on them because, as hon. members realize, this is a particularly difficult moment for the House. We have had several procedural points. I am trying to control the House as best I can; we will only be able to go through this in an orderly fashion if I am consistent. I do feel that if I am to be consistent now, I have to tell the hon. member that he may come back on a point of order tomorrow or tonight, depending on how far we get in the proceedings, but it would have to be on a completely new point.

Mr. Clark: Naturally I would not want to dispute the Chair or make your situation any more difficult than the circumstances of the debate, of closure, of the possibility of the government proceeding on a matter which may not be within its competence because it is already before the courts of Canada, now make the matter before the House. But I would find it surprising, I must say, if Your Honour would want to pass judgment upon an argument which has not been fully put.

As I indicated to Your Honour, there are elements of the argument which I had not come to because of the expiry of time this afternoon when we moved to private members' hour; elements that are new to the practice of this Parliament and new to the circumstances here. I know the care Your Honour always takes to ensure that your judgments are well based and well considered. I know you would not want to be put in the position of having to make a decision, having heard only part of the argument that the opposition, and in particular the Leader of the Opposition in my capacity as an officer of the House, might want to put forward.

That is the dilemma which has been caused by the fact that there was an unusually short bell tonight, and the House of Commons began with a regularity which perhaps should but has not been the custom. As I said, I do not think it would accord with your normal practice to make a decision after having heard only part of the case. Of course, I am in your hands. I will rise at a later opportunity, which will of course be open to me, to put forward new elements of the case I was raising earlier in the day. Of course, it would be then your decision as to whether you wanted to hear the full case put by the official opposition or make a decision on a more limited basis.

Madam Speaker: How can I know if an hon. member has put his full case? The only way I know that he has put his full case is when no one rises in the House. I was here at eight o'clock.

An hon. Member: First time ever.

Madam Speaker: I waited for a while. It was open to other members on this side of the House to continue the argumentation; I looked around, but no one did so. I then had to decide on that point of order, which I did. I decided that I would rule later on that point of order.

The hon. member knows that once the Chair has decided it is going to rule on something no further comments can be accepted. I did not create this situation. I am in a very difficult situation. My only guidance is in the rules and the practices of this House and, as far as I know, I am stating the practices of the House.

Mr. Baker (Nepean-Carleton): Madam Speaker, there is another rule or practice of this House, if I may put it to you, and that is a sense of fairness, a sense of justice and a sense of equity. I am talking about it in terms of the Chair, not in terms of the partisan differences which may exist in the House of Commons. I am certain if one checked the rules, one would see that while the matter is reserved it is still open. I think it is possible for the Speaker under those circumstances, the matter still being open, to permit an argument to be put.

The situation in which we find ourselves is that you have heard the first five minutes of an argument upon which you

were going to make a decision which could be binding on this House forever. It would then become a precedent on an issue, as the hon. member says, which is as fundamental as this. Under those circumstances, I certainly think that you must consider the enormity of a legalistic approach to this situation. I say to you, Madam Speaker, it would be not just unfair to the Leader of the Opposition, which it would be, but it would be unfair to Parliament, unfair to the development of precedents, it would fly in the face of the doctrine that practice and procedure must never be so applied and so dealt with that they lose sight of the equity of the situation.

This is the Parliament of Canada, and the decisions which you make, Madam Speaker, which are now unappealable, you may make on the evidence. That evidence is not even fully before you now on a case that is fundamental in relation to Parliament and the courts. I say to you, Madam Speaker, the decision which you will make is on an issue in the Constitution. You could be setting a precedent which could live to haunt this Parliament, succeeding parliaments, and render life in this place intolerable for everyone in it.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): That is why, Madam Speaker, I am happy you said the matter was still open, at least in the sense that you have reserved it. Madam Speaker, you smile. I do not think there is anything to smile about.

Some hon. Members: Hear, hear!

Some hon. Members: Shame.

An hon. Member: Insult.

An hon. Member: Shut up, over there.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. I think I owe an explanation to the House. I am smiling to indicate generally to the hon. member that I did not say the case was still open. I said I had taken it under advisement. Therefore, I did say quite clearly that when the Chair says a question is going to be taken under advisement, it is open to further comments. That is why I was shaking my head and smiling at the hon. member, to remind him that that is not exactly what I had said.

Mr. Clark: Madam Speaker, I should like to rise on a new point of order. I had the opportunity earlier this afternoon to discuss a point of order in relation to a matter which could be sub judice. And I made an argument which you have interpreted by your decision here tonight as being a complete argument on the element of the case I was able to discuss before five o'clock. There is a new element to this case which I would like to raise now as a new point of order because it has to do with a series of circumstances that have not been discussed before in the House and, indeed, do not fall within the normal circumstances, or indeed the precedents of this House.

Some hon. Members: Hear, hear!

• (2030)

Madam Speaker: The right hon. member has a new point of order. I am afraid I must listen to the hon. member for Winnipeg North Centre (Mr. Knowles) who wanted to speak on the point of order raised by the hon. member for Nepean-Carleton. I would like to close that part of our proceedings. In this way we will proceed in an orderly fashion and I will then go to the right hon. member.

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, all I wanted to say, and I say this as calmly as I can—I had my moment of warmth earlier today—is that in my view this whole discussion on whether or not the constitutional resolution is in order has been conducted at the wrong place.

The point of order the Right Hon. Leader of the Opposition (Mr. Clark) tried to raise is that the constitutional resolution is not in order, that it should not be proceeded with. It was not before us today; it was not before us when he raised it at 4.50 p.m., it is not before us tonight. I submit that any discussion, as to whether government order No. 36 is in order, should wait either for discussion or for a ruling until government order No. 36 has been called. We are not on that. We are in the midst of routine proceedings, and when we get through routine proceedings tonight, the point of order will be on order No. 41; it is not now on the constitutional motion itself.

Some hon. Members: No, no.

Mr. Knowles: The Right Hon. Leader of the Opposition is contending that because of certain citations in Beauchesne about the sub judice question, the constitutional package before the House is not in order. I, too, want to contribute to that debate, if I may, when the time comes, but this is not the time. He has to wait and the House has to wait until the order for the constitutional resolution is before the House.

Mr. Baker (Nepean-Carleton): Madam Speaker, my learned friend and colleague in House leadership is wrong. The question is not whether the constitutional package is in order; that is not the issue here.

As I understood the exchange and read the precedent or the statement in Beauchesne, the issue was whether when a new element had intervened, and that is the application, the leave to appeal, the notice of appeal, or the appeal which is now before the Supreme Court of Canada on a matter now before the House of Commons—it has been filed—it was proper that there be discussion in this House with respect to the question of constitutional amendment, not just with respect to the order, whatever is the number of that order. It is much broader than that. That response was dealt with.

I say to my friend that it is not inappropriate now. It would certainly be appropriate later; it would be appropriate today when the issue came up. It might have been appropriate yesterday, if we look over the question period. I do not believe it was, but it is appropriate today. It would be appropriate

tomorrow, but the issue is not that raised by the hon. member for Winnipeg North Centre (Mr. Knowles). The important issue in this matter is whether or not it is now appropriate—

Mr. Knowles: You are trying hard.

Mr. Baker (Nepean-Carleton): —for this matter—

An hon. Member: You have another 1.5 hours to go.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am having trouble talking over the little red rump down at the other end of the chamber.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Now the new issue is whether or not—

An hon. Member: Now it is a new issue!

Mr. Baker (Nepean-Carleton): —the Right Hon. Leader of the Opposition can raise another point of order. That is why he stood.

Mr. McGrath: That is correct.

Mr. Baker (Nepean-Carleton): That is why he stood and began to argue. He is entitled to raise a point of order. Madam Speaker must make a judgment on the point of order, but there is no time like the present to raise a point of order, particularly when it may have related to something which occurred in the question period earlier today.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, if I may, I would like to proceed with the new point of order.

Some hon. Members: No, no.

Madam Speaker: I think I will have to study it for a while. I will consult with the Clerk. The reason the point of order of the Right Hon. Leader of the Opposition could be taken was that it flowed from the deliberations in question period. I said I would rule on that; I could rule on it narrowly with the arguments presented by the Right Hon. Leader of the Opposition regarding whatever he alleged happened during question period, or I could choose to rule rather broadly on the entire question of sub judice.

However, I might be excluded from doing that if, as the hon. member for Winnipeg North Centre said, it is not appropriate at this time to discuss that question because that proposition is not before the House and debate or points of order on that particular aspect of the resolution which will come before the House might be properly discussed at that time. I will have to consult with the Clerk on this. This is why I am not prepared just now, until I consult with the Clerk, to hear the new point of order.

Mr. Clark: Madam Speaker, I would imagine that you would want to take into account the fact that the argument which I would like the opportunity to place before the House of Commons may affect the ability of Members of Parliament to pose any questions at all in relation to the constitutional resolution. It may be that it is now in a state of being sub judice, which will prevent it from being referred to in any proceeding in the House of Commons.

If I understood correctly the argument put forward by the hon. member for Winnipeg North Centre (Mr. Knowles), he said the matter could be raised only in relation to the actual introduction of that particular measure in the House of Commons. That matter has been the subject of frequent debate, questioning, and other activity in the House of Commons for some time. In other words, it is absolutely current. It is as current as any other matter raised in the question period today or might be raised later on. If it is sub judice, if it is not proper for this Parliament to be discussing this question at this time, then we all have to know it, and we have to know it now. That is the reason I want to raise my argument at this time.

Madam Speaker: Well, I think I can now answer the right hon. gentleman. I accepted his first point of order because it flowed from the deliberations during question period.

The right hon. member now raises a new point of order about something which is supposedly before the House. At the present time, there is nothing before the House. We are still in the course of routine proceedings. We have nothing before the House. Therefore, I fail to see how the hon. member could raise a point of order on nothing; there is nothing before the House at the present time.

Some hon. Members: Hear, hear!

Madam Speaker: I do not think I can allow that. I think the right hon. gentleman will have to wait until such time as we have something before the House.

Mr. Clark: Madam Speaker, what we have before the House, with my customary respect, is a matter raised in question period today in relation to its sub judice character. It was on that basis that I introduced and Your Honour heard one point of order. We disagreed as to when that was finished, but you made a ruling and I must accept it. You have established that standard in relation to one point of order concerning the question of sub judice.

I think it would be entirely consistent, both with your previous ruling and with your practice, to accept the same standard or to accept the same reason for allowing another argument of a different kind arising out of question period on the matter of sub judice.

I confess to being rather astounded that the government House leader took 40 minutes of the time of the House to prevent me from pursuing a case which his own Prime Minister invited me to pursue earlier in the question period today. I raised one element of that case earlier this afternoon. I seek the opportunity, flowing from the exchange in the question period today, to pursue another element of that case which has not been explored in this House before and which Your

Honour would want to consider before you make any decision relating to any aspect of the cluster of argument I want to make relating to these two separate points of order.

• (2040)

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Pinard: Madam Speaker, let us not split hairs. What the Leader of the Official Opposition is trying to do is to come again to bat after striking out earlier. That is pretty obvious. I wonder why you hesitate to find him out of order. He has pleaded his case and he was not here to proceed with it tonight. Parliament went on with its business; you have taken the matter he raised under advisement and you will hand out your decision. There is no reason why this hon. member should have the opportunity to speak again on the same issue. I find this contrary to our parliamentary practices, for it is about time for Parliament to continue with its business.

[*English*]

Hon. John A. Fraser (Vancouver South): Madam Speaker, I rise partly because I have been here eight and a half years and I thought that—

An hon. Member: And you still have not learned.

Mr. Fraser: An hon. member opposite says that I still have not learned.

Mr. Kempling: The guy who said that has only been here a year.

Mr. Fraser: Through you, Madam Speaker, I thought when I came down here, and I have heard often enough since, that Madam Speaker's role is not to protect the program of the government but to protect the rights of members to be heard.

Some hon. Members: Hear, hear!

Mr. Fraser: Madam Speaker, I apologize for the interventions on the other side. I can understand it because I listened to the House leader the other day when he told us that Beauchesne does not matter, that precedent does not matter, that tradition does not matter and that as long as they have the numbers that is all that matters. They can do anything they damned well want.

Some hon. Members: Hear, hear!

Mr. Fraser: Madam Speaker, my point is this. I find it outrageous—absolutely outrageous—that Madam Speaker, knowing that the right hon. gentleman who leads this party had not finished his argument, did not keep in mind the fact that as custodian of the rights of hon. members on this issue, there was some appropriate delay, or at least a question delivered to this side, such as: "Is the right hon. member coming back? Does he not want to proceed?"

An hon. Member: That is not the Speaker's job.

Some hon. Members: Oh!

Mr. Fraser: Madam Speaker, I recognize the difficulty you are in when the government decides to push you right to the wall, according to the rules. I recognize that. But what we are talking about here is not the right of a government, it is the rights of members of this House, of which you are the trustee, custodian and guarantor.

There is another aspect of this, Madam Speaker, which is difficult for me to say to you, to continue with calm, when some of my friends—and I do have some friends on the government side—are not happy with what I am pointing out. They are not happy because they realize the public is watching this. The public has a better sense of fair play tonight than have the members opposite.

Some hon. Members: Hear, hear!

Mr. Fraser: Madam Speaker, there is another point to this. If the rules are to be applied without any concept of what was going on at five o'clock and what ought to have continued at eight, if they are to be applied with a sort of antiseptic severity which loses all sight of what it is we are supposed to be doing here and, as a consequence cuts off the right hon. gentleman after only a few minutes, when everyone knows he just got started, then I want to know this: When will the member for Vancouver South, myself, get a chance to talk on this issue? When will all other members here who believe there was a proper point raised get a chance to speak?

An hon. Member: Speaker's discretion.

Mr. Fraser: Madam Speaker, I hear a member opposite shouting over to you "Speaker's discretion." I suggest to you with great respect that you have a discretion not to listen to those voices. You have an obligation to listen to your own conscience and—

Some hon. Members: Oh!

Mr. Fraser: Madam Speaker, they do not like any talk of conscience because there is no action on the basis of conscience over there.

Some hon. Members: Hear, hear!

Mr. Fraser: Madam Speaker, I have been here eight and a half years and it is very seldom I have ever used any strong words on a procedural issue—

An hon. Member: Where were you at eight o'clock?

Mr. Fraser: I spent many years practising law and I know more about procedure than most of you fellows do, so be quiet.

Some hon. Members: Oh, oh!

Mr. Fraser: Madam Speaker, your duty is to protect our interests. Our duty is to protect your position. I understand that relationship. I think Your Honour will agree that since you have been the Speaker I have sometimes become over-

excited, but I have always bowed to your wishes and your directives. I will do so again. But I do want to say, Madam Speaker, that the respect we hold for you is based on the fact you are the trustee, the custodian, the guarantor of the rights of members, not the rights of a majority government that believes, as the government House leader said the other day, that it does not matter about Beauchesne and tradition, as long as they have the numbers they can do anything they want. I say this to you, Madam Speaker, very seriously, and I have never said anything like this before, since I have been in the House, this House is not a happy place right now—

Some hon. Members: Oh!

Mr. Fraser: It is not a happy place for reasons we all understand. We are trying to do our duty. It depends very much on the conduct of members and the confidence we have in how things are done in this House whether we do our duty appropriately in the interest of the Canadian people, or we are just completely stampeded by a majority that has gone absolutely mad in getting a proposition through before the Quebec election is ended, before the Canadian people have had a chance to know what is going on.

Some hon. Members: Hear, hear!

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, the member for Fraser Valley, as I recall, said this is not a happy place, and he is absolutely right.

An hon. Member: Vancouver South!

Mr. Deans: The hon. member for Vancouver South, I apologize.

Mr. Fraser: On a point of order, Madam Speaker.

Madam Speaker: Order, please. The hon. member has a point of order to make on the intervention of the hon. member for Hamilton Mountain (Mr. Deans) when he has not spoken yet.

Mr. Fraser: Madam Speaker, I have a very brief point of order to make, and that is that I would hope the hon. member would respect the rules of this House and refer to me as the hon. member for Vancouver South.

Mr. Deans: I am sorry, Madam Speaker.

Mr. Baker (Nepean-Carleton): Respect the House by sitting down!

Mr. Deans: The hon. member for Nepean-Carleton tells me to respect the House by sitting down. That is advice which he might well take himself from time to time.

Some hon. Members: Hear, hear!

Mr. Deans: Madam Speaker, since the bell stopped ringing something in the order of 47 minutes have elapsed. I want to suggest to you, Madam Speaker, that the proceedings in 46 of those minutes were quite out of order. I do not understand how we can be dealing with points of order in the middle of the daily routine proceedings. What can possibly be out of order during the daily routine proceedings as long as the proceedings are followed in sequence?

Some hon. Members: Hear, hear!

Mr. Deans: I sincerely regret that my Conservative colleagues cannot continue their filibuster. I regret it for their sake. But, for the sake of the House, had they been here at eight o'clock they could have continued.

If I understand correctly what has happened this evening, we have reached the point in the daily routine proceedings where we should be hearing statements by ministers. If my understanding is correct, then at this point nothing can possibly be out of order.

I therefore ask you, Madam Speaker, in the interest of the House and the protection of all the members of it, that you call the next order of business.

Some hon. Members: Hear, hear!

• (2050)

Hon. Bryce Mackasey (Lincoln): Madam Speaker, I think this is a very important point of order, a very important time in debate. What appalled me, when listening to hon. members opposite, was the premise that somehow or other the Speaker of the House is responsible for the ineptitude of the House leader of the opposition. It is not the responsibility of the Speaker of the House of Commons to phone or inquire whether the opposition wants to continue with the point of privilege or the point of order they were debating at five o'clock.

As I recall the event, at the time the hon. Leader of the Opposition—

Mr. Clark: Right hon., Bryce.

Mr. Mackasey: The right hon. leader. I apologize because I respect the courtesies of the House and I do respect the right hon. leader as a former prime minister.

At five o'clock the Right Hon. Leader of the Opposition (Mr. Clark) had an opportunity to continue the debate on that issue. Yes, I am certain he did. The important point, Madam Speaker, is that you should not be dragged into honest differences of opinion between the government and the opposition. Your job is that of custodian of the rules; your prestige and the effectiveness and efficiency of the House of Commons depends upon your impartiality. Your impartiality would not last very long if you had to cover up for the ineptitude of one side or the other. If there was no one on his feet at eight to continue the point raised at five o'clock, or that was debated at five o'clock, that was not the fault of the Speaker.

I remember very vividly that in 1968 in this very chamber the government of the day was defeated on a very important motion because at two or three or four minutes after eight o'clock, sitting quietly in their places, waiting for the speaker who was to participate, the member who was to carry on the

debate was tardy, and someone at that moment, quite appropriately, asked the chairman of the Committee of the Whole to call for the vote. The chairman of the Committee of the Whole, recognizing his responsibility to be impartial and to call for that vote, called for the vote. You may recall that the government of the day was defeated.

An hon. Member: By two votes.

Mr. Mackasey: By one or two or 25. The important point is that the chairman of the committee had the sense of dedication, integrity and an awareness of his impartiality and did what was the appropriate thing, to call for the vote.

In the final analysis, Madam Speaker, in 1968 it was the fault of the government of which I was a member that someone did not rise in his place at eight o'clock to continue the debate. If there is an error tonight, it does not lie with the Speaker, but with members opposite who for one reason or another did not see fit at eight or five after eight to continue with the order of business we were discussing at five o'clock.

Some hon. Members: Hear, hear!

Madam Speaker: Perhaps I may summarize the situation. I do not need to recall the facts. Everyone knows I was here and waited and nobody rose, and that is very important; nobody rose. I looked around the House. The only indication to the Speaker that there are no more speakers is the fact that no one rises.

An hon. member on this side referred to the fact that I used my discretion and that perhaps I used it a bit too strictly. My discretion was not at stake. I did not use my discretion. There were no more speakers. I want to make that very, very clear. If I had used my discretion I am sure I would feel much more uncomfortable than I do now. When one uses one's discretion, of course, there is a judgment call. But I made no judgment call in this particular circumstance. There were no other speakers. There was one member present on this side of the House. He did not rise to speak and, therefore, I had to continue the proceedings. I had no other choice, and I repeat that.

If I am the custodian of the rights of members in this House, it is not by extending courtesies right and left that I will preserve those rights. My guidance, and my only guidance, lies in the rules, and I must apply them as well as I understand them. I may fail in this, but tonight I do not think I am failing. I must apply them as well as I understand them. I must comply completely with those rules and, when necessary, to look at usages and practices in order to integrate these usages and practices with the rules of the House of Commons. I repeat it, I used no discretion tonight.

The first point of order raised by the Right Hon. Leader of the Opposition has been disposed of. No second point of order can be entertained on that particular question because it is not before the House. The Right Hon. Leader of the Opposition could raise a point of order, which he did and which I heard and disposed of because it followed the deliberations of this afternoon, namely, the question period. That is admissible and I heard the right hon. gentleman. The only course I can follow now is to continue the proceedings. If the right hon. gentleman at some other time feels he can bring in a new point, he can do so. I told him that I would rule, probably narrowly, after again looking into the arguments he gave me, on the question of sub judice which he raised today in the House of Commons. Once I have done that, and if the right hon. gentleman is not satisfied, then at the proper time it is open to him to raise another point of order.

Mr. Clark: Madam Speaker, I rise on a fresh point of order.

An hon. Member: Sit down.

Some hon. Members: Oh, oh!

Mr. Clark: There is a great deal of shouting around the House, Madam Speaker, but I shall try to overcome it and make my point of order. I raise it now because it flows, as did the earlier, separate point of order I raised, from the proceedings in the question period today. This is the first opportunity I have had to raise this particular point of order flowing from the question period today, and flowing in response, as my earlier one did, from the request by the Prime Minister that I make my points on the matter that was argued during an exchange between the Prime Minister and myself in the question period today.

As you will recall, Madam Speaker, there was reference to rule No. 338(3) of Beauchesne's having to do with the question of matters which are sub judice. That particular reference in Beauchesne's, with which you will be familiar, reads as follows:

> The convention applies to motions, references in debates, questions and supplementary questions, but does not apply to bills.

The reason it does not apply to bills is that there has never been, in the practice of Parliament, a desire to try to limit the capacity of Parliament to legislate on a matter which was before the Supreme Court of Canada, if Parliament wanted to bring in new legislation which would create new law.

What we are dealing with here is different from precedent in two cases, and different from what was argued before in two elements. The first is that we are dealing here with a resolution, not with a bill. The second is, and this is the nub of the question, and obviously a matter you will want to consider with the utmost care, we are dealing with a matter which may very well be beyond the competence of the Parliament of Canada to pursue in any event. We are dealing with a matter which may be beyond the constitutional competence of the Parliament of Canada. Indeed, it is precisely that question, as to the competence of the Parliament of Canada to deal with a matter which is before us, which is now being brought by—

Madam Speaker: I am very sorry, but I must interrupt the hon. member. Even though he now says he is raising a new point of order which flows from the deliberations of the day, namely, question period, the proper time to do that is before I

commence proceedings, presenting reports—the normal proceedings of the day.

An hon. Member: Why?

Mr. Andre: What citation?

Madam Speaker: When the hon. member raised the point of order today, somewhere around five o'clock, it was at about the point in the proceedings we usually reach at three o'clock and I could entertain the point of order. But I cannot entertain it now, even though—

An hon. Member: Why?

Madam Speaker: —he is trying to do indirectly what I just told him he could not do directly, and even though he now alleges that it flows from the question period. I could accept that if we had not begun routine proceedings, but we have. Therefore, if the right hon. gentleman has a new point to raise, he can raise it, but not at this time. I must now proceed to questions on the Order Paper.

Some hon. Members: Oh, oh!

Madam Speaker: Questions on the Order Paper.

Mr. Stevens: Point of order.

Some hon. Members: Oh, oh!

Mr. Andre: Order!

* * *

● (2100)

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,943, 2,049 and 2,210.

[*Text*]

ARCTIC AIRPORTS—OWNERSHIP OR CONTROL TRANSFER

Question No. 1,943—**Mr. Benjamin:**

Does the government have any intentions of transferring ownership and/or control of Arctic airports from the Department of Transport to the (a) Department of Indian Affairs and Northern Development (b) territorial governments?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Ownership of the Arctic airports is vested in The Queen in right of Canada and will remain so. Assuming that the control referred to means operational responsibility, under present arrangements the smaller airports (over 40) are operated by the territorial governments with funding provided by Transport Canada. The government is examining whether it would be desirable and possible to give the territorial governments both operational and financial responsibility (under the Department of Indian Affairs and Northern Development) for these airports. No consideration is being given to transferring Transport Canada's responsibility for the safety of air services in the north.

FISHERIES ACT—INFRACTIONS

Question No. 2,049—**Mr. Greenaway:**

1. Since 1975 to date, by year, in the province of British Columbia, how many legal proceedings have been launched by the Crown against resident native people for infractions against the Fisheries Act, and by case, which ones were (a) dismissed (b) appealed (c) won (d) lost, by the Crown?

2. In cases dismissed, what were the reasons?

3. In cases of appeal, how many were (a) won (b) lost by the Crown on (i) upholding (ii) reversal of the original decisions?

4. What was the total cost of (a) cases (b) appeals to the (i) Department of Justice (ii) Department of Fisheries and Oceans, and for what purposes was the money disbursed?

5. In cases where convictions have been upheld, what revenue accrued from (a) fines imposed (b) property, including fish, confiscated?

6. How many days of work were lost by employees of the Department of Fisheries and Oceans in appearing at these proceedings and what is the estimated cost to the department of this time lost?

7. In each case of acquittal, was confiscated property, including fish, returned to the owner(s) in good condition or was alternative compensation given and, if so, what was the nature of such compensation?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): The Department of Fisheries and Oceans does not keep separate statistics concerning the prosecution of native Indians as this could be interpreted to be discriminatory. For example, in 1979, several agencies questioned a form used by the department in reference to fishing activities which distinguished between "white" and "coloured" fishermen. The form was changed immediately.

The information requested would require a search of approximately 6,000 prosecution files from 1975 to 1980 in area and district fisheries offices throughout B.C. as well as at regional headquarters in Vancouver. It is estimated that the search would take up to eight person months to complete at a cost of $15-25,000. Regional staff would not be available to conduct such a search during the summer and fall fishing season; therefore, the department would have to contract the work.

SURVEY CONDUCTED BY DSS

Question No. 2,210—**Mr. Cossitt:**

1. Was a survey recently sent out by the Department of Supply and Services and, if so (a) for what purpose (b) was it sent to approximately 1,000 business persons or companies (c) was it signed by the deputy minister, Mr. David Kirkwood (d) did the questionnaire ask if recipients were satisfied with the speed at which they were being paid by the department for work performed?

2. Has the department been concerned with the efficiency or otherwise of the cheque-issuing process and, if so (a) for what reasons (b) what is being done to correct the situation?

3. As of March 6, 1981, how many replies to the questionnaire have been received?

Hon. J.-J. Blais (Minister of Supply and Services): 1. Yes.

(a) In accordance with Office of the Comptroller General policy, all components of the department's programs are subject to evaluation on a five-year cyclical basis. This survey is to obtain information for an evaluation of the component which includes the system to pay suppliers of goods and services.

(b) Yes.

(c) Yes.

(d) One question asked recipients how satisfied they were with the performance of the federal government's payment of invoices.

2. The department is always interested in the efficiency of the cheque-issuing process. However, this survey is not based on any special concern but is part of an evaluation process as explained in the response to 1(a).

3. Two hundred and one.

[*English*]

Mr. Stevens: Madam Speaker, a point of order.

Mr. Crosbie: Madam Speaker, a point of order.

Mr. Andre: Madam Speaker, a point of order.

* * *

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 681 could be made an order for return, this return would be tabled immediately.

Mr. Stevens: A point of order, Madam Speaker.

Mr. Andre: A point of order, Madam Speaker.

Some hon. Members: Order.

Madam Speaker: The only points of order I can entertain now are points of order relating to the proceedings. No others are allowed at this time.

Mr. Stevens: Madam Speaker, my point of order is very much on a question of proceedings. Citation 232 in Beauchesne reads as follows:

> Points of order are questions raised with the view of calling attention to any departure from the Standing Orders or the customary modes of proceeding in debate or in the conduct of legislative business and may be raised at virtually any time by any member, whether he has previously spoken or not.

Some hon. Members: Hear, hear!

Mr. Stevens: Subsection 3 of Citation 233 states:

> Since the introduction of a time limit on the daily oral Question Period it has become the custom for the Speaker to recognize points of order only at the conclusion of the Question Period.

Citation 235 states:

> Any member is entitled, even bound, to bring to the Speaker's immediate notice any instance of what he considers a breach of order. He may interrupt and lay the point in question concisely before the Speaker. He should do so as soon as he perceives an irregularity in the proceedings which are engaging the attention of the House. The Speaker's attention must be directed to a breach of order at the proper moment, namely the moment it occurred. A point of order may be taken after a debate is concluded—

And the citation goes on.

Would you kindly explain for my benefit and perhaps the benefit of other members of this House why you are ruling that points of order at the present time are, in fact, out of order?

Mr. Crosbie: On what authority?

Madam Speaker: What the hon. member just stated is absolutely correct. I can entertain points of order relating to routine proceedings but I cannot entertain points of order relating to something that is not before the House.

I would draw the attention of the hon. member to the citation which says:

> The Speaker's attention must be directed to a breach of order at the proper moment—

I am telling the House that whatever points of order were raised earlier were not raised at the proper moment, namely, the moment they occurred.

An hon. Member: This is right after question period.

Madam Speaker: We have nothing before the House at the present time. Unless the hon. member wants to point out to me now any irregularity regarding the routine proceedings, I cannot hear the point. If the point is on routine proceedings, I will hear him with pleasure.

Mr. Baker (Nepean-Carleton): Madam Speaker, I wonder if all members of the House of Commons do not now have a question of privilege. That question of privilege is: whether or not the privileges of all members are being affected as a result of what I respectfully suggest is a misreading of Citation 233 in Beauchesne. This will bring us to the point that points of order are not now being allowed so we can deal with the customary modes of proceeding in the House. I think when we read the blues on this matter tomorrow we will be rather shocked at what happened. But as a result of what happened, especially with respect to the second point of order raised by the Right Hon. Leader of the Opposition (Mr. Clark) if you do not hear him now, he, having the right to raise it at any time, will have lost his right to deal with a matter which falls within that general dictum of customary modes or proceedings in debate.

Never in eight years have I found that there is only one time to raise a point of order, and no other time, and especially no other time when the new point of order raised by the Right Hon. Leader of the Opposition is on a matter which has been before the House daily.

I rise now because if there is not a point of order—and I say there is a point of order, a point of order having been raised by

the Right Hon. Leader of the Opposition—there is now a question of privilege. It is the right and a privilege of members now to be heard—not just any member. It is the privilege of the Leader of the Opposition to be heard when he rises in an orderly way. Surely it is flying in the face of the dictum as well if he must wait to be heard.

Mr. Caccia: He was not here.

Mr. Kempling: Go on another trip, Charlie.

Mr. Nowlan: Go on another trip to Europe, the IPU.

Mr. Baker (Nepean-Carleton): I am not talking about the first one, I am talking about the second point of order. I say, with respect, that by failing to hear the Right Hon. Leader of the Opposition, another paragraph in Beauchesne is being affected. That affects my rights and privileges.

Our rules do not end with the Standing Orders. The Standing Orders are only the clarification for some things. They are not the Bible. They are not the whole text. They are not the old and the New Testament. They may be one testament but not all of it. We have some customs and some rules which are enshrined in Beauchesne's fifth edition, in May's and all the rest of them. One is that a point of order is always in order with respect to the conduct of legislative business.

Legislative business is not just a bill which might be before the House, it is the whole process of the House of Commons. The Right Hon. Leader of the Opposition is not an ordinary member. He raised a new point of order in the conduct of legislative business, when it is always in order, according to Citation 233 in Beauchesne, to raise a matter calling attention to any departure from the customary modes of proceeding in debate or in the conduct of legislative business.

Part of the conduct of legislative business in this House does not mean just government orders. Part of the conduct of the business of this House includes all the routine proceedings which we are in the middle of right now.

For that reason, I ask you to consider very carefully the position we are in now, at least with respect to the second point of order raised by the Right Hon. Leader of the Opposition. Because you have ruled on the first one and I cannot argue with that, but by not permitting him to proceed on his second point, without even listening to his argument beyond a sentence or two, you may have violated his privileges and you may, by so ruling, affect the privileges of every one of us to speak in accordance with the customary modes and proceedings in debate or in the conduct of legislative business.

● (2110)

However, the Standing Orders, the rules, *règlement*, customs, traditions and precedents go much beyond that. They are not nice, clear cut things you can punch into a computer and have an answer come out. One of the things those rules, customs and precedents are there to protect is my right as a Member of Parliament to rise at any time, that is on a matter or a question of privilege.

Other members should be heard with respect to that question of privilege. That goes fundamentally to our place in this House, to our ability to discuss and debate public issues and to raise public issues at the time they come up, particularly an officer of the House, as is the Leader of the Opposition.

It is not just my privileges that are affected. We are in grave danger of affecting everybody's privileges by what I call a legalism. With respect to the legalism, there is more to the rules of this House than merely the Standing Orders. There are the traditions, precedents and customs. In the discretion which you have in dealing with the question of privilege I now raise, you deal with the ability of members to function in terms of order in this House. That will be sadly affected. That affects my privileges as a member. That is why there must be another way of approaching this situation in order to permit the Leader of the Opposition to raise a point of order which by Citation 233 can be raised at any time there is "any departure from the Standing Orders" which is one thing, "the customary modes" which is something else, "proceeding in debate", something else or "the conduct of legislative business".

Although it is entitled routine proceedings on the order paper, that is only a label. The essence of it is that it is part of the legislative business of the House of Commons. I therefore ask you, Madam Speaker, to consider it from the point of view of a question of privilege that I raise, because I happen to have been recognized, on behalf of all members of the House, particularly the Leader of the Opposition who I respectfully suggest ought to be able to continue this argument now.

Mr. Knowles: Madam Speaker, I congratulate the hon. member for Nepean-Carleton (Mr. Baker) for keeping his voice down, but I say to him that to call what he raised a question of privilege is a misnomer. It is not a question of privilege. He used that phrase to criticize a ruling of the Chair. I point out that under Standing Order 12 a ruling of the Chair is not debatable, cannot be appealed and there cannot be any discussion on it. Your Honour ruled that although the Leader of the Opposition (Mr. Clark) might well have other opportunities to raise a point of order, he does not have the opportunity or the right to raise a point of order during routine proceedings unless it is a point of order with respect to something in routine proceedings. I submit to Your Honour that we are in for trouble if under the device of calling it privilege we are going to have these attacks on the Chair. I hope my friend will think very seriously before he does that sort of thing again.

While I am on my feet, I want to say a word or two about this myth, even though it is based on a few words in Citation 233, that a point of order can be raised at any time. My friend the hon. member for York-Peel (Mr. Stevens) recited that a moment ago. It is like being able to present a motion to adjourn at any time. It is not that. You can present a motion to adjourn at any time that you properly get the floor to do that. As for the right to raise a point of order at any time, my friend from Nepean-Carleton read the very words:

—when one needs to call attention to any departure from the Standing Orders.

Has there been any departure from the Standing Orders in the tabling of documents, statements by ministers or answering questions on the Order Paper? Not a bit. I read on:

—or the customary modes of proceeding in debate—

We are not into debate. When we are in a debate you can get up at any time. Many times members get up. They may not have good ground for it but at least they have the right to get up. It continues:

—or in the conduct of legislative business.

Mr. Stevens: Yes.

Mr. Knowles: My friend says yes. We are not in the conduct of legislative business.

Mr. Stevens: Yes.

Mr. Knowles: No, we are not, we are in routine proceedings. We have not got to legislative business. We did not get to it all day Tuesday, I suppose we will not get to it all day today and I do not suppose we will get to it all day tomorrow.

Some hon. Members: Right on.

Mr. Knowles: There you are. I have been through this kind of thing before. I plead with my friends in all corners of the House to recognize that the most important thing in a situation like this is the preservation of Parliament.

Some hon. Members: Hear, hear!

Mr. Knowles: One of the ways to preserve Parliament is to preserve and protect the person we put in the Chair to guide and direct the deliberations of this House. Attacks on the person in the Chair can lead to serious consequences.

I repeat, Madam Speaker, we are not in legislative business, we are not in debate. No one can allege with respect to what we are dealing with, namely, the various items under routine proceedings, that there has been any departure from the Standing Orders. If there has been such a departure, let a member get up and say so, but let him cite it and say what it is. We have not heard that.

If you erred at all, Madam Speaker, it is not in the ruling that you gave that the Leader of the Opposition should wait until another time. If you erred at all, it is in not proceeding one by one down the items of routine proceedings until we get to government orders and something gets called. If in that process anything is done that is wrong, if the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) who just tabled questions, I think that is what he was doing in the hubbub, did something wrong or did not answer somebody's question and that member wants to get up and raise a point of order, that is legitimate, but the point of order has to relate to what is before the House.

That is spelled out again in one of the citations which the hon. member for Nepean-Carleton read. In 235, referring to members, it states:

He should do so as soon as he perceives an irregularity in the proceedings which are engaging the attention of the House.

What has been engaging the attention of the House this afternoon and tonight—routine proceedings, presenting reports by standing and special committees, tabling of documents, statements by ministers, introduction of bills, first reading of Senate public bills, government notices of motions, motions and questions on the Order Paper. These are the things that have been engaging the attention of the House, and at any point anything was out of order with respect to those items would have been the proper subject of a point of order. But to get up and claim that it is a point of order as to whether or not the sub judice doctrine is being respected in the case of the constitutional package simply has no relation to those now engaging the attention of the House. If we cannot respect these rules and respect the Speaker when she draws our attention to the rules, we are in for the kind of trouble that I do not want to see during the next ten days this House is in session.

• (2120)

An hon. Member: What happens after ten days?

Mr. Knowles: My hon. friend asks what could happen in the next ten days? I said earlier that we might have a day like this tomorrow and the answer from the Tories was that we would. I hope they will reconsider that I hope they have not had a council of war and they think they can proceed to tear this House apart.

Some hon. Members: Oh, oh!

Mr. Stevens: Talk to the government.

An hon. Member: When are you going to get a cabinet post, Stan?

An hon. Member: You might accept the Senate before you are through.

Mr. Knowles: Madam Speaker, I do not mind these insults. Of course, I have just had the worst insult of all, the suggestion that I would go to the Senate; never!

I do plead that we calm down. Later on tonight I hope we will get to Item No. 41. When we reach that a discussion on a point of order or several points of order that are already before the House, will be quite in order. When we get back some day to 36, which is the constitutional package, the Right Hon. Leader of the Opposition in my view would be perfectly in order in rising on a point of order and saying, with respect to what would then be engaging the attention of the House, that in his view it is out of order.

But now, Madam Speaker, I plead, not just through you, but to my friends in the House, that if you try to go on from the present item to the next they do not howl as they did a few moments ago. In my view, you are doing your best, you should stay with it and you are perfectly right that while routine proceedings are engaging the attention of the House it is not in

order to raise a point of order with respect to something else altogether.

Some hon. Members: Hear, hear!

Madam Speaker: The hon. member for Nepean-Carleton (Mr. Baker) said in his intervention he hoped there was another way we could hear the Right Hon. Leader of the Opposition (Mr. Clark). I hope so, too, because I would like to accommodate him, if it is at all possible according to our rule. However, there is not another way. I have to insist that what I said awhile ago, confirmed now by the hon. member for Winnipeg North Centre (Mr. Knowles), is the only way I can proceed.

I would remind the hon. member for Nepean-Carleton that points of order cannot be raised indiscriminately. For example, tonight we could not raise a point of order on a borrowing bill; it is not before the House and is not relevant to the present proceedings of the House. He quoted Citation 233, but it is not relevant to this particular situation. We are not at the present time conducting legislative business. We might come to it but we are not there at the present time, nor are we in debate. Therefore, I do have to rule that I cannot hear points of order unless they relate to routine proceedings. For example, if there is a point of order on questions on the Order Paper, which I have just called, I can entertain that. I have just called questions on the Order Paper and I will hear the hon. Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) on that matter, and then we will proceed from there.

Some hon. Members: Point of order.

Mr. Collenette: Madam Speaker, I had read out the numbers, and I did ask that if No. 681 could be made an order for return, the return would be tabled immediately. It was given to one of the ushers but I did not get your consent to do that. Following that I would ask that all remaining questions be allowed to stand.

An hon. Member: Question of privilege.

Madam Speaker: The questions have been—

Some hon. Members: Point of order.

Madam Speaker: The questions have been—

An hon. Member: A question of privilege takes precedence over any order.

Madam Speaker: Order. I will hear that at the proper time when I finish dealing with the questions on the Order Paper. Members know that usually I listen to the hon. Parliamentary Secretary to the President of the Privy Council on questions on the Order Paper, that is the normal and usual procedure. I will deal with that and then I can hear points of order if there are any. For the time being the parliamentary secretary has the floor.

An hon. Member: Not on a question of privilege.

Madam Speaker: I will terminate with that procedure. The questions as enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure—

An hon. Member: Point of order.

Madam Speaker: I heard the hon. member for Mississauga South (Mr. Blenkarn) say he had a question relating to the questions on the Order Paper and I will give him the floor.

Mr. Blenkarn: Madam Speaker, my question No. 1,418, asked on July 9, has not been answered. It is a simple question. I asked the government what money they loaned to Tanzania, whether the loans had been extended, what was the interest rate and was there any default? It is a simple matter and the government has not answered. My point of order is simply this, Madam Speaker: Why has that not been answered? Is it embarrassing to the government? Have they given away the taxpayers' money? That is important in other debates before this House and we want to know.

Mr. Collenette: Madam Speaker, since it appears there may be a number of interventions on points of order concerning questions on the Order Paper I will sit down and hear them all and deal with the answers seriatim, if that is acceptable. If you would like me to jump up and down after every member and say: I will do my best to get the answer, I am quite prepared to do that, I need the exercise.

Madam Speaker: The hon. member is not the only one jumping up and down tonight. I would urge him to answer the question as it was asked by the hon. member for Mississauga South. If there are others I guess he can rise and answer them too.

Mr. Collenette: Madam Speaker, I shall do my best to give that answer.

Mr. Beatty: Madam Speaker, I would like to bring some questions on the Order Paper to the attention of the parliamentary secretary. On December 9 I put a question on the Order Paper, No. 1,852. It is a simple two-part question dealing with the chairman of the Canadian Film Development Corporation. I asked whether or not he was included in the corporation's conflict of interest guidelines. I also asked whether he maintained an interest in a private law practice and, if so, with which firms and in what capacity, and whether or not the firm conducts business on behalf of clients in the film industry.

This is a very simple question, Madam Speaker, one that was put on the Order Paper three and a half months ago as a result of representations made to me by a private citizen concerned about this particular issue. I would have thought it possible for the parliamentary secretary, if he was concerned about doing his job and ensuring that Members of Parliament got swift answers to questions on the Order Paper, to have found it possible in three and a half months to get an answer to a question this simple.

I would also like to refer to two other questions, Madam Speaker, which have sat on the Order Paper now for two and a

half months. The parliamentary secretary will note that questions No. 1,907 and No. 1,908 have sat on the Order Paper since January 12. Question no. 1,907 deals with the government's failure to promote the Telidon system at INTELCOM '80 in Los Angeles, and I asked why that was not done. I asked other related questions dealing with the whole issue of the government's promotion of that system. As the parliamentary secretary knows, I am this side's spokesman on communications and I think this is an issue which is germane to consideration of communication issues, and is one which could have been answered in that period of time.

Madam Speaker, the other question which I bring to your attention is No. 1,908 dealing with the CBC, and whether it was possible for independents to borrow CBC documentaries. Again, that is a very simple question which could have been answered over the course of two and a half months.

• (2130)

I think the delays here raise very serious questions about the utility of putting questions on the Order Paper, because if questions which are as simple as this stay on the Order Paper for two and a half or three months that renders the Order Paper useless as a means of obtaining information.

Members of Parliament put questions on the Order Paper because (a) they are of a technical nature and they cannot be asked in the oral question period, and (b) because they believe that a public response should be given. The vehicle of the question on the Order Paper enables us to do that. But what we find is that questions are put on the Order Paper, sit there indefinitely with no answer forthcoming, and that renders this vehicle absolutely useless. There are over 200 questions on the Order Paper ahead of the one I have mentioned, the one I put there on December 9. I have two questions among those two hundred which have sat on the Order Paper unanswered. It seems to me the system we have been following is one which has been very unsatisfactory for all sides of the House, because hon. members on all sides have questions on the Order Paper which remain unanswered.

I think it is incumbent upon the parliamentary secretary to give an answer to the members of the House as to what action he will take to ensure that simple questions which are placed on the Order Paper receive responses within a reasonable period of time. Perhaps, if it is not possible for him to do that, it would be appropriate for the Standing Committee on Procedure and Organization to look at the whole procedure being followed here to see whether there are other mechanisms which can be followed to enable Members of Parliament to seek and obtain this sort of information from the government in a timely manner.

Mr. Collenette: Madam Speaker, I am in agreement with one part of the comment made by the hon. member opposite, and that is that this whole practice of questions on the Order Paper should be looked at by the Standing Committee on Organization and Procedure. Last fall I made some public comments on the practice of one member having many questions on the Order Paper which are very expensive to answer. It engendered some public debate between the hon. member for Leeds-Grenville (Mr. Cossitt), myself and other hon. members. I certainly would take that point, and I commend the hon. member for bringing it forward this evening. Perhaps we should be looking at this particular aspect of our proceedings.

The hon. member talked about the delay in answering questions. I have repeated, on a number of occasions, that we have answered almost 80 per cent of the questions on the Order Paper. I would like to raise it to a 100 per cent, but the session is not yet over. Take for example, question No. 1,907 of the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) concerning Telidon. In part three of that question the hon. member says:

> Has the government any estimates of promotional budgets for competitive systems produced in other countries and, if so, what are such estimates?

That is a tall order to fill; to get that kind of information in two months, three months, or even six months. We have to find out who are our competitors. It is very difficult, in some respects, to find out who the competitors are because not every country is forthcoming with this information.

If my reply is somewhat lengthy, I am only trying to accommodate, I am sure, the very sincere questions of the hon. member opposite.

Mr. Stevens: Madam Speaker, I would ask the parliamentary secretary to perhaps give the House an explanation as to why I have not received to this date—although it is over four months since I asked for it—an answer to question No. 1,774. This question deals with the estimated expenditures of de Havilland Aircraft of Canada for (a) advertising, (b) free or subsidized publication, and (c) other information conveyed to the public. I raise this particularly because, as we know, this is one of those unfortunate one dollar items that were included in the supplementary estimates and eventually passed in the bill that went through the House last night. I think it is unforgivable that the government, four months after the request, has not seen fit to give the House an explanation as to what, in fact, has been spent by that corporation in connection with the items I set out in my question.

Mr. Collenette: Madam Speaker, I am glad we are having this exhaustive interrogation about this item because it gives me an opportunity to explain some of the limitations I have in bringing these answers to the House.

The particular question raised by the hon. member for York-Peel (Mr. Stevens), question No. 1,774, dealing with de Havilland Aircraft of Canada, deals with a company which I believe is a Crown corporation or the greatest shareholder is the Government of Canada. But one must realize that de Havilland Aircraft must operate within the marketplace, must keep certain information to itself if it is to compete with other companies. As a result, in respect of questions of this nature, when we are talking about the business practices of Crown corporations, or any company in which the federal government has a large interest, we have to respect—and I am sure the hon. members opposite would respect, given their support and belief in the principle of free enterprise—that there is only so

much information we can make public without jeopardizing the commercial prospects of these companies. That could very well be the reason there has been a delay. However, I would again ask the hon. member for York-Peel, what constitutes a delay? Each question must be looked at in its own context.

There were questions raised by the hon. member for Leeds-Grenville concerning the Taschereau papers. This matter has come before the House in the last few weeks. I would like to inform the House that it took two years to bring these answers forward because they dealt with a very sensitive matter. The Taschereau papers were being reviewed, as was mentioned in those answers, and this is a very complex matter that goes back 40 years.

My purpose in giving this reply is to let the hon. member and others know that this is not a simple and easy matter of putting a question on the Order Paper and expecting a reply as of yesterday. Each question must be looked at in its own context. I believe it will then become apparent why replies are quick in coming forward or are slow.

Mr. Stevens: Madam Speaker, partly in the context of what the parliamentary secretary has now said, I noted that his rationalization for not giving us the information with respect to de Havilland was that it was a commercial concern, and that I would respect, in the free enterprise system, that sometimes that type of information cannot be made public. It is obvious to every hon. member that if that, in truth, was the answer, it could presumably have been given a week after I asked the question, and I could have taken appropriate steps to try to obtain the information from other sources.

My second point of order concerns question No. 1,775. This is another question which has been outstanding for four months. This question makes the same requests I made with respect to de Havilland, but this time we are dealing with the Canada Mortgage and Housing Corporation. I think the parliamentary secretary could perhaps offer an explanation to the House now as to why—in the case of a clear Crown corporation clearly there is no question of free enterprise or competitive advantage—they have chosen to keep secret what that company has been spending on advertising, free or subsidized publications or other information conveyed to the public.

Mr. Collenette: Madam Speaker, I answered this question in part; I think it was yesterday. I am just trying to find the reference in *Hansard*. Perhaps this was in response to the hon. member for Dufferin-Grey-Waterloo. I may have that wrong. I am sorry.

An hon. Member: It may be a question of privilege, Madam Speaker.

Mr. Collenette: I stand to be corrected. I know that I was using the old boundary name before redistribution the last time, and I regret that, but I think everyone knows who I am talking about. Quite simply, there are a number of questions posed by this hon. member and the hon. member for York-Peel concerning the advertising budgets of various government departments, Crown corporations, and, as I said yesterday, we are trying to get the information in a group so we can present it to the House rather than give isolated answers. Some of the information is available on that series of questions and will be brought forward as soon as we get the information from other departments, so there is no real mystery on that particular question.

The hon. member for York-Peel talked about de Havilland Aircraft of Canada. I am not saying that is the reason, but I am simply saying this is the general constraint I sometimes find, when dealing with Crown corporations. Certain information cannot be released because of the competitive nature of the business that company may be engaged in.

● (2140)

Mr. Stevens: Madam Speaker, I rise on a point of order. I would point out to the parliamentary secretary that I put questions on the Order Paper asking separately about each company. I did that because I did not want the government to have the excuse, which the parliamentary secretary is now offering, to group all of the companies together before the parliamentary secretary could give us the entire answer. However, I will not press for information concerning certain expenditures of various other companies that is still outstanding. Let me refer the parliamentary secretary to question No. 2,042 in which I asked:

> 1. What was the total cost of the Prime Minister's December-January world tour?
>
> 2. What percentage of the total cost of the trip will be paid by the Canadian taxpayer?

I think this is something which is of great interest and I would like an explanation to be given to the House why, so long after the tour, we are still waiting for an answer to my question.

Mr. Collenette: I cannot answer that particular question tonight but I will try to look into it for the hon. member.

Mr. McKinnon: Madam Speaker, my question too is on the failure of the parliamentary secretary to answer what would seem fairly simple questions on the Order Paper. I was glad to hear him say that the time taken depends on the context of the question. He is quite right. Simple questions should be answered much more quickly than the complex ones.

I asked a question on December 15 because of an answer he had tabled shortly before concerning the increase in real terms in the expenditures of the Department of National Defence. The answer which came back said that this excluded statutory costs. So I simply asked:

> What has been the increase in the real terms in the Department of National Defence's expenditures, including statutory costs, for each fiscal year 1970-71 through 1979-80?

All they had to do was to add statutory costs. I am sure that had I asked this question during consideration of the defence estimates, I would have had the answer before the end of the meeting; the question is that simple, yet for three months they have been unable to put it on the Order Paper. I fail to understand that. I suspect the reason is they send the ques-

tions, and after the department gives the answers to the parliamentary secretary he takes them to the Privy Council where they get lost in the morass. I cannot see why they are unable to answer such a simple question in less than three months.

I am tempted to run this into two points of order and to include both questions I am complaining about tonight under the same point of order. My next question is similar to the one raised by my colleague who has just spoken. It is question No. 2,035 which reads:

1. Was a Canadian forces 707 aircraft committed to the Prime Minister's use during his recent European-African-South American trip and, if so, for how many days and hours?

2. Were other service aircraft committed and, if so, for how many days and hours?

3. What was the total itemized cost for transportation of the entire trip?

I asked this, Madam Speaker, because I like to keep track of the money the Department of National Defence is spending. I am quite aware of the system they have used previously for working out the cost of a variety of flights of members and cabinet ministers. It was simplified almost to the extent of using a template. You just moved it to the type of aircraft and the number of hours. They would multiply the figures for you and give you the cost. It is quite simple. I did not make it complex. I did not ask for the extra cost of the Prime Minister's party being lost for a week in Austria. I did not ask if they had phoned for substitutes for the avocados he missed so much. I did not ask if they had to rent those running shoes which he was shown wearing in Brazil. It was nothing complicated at all. I did not ask if he had to stay in a hotel in Algeria because nobody would speak to him. I think these answers should be forthcoming as quickly as possible, and I am looking forward to hearing from the parliamentary secretary in a few days. I am sorry the Minister of National Defence (Mr. Lamontagne) is not here because I would like to say I do not believe it is the fault of the Department of National Defence, and there is no truth to the rumour that he is attending NATO exercises in Poland.

Mr. Collenette: Madam Speaker, I regret that the hon. member for Kingston and the Islands (Miss MacDonald) appears to believe that the question asked by her colleague, the hon. member for Victoria (Mr. McKinnon), is so funny. I think he has a legitimate and very serious question and I shall do my best to get the answers.

I would say to the hon. member for Victoria, however, that he answered his own question a few minutes ago when he said he could easily go to the Standing Committee on External Affairs and National Defence when the estimates are before that committee to get the information he sought through the Order Paper. This proves one of the points I have been raising from time to time, that a lot of the questions on the Order Paper are unnecessary. I would respectfully suggest the hon. member should take that route if he is assured of getting such a quick answer. Certainly I am doing my best to get an answer from the Department of National Defence.

With respect to question No. 2,035, it is linked to the question previously raised by the hon. member for York-Peel concerning the Prime Minister's recent visit. I expect that when an answer to that question comes, we can also expect an answer to question No. 2,035 since they are linked.

Madam Speaker: I had urged the Parliamentary Secretary to the President of the Privy Council to answer each question as it was raised, but I had no idea that this many questions would be asked. I will leave it to his discretion, whether he wants to answer them all at once or as they are asked. He had asked me if he could do that, but there are so many now. I leave it to his discretion.

Mr. Clark: On a point of order, Madam Speaker, on that matter. We have heard a great deal tonight about the importance of observing the customs and practices of the House of Commons. The custom of the House of Commons has been for a specific answer to be given to a question that was put specifically on Order Paper matters. I am sure Your Honour would want to retain that kind of consistency in ruling, and I am sure you would not want to allow the parliamentary secretary to depart from that consistency. Naturally I would leave it to him to exercise his judgment in his usual way to ensure that he responds specifically to each specific question that is raised.

Madam Speaker: I would point out to the Leader of the Opposition that the custom goes both ways. This is left to the discretion of the parliamentary secretary. A while ago I urged him to answer the questions one by one because I thought this would be more orderly, but now that I see there are a lot of questions and time is running out, I leave it to his discretion. There is nothing wrong with the custom. It has been done before.

Mr. McKinnon: Madam Speaker, my point of order arises out of what the parliamentary secretary just said, that I could ask these questions at the Standing Committee on External Affairs and National Defence. He is quite right, except that at the time I wanted the answers, which was three months ago, there were no estimates before the House. I am surprised to hear him suggesting that I should be putting questions like this in committee when the committee is not sitting.

Some hon. Members: Hear, hear!

Mr. McKinnon: The other reason is that I am not unaware what happens if you try to obtain answers to oral questions that are detailed. That is what the Order Paper is for. If a question is detailed you are supposed to give the routine an opportunity to work. Unfortunately, it is not working very well these days and that is why there are so many people here with points of order.

Mr. Waddell: Madam Speaker, I rise on a point of order. Obviously this is a complete farce and sham—

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

An hon. Member: He is out of order.

Mr. Waddell: Any five-year old would recognize that, Madam Speaker.

Some hon. Members: Oh, oh!

Mr. Waddell: I submit, Madam Speaker—

Madam Speaker: Order, please. I am anticipating the same thing hon. members are thinking just now, but I must at least hear a few sentences of what the hon. member says in order to know whether he does have a point of order which is related to routine proceedings.

Mr. Waddell: My point is, Madam Speaker, that you should simply not recognize members and move on.

Some hon. Members: Oh, oh!

Madam Speaker: I thank the hon. member for that advice, but I cannot follow it.

• (2150)

Mr. Munro (Esquimalt-Saanich): Madam Speaker, I am hoping the parliamentary secretary will exercise a great deal of discretion. I am most interested in hearing the contextual rationale for the delay in answering a question which I placed on the Order Paper on October 6.

An hon. Member: Is this the British House of Commons?

Mr. Munro (Esquimalt-Saanich): This is not the British House of Commons, in any event. In October I asked for some extracts of the public accounts as to the expenditures on airport improvements and capital outlays. Of course the parliamentary secretary will be aware—apparently I do not have his attention, so I shall wait until I do—that I have on more than one occasion stood in my place and asked about the installation of radar at Victoria International Airport. I am rather interested in knowing how many radar installations there have been since I started asking my questions about four years ago, and at what types of airports. I would be interested in knowing the way he will wriggle around this one and explain that there is more in it than the question seems to imply.

I put a second question on the Order Paper on October 7. I thought it was a very simple question. It related to the hon. Senator Perrault and whether he is entitled to exempt staff and, if so, how many? I should have thought by now, five and a half months later, if he has not been employing exempt staff, that fact might have been revealed. If he had exempt staff privileges, as do some ministers, it would have been possible within five and a half months to describe which positions had been filled, what was the job description and qualification for each position, and what is the salary for each position, I feel there is some cause for concern on my part that there should be such a delay in answering these questions.

The other two questions have been on the Order Paper for a less lengthy duration, but they are important questions. Again they request extracts of the public accounts or of the estimates. They relate to the coastguard.

As other hon. members have stood in their places and mentioned, questions are asked when answers are wanted. By the time the answers come, the need for the information which is being sought is sometimes past and out of date. I feel there is just cause for complaint on this side of the House for the lengthy delays.

My questions which have been on the Order Paper for a month concern figures which public servants can extract from the appropriate documents. I know from experience that answers to questions on the Order Paper are of first priority to public servants. It is the first thing each morning that a public servant receives on his desk. He is expected to deal with it expeditiously and get it, through his under secretary, to the minister. I cannot understand the lengthy delays we have been experiencing in this Parliament.

Mr. Neil: Madam Speaker, my point of order concerns a question which I put on the Order Paper approximately ten months ago, in June of last year.

Some hon. Members: Shame.

Mr. Neil: It was a fairly simple question. It was an inquiry of Statistics Canada as to how many surveys were carried out which required personal contact by an employee with an individual or a householder. It also asked how many full-time and part-time employees were on the payroll in each province.

I put that question on the Order Paper because I received a letter from a constituent who, shortly after filing his income tax return, was called on by one of his neighbours who indicated that he was a part-time employee of Statistics Canada and was asked questions pertaining to his personal income and expenses. My constituent felt that it was rather impertinent of one of his neighbours to ask these personal questions, particularly when he had just filed an income tax return and the information was available to the government. In a very short period of time, that constituent will be filing his 1980 income tax return. I presume he may be called on again by one of his neighbours asking similar questions.

My question is fairly simple. It is directed to Statistics Canada. Since Statistics Canada is the department which keeps the statistics, certainly within a period of ten months it should be able to punch its computer or do whatever is necessary to extract the information I requested in this question.

Mr. Taylor: Madam Speaker, once before I asked the hon. parliamentary secretary about question No. 681 which has been on the Order Paper of 11 months and two days. I cannot understand why it is taking so long for my question to be answered, because Parks Canada has a sizeable staff. The reason I am asking this question is because Banff National Park is in my constituency. Many people in my constituency have asked why so many studies are being carried out, but there never is any action. I wanted a list of the studies carried out between 1974 and 1979, the subject of those studies, and whether they were put out to tender or conducted by the staff of Parks Canada. It is not a difficult question. Perhaps the

studies have all been completed; they are all in the past. It is a simple case of going through the studies and marking down the three or four points the people of Banff should properly know. I do not think the government wants to withhold that information. At one point I asked the parliamentary secretary why I was not getting an answer. He said he would do his very best, but I cannot understand, for the life of me, what is holding up Parks Canada in regard to answering this question.

In the meantime, more studies are going on, but we do not even know what studies have already been completed. I urge the hon. parliamentary secretary to put a little fire under whoever is supposed to get these answers.

Mr. Towers: Madam Speaker, I suppose we all have our wishes, but I just wish the hon. member for Vancouver-Kingsway (Mr. Waddell) could exchange places with one of my constituents who is facing charges in the Supreme Court of Canada as a result of government policy regarding its metric conversion program. My question No. 811 has been on the Order Paper since May 8 of last year.

Some hon. Members: Shame.

Mr. Towers: It is a simple question. I feel sorry for the parliamentary secretary because I think the Metric Commission is hanging him out to dry; they are not giving him the answers. This is the fifth time I have asked this question. I think my constituents have a right to an answer. Not only are they paying the costs, they are facing court charges. My question No. 811 reads as follows:

1. By year, what was the total amount of funds disbursed on the metric conversion programme?

2. (*a*) How many persons are employed under the programme (*b*) how many man-years are allocated to the programme?

3. (*a*) How many contract employees or consultants are employed under the programme (*b*) what was the total amount of funds disbursed, by year, on contract employees or consultants?

4. (*a*) How many contracts with consultants has the metric programme (*b*) who are the recipients of the contracts and what is the total amount of their emolument, by year?

5. What was the total amount of money disbursed to date, for paid media advertising to publicize or promote the metric conversion programme?

6. How many letters of comment has the Metric Commission received from concerned Canadians regarding the implementation of the programme and how many were letters (*a*) of complaint (*b*) praising the programme?

7. Are weights and measures that have been adopted in the Canadian metric conversion programme fully compatible and interchangeable with weights and measures used by other nations which use the metric system (*b*) is the Canadian "tonne" fully interchangeable with all other nations?—

* * *

• (2200)

BUSINESS OF THE HOUSE

Madam Speaker: Order, please. The hon. member for Nepean-Carleton. It is ten o'clock.

Mr. Baker (Nepean-Carleton): When I asked the House business question earlier today, which the hon. member for Mississauga South followed up, the government House leader was somewhat imprecise as to what the government's business would be for tomorrow—

Some hon. Members: It is ten o'clock!

Mr. Baker (Nepean-Carleton): He indicated that it might be the borrowing authority bill or it might be something else. I wonder if the Government House Leader can tell us—if he can tell us now—what he intends to bring forward tomorrow.

Mr. Pinard: Madam Speaker, when orders of the day are called we will try to move our motion to limit time allocation on the Constitution.

Some hon. Members: Hear, hear!

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

Madam Speaker: In accordance with Standing Order 40, a motion to adjourn the House is deemed to have been moved.

[*English*]

ENERGY—DELAY IN CONSTRUCTION OF TAR SANDS PLANT

Mr. Maurice Foster (Algoma): Mr. Speaker, on November 12 I asked a question of the Minister of Energy, Mines and Resources (Mr. Lalonde) concerning the National Energy Program and the dispute which had arisen between the province of Alberta and the federal government concerning energy pricing. I suggested to the minister that he should try to seek an arrangement with the minister of energy for the province of Alberta and that the question of the hold on tar sands and heavy oil plants, which Alberta had placed on these plants, be separated from the general negotiations relating to the pricing of oil, and revenue-sharing with respect to oil.

I suggested that at that time, because of a number of factors. The national resources and public works committee, of which I am a member, in its deliberations last fall discussed the very matter of heavy oils and tar sands. The committee held a number of discussions and meetings with the various companies involved. It became apparent to us that we were dealing with a massive program. The initial tar sands plant, the Syncrude plant, cost $2 billion or $3 billion, but the two plants which are now being discussed will cost some $8 billion to $10 billion and are not something in immediate play in terms of production but, rather, are long-term projects which will take several years to construct. They will require massive amounts of money to construct.

It seemed to me that the dispute between the federal and provincial governments with respect to oil pricing and revenue-sharing would be long settled one way or another before these plants ever come into production. I thought that would be a

wise move in order to see this dispute set aside and taken away from the general difficulties which have arisen between the two levels of government. Indeed, the Minister of Energy, Mines and Resources indicated that day he had spoken on the phone with the minister of energy for Alberta and would be happy to see that course of action followed. However, as it turned out, it was impossible to have the two points of contention separated. So, the hold which the province of Alberta has had on those heavy oil and tar sands plants continues to this day.

I know the minister is to meet with the minister of energy for Alberta early in April. At that time I certainly hope he will strive to see the two issues separated so that those plants can go ahead. I think this is important because we are dealing not only with a production plant but a plant which has a certain research element in it, and which will not come into production for a number of years.

● (2205)

It seems to me the second factor is that the most hardship is being borne by the communities involved. I have here an article datelined Cold Lake, Alberta which appeared in the November 21 issue of *The Gazette*. The headline is "Don't delay oil project locals plead". The article begins as follows:

Cold Lake businessmen want Alberta Premier Peter Lougheed to let Imperial Oil Ltd.'s $9 billion Cold Lake heavy oil project proceed.

It states that Wayne Kowalski, former president of the Grand Centre Chamber of Commerce, is planning a meeting with the premier. His brother is the MLA for Barrhead, Alberta. He pointed out how important it is to see that these projects go forward.

I think the most devastating impact is felt by communities like Cold Lake and others in Alberta. Much of the steel industry in eastern Canada is working at near capacity, so the harmful effect is there.

I hope when the ministers have a meeting early in April that they will try to set this aside. The federal government has shown some good will by moving a reference price up to $38 per barrel, escalated to the CPI in the future.

Alberta has a very heavy club to use on the federal government and the eastern consumers by cutting off 60,000 barrels per day every 90 days until September. I believe this results in an increase of 75 cents to $1 per barrel every time production is reduced by 60,000 barrels. With that kind of bargaining tool, I do not think he has to shortchange the future on these tar sands plants. This is causing a lot of difficulty for the local communities out west, and at the same time sets back the time when we are going to be self-sufficient in oil from the heavy oil and tar sands plants in the future.

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, I join with the hon. member for Algoma (Mr. Foster) in hoping that we will soon see the commencement of the oil sands plants, a statement which the minister has also made on a number of occasions recently.

The government is fully committed to the expeditious development of western Canada's non-conventional petroleum resources. On November 12 the minister expressed his support for the concept put forward by the hon. member for Algoma that a separate "oil sands" agreement, independent of a general oil pricing agreement, be negotiated.

The record shows that the national government has always been ready to ensure that oil sands and heavy oil projects will take place. In this context, hon. members will recall that the federal government took the initiative in February, 1975, to save the Syncrude project. At that time the governments of Alberta and Ontario, and the three private participants, responded and the project went ahead on schedule.

Examination of the National Energy Program will show the emphasis being placed on oil sands and heavy oil development through such measures as the maintenance of the depletion allowance, the provision of special tax incentives for heavy oil upgrading plants, and the application of reference prices at or close to international prices to encourage the opening up of these resources.

The immediate development of the oil sands and heavy oil resources is especially important in the light of Alberta's declining conventional oil reserves. New discoveries are becoming more difficult to find. While the remaining undiscovered conventional oil is of an impressive magnitude—perhaps 3 billion barrels—it cannot be located quickly enough to compensate for declining producibility. Therefore, the National Energy Program has established a policy of steadily rising incentives to find this oil. It has been estimated that netbacks will almost quadruple during this decade. This will assure orderly development of this declining resource.

● (2210)

I should like to re-emphasize the efforts that the federal government has made during the past year to reach an accord with Alberta on the pricing of oil and gas and, in particular, on the basis of getting new oil sands projects under way. Throughout these discussions we have been willing to show considerable flexibility. For example, when it became apparent last October that an over-all pricing agreement with Alberta would be impossible at an early date, the Minister of Energy, Mines and Resources (Mr. Lalonde) endeavoured to guarantee the future of the tar sands plants. In a meeting with the Alberta minister of energy he proposed a generous incentive price for tar sands oil which would be escalated annually with inflation.

When Alberta was not prepared to negotiate, the federal government then offered to loan $40 million to Imperial Oil so that the Cold Lake project would not be abandoned. These and other examples will show the degree to which the government of Canada is eager to see these projects go forward.

NUCLEAR ENERGY—SAFEGUARDS RESPECTING SALES OF NUCLEAR REACTORS

Mr. Stanley Hudecki (Hamilton West): My question on March 18, 1981, concerned the drastically reduced sale of

Candu reactors by Canadians as the result of strict adherence to nuclear safeguards by this country without similar commitments by other nuclear exporting countries.

My question specifically asked what steps Canada has been taking through the International Atomic Energy Agency in Vienna to upgrade international standards to those of Canada, ensuring that the sales be used for peaceful purposes only and thereby giving Canada a more competitive position in Candu sales.

This question is raised by the fact that Canada has been instrumental in developing a very special nuclear reactor system named Candu. Candu has been developed rather slowly compared with most competing systems and with the utmost regard for the economics of power production and safety. It offers the possibility of clean, minimally-polluting power on a large scale at least for the next 50 years. During this time the fossil fuels of oil, natural gas, and coal will become gradually exhausted. It will give the human race a breathing space in which to make long-term plans.

Nuclear power need not cause any chemical pollution. The radioactive products of a fission reactor can be entirely contained in principle. The one genuine objection to nuclear power is the manufacture of plutonium.

The significant feature of various Candu reactors is that they function on fuel containing natural uranium. Most other commercial power reactor systems require enriched fuel; that is, they require the addition of separated uranium-235 or plutonium. Ours uses heavy water as the moderator, conserving neutrons. A great deal of thought and expense have gone into isolating from the outside world the system in the Candu reactor with a heavy concrete vault which has a special built-in huge vacuum mechanism to extract excess steam in the event of any serious leakage. Many other safety features are incorporated and are too technical to detail.

The reactor is acknowledged as technically superior to almost any other in the industrialized world. It should, therefore, be highly marketable and one on which a profit should be realized, instead of requiring repeated federal financial assistance for continued operation.

Since 1945 Canada has played a significant role in defining the international regime which has set up rigid safeguards and standards to eliminate the use of atomic energy for destructive purposes and to promote its widest use for industrial and humanitarian purposes, as per the Declaration of Atomic Energy of November, 1949.

Since 1955, it helped to organize the International Atomic Energy Agency which came into being in 1957, Canada has been on its board of governors since that founding date.

In 1974, when India detonated its "peaceful nuclear explosion", the Canadian government suspended nuclear co-operation with India and the government announced more stringent non-proliferation safeguards covering the export of Canadian nuclear and special material. Since that time the conditions established by this policy were applied to all contracts for nuclear exports, current and future, accepting full-scope safeguards. The government also made clear that it would end nuclear co-operation with any state which exploded a nuclear device.

Thus, by 1976, Canada developed the most far-reaching national safeguard of any nuclear supplier, a policy that went well beyond any other state at the time and beyond that subsequently agreed to in the nuclear suppliers group.

With this preamble, I again direct my stated question to the Parliamentary Secretary for the Secretary of State for External Affairs (Mr. Duclos).

• (2215)

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, first I would like to comment briefly on the hon. member's statement that our sales of Candu reactors to foreign countries are not as good as they should be because our requirements, with respect to nuclear guarantees, are much more stringent than those of other exporting nations. Mr. Speaker, competition is fierce on the nuclear technology international market both for uranium and for the nuclear reactors themselves.

When Canada tries to sell its Candu reactors on this purchasing market, it is with the knowledge that the decision of a prospective client country will rest on a whole series of factors, including the nature of the technology offered, the financial terms, the opportunities for industrial participation and supply diversification and, foremost, the over-all political and economic objectives of the client country. The supplier's policy of non-proliferation and his nuclear guarantees is but one of many factors. Each one of those factors will have a different significance as dictated by the market and it is fair to say that none is likely to have a determining influence.

Mr. Speaker, Canada's nuclear export policy can be summed up as follows: Canada is seeking to export its uranium and its nuclear technology, making sure at the same time that those exports do not contribute to nuclear proliferation.

To meet this last objective, Canada has developed a comprehensive policy of non-proliferation and nuclear safeguards to promote implementation of a more effective non-proliferation international system and to minimize the risk of Canadian nuclear products being put to improper use. When this policy was implemented in December, 1976, the Secretary of State for External Affairs recognized that it was more advanced than that of other suppliers and he stated that Canada was willing to accept all the economic effects that would result from its unequivocal support of nuclear non-proliferation.

To come back to the question asked by the hon. member, during the seventies, Canada made considerable efforts to convince the other nuclear technology supplying countries to implement similar non-proliferation and safeguard policies. We have had considerable though partial success within the

Nuclear Suppliers Group which approved in January, 1978, common guidelines concerning transfers of nuclear technology. These guidelines, however, are not as restrictive as the Canadian policy. Canada and other nuclear technology supplying countries with a similar philosophy on the subject, such as Australia and the United States, keep on trying for a greater international consensus in this regard at the meetings of the International Atomic Energy Agency in Vienna, and more specifically in the committee on security of supply recently established by the agency.

In closing, Mr. Speaker, I would say that the main objective of Canada is to promote the development of an effective international system of non-proliferation which would be closer to the Canadian standard. However, progress in this regard will be slow and difficult.

[*English*]

CORPORATE AFFAIRS—DELAY IN INTRODUCTION OF LEGISLATION

Mr. Ray Skelly (Comox-Powell River): Mr. Speaker, it gives me great pleasure to participate in the only thing of substance today. The question I would like to elaborate on relates back to March 4 when I asked the Minister of Consumer and Corporate Affairs (Mr. Ouellet) about his intent in terms of introducing effective competition legislation in light of the oil company study by the director of investigation and research. I suggest that the minister's answers at that time were completely unacceptable. What has basically occurred here is that the minister is not treating some of the manoeuvring of the Canadian economy that has occurred over the past several years in a very serious manner. I think the main item facing us at that time was the investigation into the oil companies restrictive trade practices. I think what we have to look at are events which have taken place over the last few years. They are serious and have put a number of industries in the same kind of position to damage our economy and harm and exploit Canadian consumers. I would like to just point out this is a matter of increasing concentration in the Canadian economy, and there are several figures I would like to record.

● (2220)

In 1975 there were 264 mergers; in 1977 the department recorded 395 mergers. Then, by 1979 they had recorded 551 mergers, showing a definite trend of acceleration. The interesting thing is that by 1978 foreign takeovers had exceeded domestic takeovers. I would suggest that is a very dangerous situation. One of the few inquiries into that kind of activity was conducted by the Bryce commission, but I think its conclusions were not accepted by many people in Canada. People simply did not agree with them.

Within the different sectors of the Canadian economy were four firms accounting for 50 per cent or more of the total shipments involved in a given industry, and I would like to place some of these on the record. The four largest firms in the distillery industry accounted for 83 per cent of shipments; tobacco, 100 per cent; iron and steel, 77 per cent; motor vehicles, 90 per cent; electric wire and cable, 80 per cent; and our old friend sugar refining, 92 per cent. The message there is that what the oil companies did to us, as reported by the director of investigation and research, other companies are in a position to do.

Another matter which really shocks me, is the way in which merger data is gathered by the Department of Consumer and Corporate Affairs. They readily admit to running an extensive clipping file, but that is the only mechanism, and it just detects the tip of the iceberg. They do not record assets. In fact, the monitoring system in place has no effective way of assessing the impact on or damage to the Canadian economy that these continuing mergers have.

The suggestion is that the government, which apparently has the regulatory authority, demand that companies wishing to take over a Canadian company be required to give information in advance to the department so we can monitor effectively the effects on the Canadian economy. However, the main flaw is the legislation, and we have been fooling around with this since 1923—the last big thrust in the combines investigation field—and since that time there has been one successful conviction. There has been a tremendous demand over the last few years that this legislation be modified so the Canadian people will have some effective protection, by establishing a civil review procedure for potential mergers and public disclosure. I think the government has been extremely remiss over the last decade or more in not bringing this forward. It now has the opportunity in this session. I realize that we are hamstrung with the proposal before us, but that legislation should be brought into this House for discussion.

There are some very nasty aspects to this situation. I would just quote the government of Saskatchewan on the previous Bill C-13:

> Saskatchewan, for one, is not prepared to agree to the intrusion into areas of provincial jurisdiction that is entailed in the proposed legislation.

I think there are constitutional concerns about this, and concerns on the part of business and the public in general. It is important that the minister lay that legislation before the House as soon as possible so that discussion can begin. This is too important; we cannot leave it any longer. I hope to hear some good news from the parliamentary secretary this evening.

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, I want to congratulate the hon. member for Comox-Powell River (Mr. Skelly) on his concern for Canadian consumers. I would like him to know the minister shares those concerns. For some time now we have been concerned about the issues he has raised. I would remind him of the history of our efforts.

It was the Liberal government in 1966 which asked the Economic Council of Canada to examine the entire question of competition policy in Canada and to make recommendations to the government. Subsequent to this report, in 1971 the then minister, the Hon. Ron Basford, tabled Bill C-256 in the

House. This bill gave rise to a national debate that was unprecedented for an economic policy of this sort. In order to advance the debate, the government decided in 1973 to go ahead with an initial stage of the bill containing those provisions on which there was the greatest unanimity. The amendments came into force in 1976.

● (2225)

As to the other provisions which were still the subject of widespread disagreement, the government referred them for study to an independent committee set up in 1975. The committee report was made public in 1976 and led to the second stage of the amendments; these were contained in Bill C-42 which was tabled in the House in the spring of 1977.

This bill received first reading and, to speed passage, was immediately referred to the Standing Committee on Finance, Trade and Economic Affairs and to the Senate Committee on Banking, Trade and Commerce. The government had determined to finish this reform of competition policy, and to do so quickly.

As you are aware, the committee was inundated with briefs, which led to further national debate. The committee prepared its report, containing 90 recommendations relating to Bill C-42. Most of these recommendations were adopted by the government and incorporated in Bill C-13, which had its first reading in November, 1977. The government had decided to go ahead, but you will remember that a proposed merger of Argus and Power Corporations was making headlines at the time and Canadians were becoming aware of the danger of having economic power concentrated in the hands of only a few people.

In 1975, the government had set up the Royal Commission on Corporation Concentration, already referred to by the hon. member—the Bryce commission—which reported in the spring of 1978. The Senate committee submitted its report early in the summer of 1978. It seemed prudent to await the recommendations of the royal commission and of the Senate committee before proceeding any further with the amendments to the competition policy.

The House must appreciate the fact that one does not play around with policies that affect the very structure of Canadian industries. Every effort must be made to avoid mistakes, as they are irreparable. It is, moreover, essential that the proposed amendments receive the support of Canadians from all walks of life. In the past this support seemed to be lacking and, though there was general agreement that the act needed revision, no consensus emerged as to the actual amendments. The unprecedented wave of mergers in recent years and the increase in economic concentration have made Canadians aware of the need for action in this area. The director's report on the petroleum industry is another example which clearly shows the need to amend the act.

In our view, because of obvious and recent events, a consensus is now taking shape among Canadians regarding the need to make the Combines Investigation Act more effective and better adapted to Canada's economy. There will always be those who will oppose this reform. But consumers, small and medium-sized businesses and the public in general support it.

The minister intends shortly to table amendments concerning monopolies, mergers and conspiracies that will provide Canada with an effective policy to counteract the harmful effects of economic concentrations. If the proposals in Bill C-13 were lacking in clarity and precision, the amendments to be tabled will set out in precise and unequivocal terms what reprehensible trade practices are. Hence, they will not create the uncertainty which businessmen are so afraid of, but they will protect the interests of the Canadian consumers.

[*Translation*]

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 11 a.m.

Motion agreed to and the House adjourned at 10.30 p.m.

HOUSE OF COMMONS

Friday, March 27, 1981

The House met at 11 a.m.

• (1105)

ROUTINE PROCEEDINGS

[*English*]

INDIAN AFFAIRS

JAMES BAY AGREEMENT—PROVISION OF HEALTH CARE SERVICES—MOTION UNDER S.O. 43

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, yesterday in the Standing Committee on Indian Affairs and Northern Development members of this House were subjected to a litany of examples of the complete and utter abrogation of the government's obligations to the Cree and Inuit under the James Bay and Northern Quebec Agreement. Given the devastating effect that this abrogation has had on the health of the Cree, and specifically in light of the fact that tuberculosis is rampant in at least one Cree village, I move, seconded by the hon. member for Prince George-Bulkley Valley (Mr. McCuish):

That the Minister of National Health and Welfare admit her residual responsibility for natives as outlined in Chapter 955 of the Indian health regulations under the Indian Act, and not withdraw health and social services to the Cree as is presently scheduled for March 31, 1981, until all commitments under the James Bay and Northern Quebec Agreement are fulfilled by both governments involved.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

JAMES BAY AGREEMENT—TABLING OF ANNUAL REPORT—MOTION UNDER S.O. 43

Mr. Lorne McCuish (Prince George-Bulkley Valley): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the James Bay Agreement stipulates that the Minister of Indian Affairs and Northern Development (Mr. Munro) must table an implementation report within 60 days of January 1, 1978, followed by annual reports for the following 20 years, and whereas the first of these was submitted 22 months late and the one currently due has still not been tabled, I move, seconded by the hon. member for Cariboo-Chilcotin (Mr. Greenaway):

That the Minister of Indian Affairs immediately table this overdue report and that failure to report this year and any subsequent year as per the agreement shall be considered contempt of Parliament.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

JAMES BAY AGREEMENT—APPOINTMENT OF IMPLEMENTATION COMMISSIONER—MOTION UNDER S.O. 43

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, my motion under Standing Order 43 is on the same matter. In view of the fact that the James Bay and Northern Quebec Agreement sets a critical precedent for future land claims settlements, and that the terms of this agreement have not been honoured by either the federal or Quebec governments, a situation that has created great hardship and resentment among the native people this agreement was designed to benefit, I moved, seconded by the hon. member for Wetaskiwin (Mr. Schellenberger):

That this government appoint an Implementation Commissioner with powers of the type enjoyed by the Commissioner of Official Languages and Human Rights, in order to oversee the implementation of this agreement and any further similar agreements between this Parliament and Canada's native peoples and that no further transfer of responsibilities from the federal government to provincial and native governments occur until this Commissioner tables an annual report to Parliament showing that all federal responsibilities to the James Bay Cree and Inuit peoples have been fulfilled.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

JAMES BAY AGREEMENT—GOVERNMENT IMPLEMENTATION OF AGREEMENT—MOTION UNDER S.O. 43

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, I rise under the provisions of Standing Order 43 on this same important and urgent matter. Since it is now clear that the James Bay and Northern Quebec Native Claims Agreement has been breached repeatedly by a government acting in bad faith, with flagrant disregard for legal and moral responsibilities under the agreement, and since this government is presently threatening to abrogate health responsibilities as of March 31, 1981, withholding essential core funding to the Cree Regional Authority and quibbling over responsibility for

improving desperate living conditions, I move, seconded by the hon. member for Oshawa (Mr. Broadbent):

That the government stop this shameful performance and immediately implement the agreement according to the spirit and the letter of the law.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FISHERIES

ISSUANCE OF NON-INUIT FISHING LICENCES FOR NORTHERN REGIONS—MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, my question under Standing Order 43 is on this same important subject. The Minister of Fisheries and Oceans (Mr. LeBlanc) has demonstrated a lack of concern for the well-being of the northern fisheries as well as the Inuit people who depend on that fishery for 70 per cent of their diet, by licensing six fishing vessels, in spite of inadequate environmental and ecological information, and the fact that the Inuit developed the fishery. Therefore I move, seconded by the hon. member for Lisgar (Mr. Murta):

That the minister suspend all non-Inuit fishing licences in the James Bay and Ungava area pending an environmental impact study.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

JAMES BAY AGREEMENT—REIMBURSEMENT OF EXPENDITURES TO CREE AND INUIT—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): Madam Speaker, whereas the federal government has failed to deliver services as provided in the James Bay and Northern Quebec Agreement, and since the result of this failure is that the Cree and Inuit have spent a total of $37 million of their own funds to provide such services to their people, I move, under Standing Order 43, seconded by the hon. member for Cariboo-Chilcotin (Mr. Greenaway):

That the government reimburse in full the Inuit and the Cree for moneys spent, by the end of this fiscal year.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1110)

NATIONAL PENSIONS CONFERENCE

REPRESENTATION OF TORONTO TASK FORCE—MOTION UNDER S.O. 43

Mr. Bruce Halliday (Oxford): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The mayor's task force on disabled and elderly in the city of Toronto has been denied a seat at the National Pensions Conference scheduled for next week in Ottawa. In view of the large number of people that they represent in Toronto, I move, seconded by the hon. member for Don Valley East (Mr. Smith):

That the Minister of National Health and Welfare be asked to reverse her decision and invite representation from the mayor's task force.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

CONSERVATIVE PARTY POSITION IN PARLIAMENT—MOTION UNDER S.O. 43

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, whereas this House has been debating a Conservative Party amendment on the Constitution for six weeks—

An hon. Member: Who wrote this, Bob?

Mr. Rae: —and the Conservative Party has been engaged in a systematic strategy, which it is continuing now, of preventing other parties from presenting their own constitutional amendments on women's rights and native people,—

An hon. Member: Go to the Senate, Bob.

Mr. Rae: —and preventing this House from even considering its own business, thereby gagging Parliament, I move, seconded by the hon. member for Mission-Port Moody (Mr. Rose):

That this House reaffirms its obligation to the country to consider, with full and fair debate, all matters of substance and concern to the people of Canada, and regrets the systematic obstruction of any improvements to the constitutional resolution currently being carried on by the Progressive Conservative Party of Canada.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

EMPLOYMENT

CUTBACKS IN MANPOWER TRAINING PROGRAMS—MOTION UNDER S.O. 43

Mr. Walter McLean (Waterloo): Madam Speaker, due to the cutbacks announced in the Canada Manpower Training Program, Connestoga College, centred in Kitchener-Waterloo, and other community colleges across Ontario, will have to discontinue programs abruptly in midstream, dashing the hopes of trainees for employment. Many of the affected courses have a 100 per cent employment record with great support from local industry. Therefore I move, seconded by the hon. member for Cambridge (Mr. Speyer):

That this House call upon the Minister of Employment and Immigration to explain to Parliament why these programs have been cancelled at a time of high unemployment and shortage of manpower with basic skills.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Doug Neil (Moose Jaw): Madam Speaker, I too rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that uncertainty still surrounds the decision on compensation to prairie grain producers for losses arising from the Russian grain embargo, and in view of the fact that there has been no relief from the high interest rates and input costs facing the grain producers, I move, seconded by the hon. member for Mackenzie (Mr. Korchinski):

That cabinet make a decision on the amount of compensation immediately and arrange for the mailing of cheques within ten days in order that the producers will have some cash on hand to meet spring seeding costs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

LABOUR RELATIONS

SUPPORT FOR FISHERMEN'S NEGOTIATING RIGHTS—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, whereas the fishermen in New Brunswick, Prince Edward Island and Nova Scotia are presently denied even basic collective bargaining rights by the regressive legislation in those areas, and whereas the fishermen in New Brunswick are presently peacefully demonstrating in favour of that provincial government changing its legislation, I move, seconded by the hon. member for Kootenay East-Revelstoke (Mr. Parker):

That this House express its solidarity with the fishermen in the maritime provinces and supports their right to negotiate a fair price for their catch.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1115)

HOUSE OF COMMONS

PROCEDURE RELATING TO WRITTEN QUESTIONS—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I wish to move a motion which I think might very well receive the unanimous consent of the House because it expresses sentiments which have already been expressed by spokesmen for all parties.

Whereas last night and on previous occasions it has been suggested by the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette), and agreed to by spokesmen from the opposition parties, that improvements might be made to the rules of the House dealing with written questions, I move, seconded by the hon. member for Bow River (Mr. Taylor):

That the Standing Orders and practices of the House of Commons relating to written questions be referred to the Standing Committee on Procedure and Organization for study and that the said committee be instructed to report back to the House with recommendations.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

ANNOUNCEMENT OF SUPREME COURT HEARING—REQUEST FOR WITHDRAWAL OF CONSTITUTIONAL RESOLUTION FROM CONSIDERATION BY PARLIAMENT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, through the Chair I would like to direct a question to the Prime Minister. The Prime Minister will know that the Supreme Court of Canada has now set April 28 as the date on

which it will begin to consider whether the government's constitutional resolution is within the competence of Parliament to enact alone. Rather than having Parliament risk acting illegally and rather than running the risk that Parliament would act in defiance of our own customs, will the Prime Minister respect Canadian custom, and will he withdraw his resolution until the court has decided whether it is lawful for Parliament to deal with that resolution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, perhaps the Leader of the Opposition could elaborate a little bit on what he calls the custom. As far as I can study Parliament, it is customary for Parliament to deal with matters, and it is also customary for citizens or various parties to disagree in the courts. This process has always happened, and if Parliament were to interrupt its work every time somebody claims that its work is illegal, then we would be doing no work at all. That is the custom in this land. We do our work. The courts do theirs.

REQUEST FOR FEDERAL-PROVINCIAL MEETING

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I will naturally accept the invitation of the Prime Minister to argue that case later in the day.

The Prime Minister will know that Premier Blakeney has now indicated that eight premiers expect to discuss today or, if not today, very, very soon—but probably today—details of a new constitutional proposal, which was discussed in general terms in Winnipeg on Tuesday, a constitutional proposal which would let Canadians decide our Canadian conduct here in Canada.

In light of this statement by Premier Blakeney and in light of the meeting which has occurred in Winnipeg this week, is the Prime Minister prepared to set aside his own stubborn deadlines, and is he prepared, in the national interest as the leader of the national government, actively to seek a meeting on constitutional change with the Canadian premiers before he bulldozes this resolution through Parliament and takes the Canadian question to another country?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, we have been discussing this subject with the premiers since the spring of 1968, in a constant fashion through the decade. We discussed it very intensively beginning, I believe, around June 5 of last year. We had a first ministers' meeting.

We have, in the resolution now, a provision that discussions must go on for the next two years in order that we agree on an amending formula, following which, if we still cannot agree after that fixed period of two years—which hardly seems like bulldozing, to use the phrase of the Leader of the Opposition—then the people will be asked to decide for us in a referendum. Discussions are not only wanted; they are called for in the resolution before the House.

• (1120)

The Leader of the Opposition goes on to make the point, I think his words were "let Canadians decide". Madam Speaker, that is what we are asking: let the Canadians in this House decide and let us decide—

Some hon. Members: Call an election.

Mr. Trudeau: We are prepared to let this House decide any time. We will even let an amendment come to a vote.

Some hon. Members: Hear, hear!

INITIATION OF DISCUSSIONS

Right Hon. Joe Clark (Leader of the Opposition): The Prime Minister appears to be under the illusion that his resolution has already passed and that the provinces are today without the power which his resolution tries to take away from them as he moves this nation towards a unitary state. That is not the situation in this country today.

Some hon. Members: Hear, hear!

Mr. Clark: The Prime Minister has not yet succeeded in his goal of changing the fundamental nature of this country. There are provincial governments which represent the people of Canada as well as this Parliament does. They have a role to play in constitutional discussion. My question to the Prime Minister is this: since we know that he has his representatives over in Britain trying to make a deal with the government of another country, I should like to ask him whether he personally, or through his senior representatives, since the meeting in Winnipeg of the eight premiers on Tuesday, has been in touch or has initiated discussions with those premiers, to see if it might be possible to arrange a meeting which would allow all the governments of Canada representing all the people of Canada to come together here in our country to agree on a Canadian Constitution in a Canadian way, rather than following the practice which the Leader of the NDP in the province of Saskatchewan has said leads to bitterness in this country.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please.

Mr. Clark: My question to the Prime Minister is whether he personally, or through any of his intermediaries, sought a meeting with the premiers since the Tuesday meeting in Winnipeg.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Leader of the Opposition talks about taking power from the provinces to make Canada a unitary state.

An hon. Member: Right on.

Mr. Trudeau: Surely if there is any shift of power in this resolution before the House, it gives more power to the provinces—

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

An hon. Member: That's a lie.

Mr. Trudeau: —in two areas, Madam Speaker—

An hon. Member: At least blush a little bit.

Mr. Trudeau: —more powers to the provinces in defining the role which they would play in any amending formula in the future. It gives more power to the provinces—

An hon. Member: Just tell the truth, Pierre.

Mr. Trudeau: —in giving them greater jurisdictional resources by having what they do not have now, the power to levy indirect taxes and the power to regulate interprovincial trade. So if there is any shift of power from one government to the other, Madam Speaker, in these two areas it is a shift to the provinces.

An hon. Member: Answer the question.

Mr. Trudeau: I am told to answer the question, Madam Speaker.

An hon. Member: Have you sought a meeting?

Mr. Trudeau: The Leader of the Opposition, in asking his question, made the assertion that there was a shift of power from the provinces. I fail to see how the opposite side lets the Leader of the Opposition make allegations before posing his question but would not let me answer those allegations before the question is answered.

Some hon. Members: Hear, hear!

Mr. Trudeau: The question was whether I had sought to communicate with the premiers since the meeting in Winnipeg last Wednesday. The answer is no, nor have they attempted to communicate with me.

• (1125)

Mr. Clark: Madam Speaker, by the Prime Minister's logic, he must have believed he was giving more power to the people he had incarcerated when he introduced the War Measures Act.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Clark: Why did the Prime Minister not seek a meeting with representatives of provincial governments after the meeting on Tuesday? Will he tell the House of Commons whether he will initiate those discussions, as the leader of the national Government of Canada, to see if we can find a way to change our Constitution in our country, rather than shipping our business off to the British?

An hon. Member: You are rather desperate, Joe.

Mr. Trudeau: Madam Speaker, the Leader of the Opposition refers to the people incarcerated under the War Measures Act.

An hon. Member: Four hundred and fifty persons.

Mr. Trudeau: Let me remind him that his party and his leader supported the invocation of the War Measures Act.

Mr. Andre: We believed you; that was the problem.

Mr. Hnatyshyn: It was the last time we believed you.

Madam Speaker: Order, please. Other hon. members of the House want to ask questions. I have already allowed the Right Hon. Leader of the Opposition an extra question, which is not unusual. But we need the co-operation of the House so that I can allow everybody who wants to put a question today to be included in the Question Period. So, I would ask hon. members not to shout; we must conduct this debate in a serene fashion—

An hon. Member: Serene!

Madam Speaker: —and I would like members to co-operate—

Some hon. Members: Oh, oh!

Madam Speaker: —with me.

Mr. Trudeau: Madam Speaker, in so far as incarcerating people under the War Measures Act is concerned I would remind the Leader of the Opposition that they were incarcerated by the administration of justice of the province of Quebec; that they were in their prisons, by their policemen, by their acts; and that this was recognized when the government of Quebec paid damages to many of the people who had been incarcerated by them as a result of the War Measures Act.

The Leader of the Opposition asked if I would initiate discussions with the premiers. I have replied to that. We have been discussing for many months. A time comes when somebody has to make up his mind. The premiers seem unable to make up their minds because they have been meeting since October trying to find some alternative that they would even agree with among themselves. They have not communicated any such agreement to myself, to the press or, I take it, to the Leader of the Opposition. But I will initiate discussions with them, as soon as Canada has its own Constitution and as soon as Canadians have given themselves the means to improve that Constitution.

Some hon. Members: Hear, hear!

REQUEST FOR REMOVAL OF REFERENDUM PROVISIONS IN CONSTITUTIONAL RESOLUTION

Hon. Jake Epp (Provencher): Madam Speaker, my question is directed to the Right Hon. Prime Minister. He said that he is giving more powers to the provinces; it is passing strange that eight of them would be rejecting those additional powers.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Epp: But I want to ask the Prime Minister—

An hon. Member: Say no more.

Mr. Epp: In his press conference yesterday the Prime Minister said, "What I want is the provinces to find some agreement among themselves", and he also said that he was willing to reduce the seven provinces to six, as well as the 80 per cent requirement. In view of the fact that the provinces have asked for the power to remove the odious referendum provisions in his proposals—

Mr. Lalonde: Not Ontario, not New Brunswick.

Mr. Epp: —is he now willing to remove the referendum provisions and, in fact, bring about the kind of consensus which he said yesterday he was willing to accept?

An hon. Member: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): More applause?

Mr. Clark: Not for you.

Mr. Trudeau: Madam Speaker, the hon. member for Provencher said that it is passing strange the provinces would reject the additional powers we are giving them. I found that strange, too, and I said so in my speech on Monday that, in a sense, I regretted the amendment moved by the Leader of the NDP which would give more power to the provinces, because the provinces have still not said that they accepted those additional powers. They want even more powers yet. This proves my point that until the whole shopping list of powers is given to them they will find no agreement. They have not found agreement since this process began and they are not finding agreement now, for the reasons I have stated. They might agree on an amending process, but they will not agree to let it go forward until Mr. Peckford has the offshore—

● (1130)

Mr. Clark: That is not true.

Mr. Trudeau: —until Premier Lévesque has had the right to declare the sovereignty of his province written into the Constitution—

Mr. Clark: That is not true.

Mr. Trudeau: The Leader of the Opposition says it is not true, Madam Speaker. If he had been watching the conference—

Mr. Fraser: You are not an expert on truth!

Mr. Trudeau: —held in September, in Ottawa, he would have said that is exactly the situation which the premiers presented then—

Mr. Clark: And on the Friday morning?

Mr. Trudeau: I have had no evidence of whether they have changed that position now. Has the Leader of the Opposition heard Mr. Peckford say that Canadians could have the Constitution with an amending formula and a basic charter of rights without getting his offshore?

Mr. Clark: Yes, because I have asked.

Mr. Trudeau: The Leader of the Opposition says yes. I wish that Mr. Peckford would state that publicly.

Mr. Clark: Ask him.

Mr. Beatty: What would you do if he did?

Mr. Trudeau: I wish Mr. Peckford would state that publicly rather than through his little buddy.

Some hon. Members: Hear, hear!

AGREEMENT ON HUMAN RIGHTS

Hon. Jake Epp (Provencher): My supplementary question is to the Right Hon. Prime Minister. Frankly, it seems to me from his answer he hopes the provinces do not come up with any consensus. That is the argument he has been using all along. If that consensus is, in fact, reached, even beyond the requirements of his press conference of yesterday, then would he not accept again to go to the bargaining table and try to reach a consensus among Canadians?

I now ask about positive action. In view of the amendment moved in the Senate yesterday, whereby the charter would apply equally to men and women, has the Prime Minister instructed his government House leader and his supporters in the other place to support that amendment expeditiously?

Mr. Broadbent: What hypocrisy! Speed it up for them.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am very happy to accept that suggestion and to state quite unequivocally that, if the House leaders of the other parties would agree with ours, then we will instruct the Senate to accept this amendment on women. We will instruct them to accept an amendment which has been negotiated on aboriginal rights.

Mr. Stevens: How about property rights?

Mr. Trudeau: We would let these amendments pass in the Senate and in this House, if we can all agree to do that within the next few days.

Some hon. Members: Hear, hear!

ENERGY

POSSIBLE EXPORT OF OIL TO JAPAN

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. It pertains to an announcement that five months ago the Japanese put together a consortium of the five largest shipbuilding companies in Japan to build the world's largest ice-breaking oil tanker—they are not LNG tankers, they are oil tankers. The intention is to use those tankers to carry oil from the Beaufort Sea in Canada's Arctic. Would the minister state categorically in this House that the government has not made a deal, or given an understanding, that there will be an export of Arctic oil to Japan?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, very definitely there is no such deal. There has never been any conversation along those lines. Canada is an oil importer, not an oil exporter.

The time when Canada would have a surplus of oil to export would be the time for the National Energy Board and the government to decide if exports should be authorized, and to which countries.

I can assure the hon. member that there has never been any indication to Japan that they could count on the import of oil from Canada's Beaufort Sea. On the contrary, I had meetings with a number of Japanese ministers when they visited Ottawa from time to time, and I went out of my way to make it clear that in the foreseeable future Canada was not in a position to consider exports of oil from the Beaufort Sea or the offshore.

ASSURANCES SOUGHT RESPECTING USE OF CANADIAN SHIPS

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, the question which then arises is that the Japanese appear to be spending hundreds of millions of dollars and have the designs in place to carry out this work. They have targeted the Beaufort Sea and the Arctic as the locations in which these ships will work. Dome Petroleum has a financing agreement in one phase of it which apparently allows the Japanese a quarter of the oil there. Would the minister categorically indicate that the ships used to exploit and transport Arctic resources and offshore resources will be Canadian ships, built in Canada and operated by Canadian crews?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, that would certainly be my hope. However, this would again be a matter which would have to be examined in terms of the competitive bidding and also the ability of our shipyards to build the kind of ships which are required. The ability of our shipyards to build the size of ships which are required must be examined. The size of ships which are involved are very large ones indeed. We will have to see whether our shipyards, taking into account all the orders that are expected to go to our shipyards with offshore development, etc., will be in a position to handle this kind of order.

Indeed, Bill C-48, which is before the parliamentary committee at the present time, indicates that we certainly hope that arrangements would be made with developers to ensure that the Canadian people and Canadian business would be in a position to compete on very favourable terms with any foreign bidders in this regard.

Mr. Skelly: Madam Speaker, the Japanese are about seven years ahead of where we are in building this equipment. We are so slow to move. Bill C-48 is so weak in the Canadian content provisions that you could drive a truck through it—

An hon. Member: You could drive a tanker through it.

Mr. Skelly: All humour aside, the provisions are extremely weak and the Japanese are very far ahead. I think the minister should stop playing dog in the manger here. We must either tell the Canadian people—

Madam Speaker: Order, please. Would the hon. member put his question?

Mr. Skelly: The government should be prepared to tell the Canadian people that either the Japanese will build that equipment or tell them clearly, and Dome Petroleum, that Canadians will build that equipment, and that no more of the equipment will go offshore, and that the Japanese may as well stop their production.

Some hon. Members: Hear, hear!

Mr. Lalonde: Madam Speaker, the Japanese business community has been very active since the end of the war in many fields. The hon. member is aware of this. Rather than complain about the initiative of the Japanese, we in Canada ought to encourage Canadian business to show the same type of initiative and dynamism which has been shown by business communities in other countries. This is what the government is trying to do under the leadership of the Minister of Industry, Trade and Commerce.

As far as the question raised by the hon. member is concerned, I would like to remind him that, while he complains that the provisions of Bill C-48 are inadequate, in effect it is those very provisions which have given rise to protests from members of the OECD countries. On the contrary, those countries are protesting to the effect that the measures we are proposing in this respect are going too far. We have been the ones to defend those provisions in the international community by saying what was required for Canada.

Far from being found weak or inadequate, those provisions are viewed as severe by Canada's allies and friends. Indeed, we have had to fight in the international community to defend those provisions. I hope we will get the support of the hon. member in the committee in order to have those provisions passed by this Parliament soon.

Oral Questions

EXTERNAL AFFAIRS

POLAND—RESPONSE BY NATO COUNTRIES TO THREAT OF RUSSIAN INTERVENTION

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is for the Secretary of State for External Affairs. He will remember that on Monday I asked him if it was the government's intention to meet with other member countries of the NATO alliance to formulate a western alliance response to the growing threat of Soviet intervention in Poland. At that time the minister dismissed the need for any talks by the NATO countries, but I am sure that even the minister would have to admit that the threat to Poland from Soviet intervention is growing daily.

● (1140)

Given the concern that is being expressed now in western European capitals and in the United States, and given the statement yesterday out of Moscow that the U.S.S.R. will not tolerate chaos in Poland, I should like to ask if he has since been in touch with his NATO counterparts and what action the Canadian government is contemplating, or is he just going to remain silent in the face of this grave threat by the Soviet Union to Poland and to world peace?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, it is certainly common ground between us and, I think, in all of the western world, that the situation in Poland is serious and is of great concern to all of us. But surely the hon. member realizes that the solution to the problem is not for some dramatic action by the western powers which could be interpreted to be the very kind of intervention that we are telling the Soviet Union it does not have the right to engage in. This is a matter for the Poles to solve, not for the rest of the world to solve. That has been our consistent position. This is a Polish problem, and we want all countries in the world to keep their hands off Poland.

ACTION TAKEN BY CANADA

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my supplementary question to the minister is with regard to the threat to Poland from the Soviet Union, not within Poland itself. Surely he will have seen reports yesterday that the Soviet-led Warsaw Pact manoeuvres in Poland, which were to have concluded yesterday, have now been extended indefinitely. He will have heard the report, I am sure, that Moscow has said it will not tolerate chaos in Poland and reported this week that Polish and Soviet soldiers were capable of issuing a suitable rebuff to hostile ideological diversions.

Given that kind of threat to Poland and given the statement by the minister in December that his government's policy is clearly one that there will be a strong and appropriate reaction to any intensification of the crisis with respect to Poland, I should like to ask the minister what that reaction is? What is he prepared to do? Is he prepared to try to work out some kind of collective action with the other members of NATO, or will he remain silent, as he seems to be doing? Will he just take no action in this regard? Will he not understand the gravity of the situation?

Some hon. Members: Hear, hear!

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, as I said, this is a matter of great concern to all of us. We are in touch all the time, through NATO, with all of our partners in the western alliance. I want to assure the House and tell the hon. member that this government puts the peace of the world and the freedom of the Polish nation ahead of political posturing.

Some hon. Members: Hear, hear!

* * *

ENVIRONMENTAL AFFAIRS

CONTROL OF ACID RAIN IN UNITED STATES

Mr. Tom McMillan (Hillsborough): Madam Speaker, my question is directed to the Minister of the Environment. In view of the fact that the Canada-U.S. memorandum of intent on acid rain, signed in Washington last summer, committed both countries to enforcing vigorously existing environmental laws, does the minister interpret that commitment to mean that the Reagan administration is not now free to weaken substantially environmental laws to control acid rain-causing emissions?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I am not sure if I exactly seized the intention of the question. It is true that we are pressing ahead vigorously with the United States to conclude an international agreement on trans-boundary air quality. Those negotiations are proceeding on track. We expect and the United States expects to begin the formal stage of those negotiations early this summer or late this spring.

I shall be in Washington on Monday to meet with the Secretary of the Interior to explore with him the American views in relation to that agreement as well as in relation to the Clean Air Act and other environmental matters. We intend to maintain that pace. There is as yet no indication that the United States wishes to withdraw it, if I understood the question correctly, and if the hon. member is asking whether we feel that the United States will not be held to previous agreements. There is no indication that they wish to escape from such agreements.

ANNOUNCEMENT OF ACTION BY UNITED STATES ADMINISTRATION

Mr. Tom McMillan (Hillsborough): Madam Speaker, I have a supplementary question for the Minister of the Environment. The Reagan administration has made it clear this week that it plans to weaken, quite substantially, the U.S.

Clean Air Act relating to acid rain control. In view of the fact that the memorandum of intent, signed between the two countries last summer, committed both countries to enforcing existing environmental regulations vigorously pending completion of a more formal accord, does the minister not view those actions as a breach of the spirit if not the letter of the memorandum of intent signed by the two countries last summer?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I do not think that the assumption which underlies the hon. member's question is accurate. There have been some press reports of a desire to separate consideration of the Clean Air Act proposals from the acid rain agreement proposals. Whether that is in fact the intention of the United States administration, and whether there are moves to do that in Congress, are things that I hope will become clear to me in the course of my discussions on Monday. Neither is it yet clear, even if such an action were to be taken, whether such action would make it more difficult or would be helpful in terms of the acid rain discussions.

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AGRICULTURE

HOG STABILIZATION PROGRAM—PAYMENTS MADE

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I should like to address some questions to the Minister of Agriculture regarding the administration of federal payments to farmers. As the minister knows, the value of these payments, particularly in periods when interest rates are as high as they have been, is of most use when they are made promptly. This has been a problem for the department on a couple of occasions. The program that I want to mention first is the hog stabilization program which was announced last May. In November the minister said that the payments would be out before Christmas. A number of producers still have not received payment. Will the payments be completed by March 31 and, if not, how many will still be outstanding at the end of this fiscal year?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, as of March 20, 1981, 26,871 applications had been received; 25,630 had been processed and paid. To date, payments have amounted to nearly $40 million under that program.

We are still receiving applications from producers from different parts of Canada, as many as 200 per month. They did not all come in last May, they were coming in by several hundreds or several thousands each month. As late as December there were 500 new applications. It takes time to process these to make sure that they conform to the guidelines put forward by the comptroller and the auditor general.

Some of the receipts that farmers produce and some of their bookkeeping leave a lot to be desired. If the hon. member has any influence with them he could suggest that they should not write illegible receipts on the back of match boxes and expect the stabilization people to make payment on that kind of document. This leaves a lot to be desired and has made things difficult.

Some of the payments to producers have been as much as $20,000. We have to be doubly sure what we are paying. We recognize that there is inconvenience to some farmers because of the high interest rates and their need for the money, but we have to be doubly sure that we are spending taxpayers' dollars in a proper fashion.

HERD MAINTENANCE PROGRAM—REQUESTS FOR RETURN OF PAYMENTS

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I would remind the hon. minister that most hogs are sold through computer sales techniques under marketing boards. The tapes were available to the government and it could have requested them. That would have helped handle the bulk of the program.

My follow-up question should probably be addressed to the Minister of Regional Economic Expansion, but the Minister of Agriculture is also partly responsible for the herd maintenance program on the prairies. It has also had its share of administrative problems, first in determining who should receive payments, then who should be rejected, and finally, the newest wrinkle, which of the people who have received cheques should be asked to return them. How many producers have been advised that they should return their cheques, and for what reasons?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, in reply to some of the comments that the hon. member has made, I am sure he is aware that payments to piglet operators do not go through computers. This is where we had some of the greatest difficulty. There are also sales between producers and the small entrepreneurs in the slaughtering business, etc., who do not use the big computer system. The provinces do not all use the same system for keeping records and this makes things difficult. No payment has been made on hogs for ten years but we know a payment will have to be made for the year 1980. This will be easier because the system will be much better.

● (1150)

The hon. member talked about the payments under the herd maintenance program. From the applications which have been received, I believe 23,000 farmers have been paid. Criteria have been set down, and they are adhering to the criteria as closely as possible.

The hon. member also asked how many people who were improperly paid and have been requested to return the cheques. If I understand the figures correctly which were given to me, around 100 farmers in Manitoba and Saskatchewan have done so. I do not have the exact figures in front of me,

but under that program we have already paid out around $40 million to farmers.

* * *

[*Translation*]

THE CONSTITUTION

REQUEST THAT PRIME MINISTER'S SPEECH OF MARCH 23 BE PRINTED AND DISTRIBUTED

Mr. Alexandre Cyr (Gaspé): Madam Speaker, I should like to ask the right hon. Prime Minister whether it is his intention to order a separate reprint of the *Debates* of March 23 with a view to sending to all provincial premiers, to the leaders of the provincial political parties, and particularly to the members of Parliament of Her Majesty the Queen in London a copy of the speech he delivered in this House on the patriation of the Constitution.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I will be very pleased to consider the excellent suggestion of the hon. member. Perhaps we might all agree to make sure that the speeches on the same subject made by the Leader of the Official Opposition and the Leader of the New Democratic Party will be printed at the same time at the expense of the Crown. We could then send them to all the people mentioned by the hon. member.

* * *

[*English*]

NATIONAL DEFENCE

QUEBEC COMPONENT OF F-18 FIGHTER AIRCRAFT CONTRACT

Mr. Girve Fretz (Erie): Madam Speaker, my question is for the Minister of National Defence. It concerns recent press reports that pressure from the Quebec liberal caucus has caused bidding to be reopened on the contracts for the F-18 fighter because there would be little work for Quebec and all bids had come from Ontario, Manitoba and New Brunswick. As Quebec has been promised $1.5 billion worth of work on the F-18 by the Liberals, the rules will change to allow an unsolicited bid from Canadair, a Quebec-based Crown corporation. Can the minister inform the House if these allegations are correct? If so, what is the point of calling for bids if, six months later, the bidding is reopened to accommodate partisan political practice, in other words, pork-barrelling?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I think it is well known to all members of this House which were the commitments made when we chose the F-18 aircraft about a year ago. The bidding has been going normally. Nothing has been changed on the international principle of the bidding. Actually, the management of the contract itself is done by the Department of Supply and Services or the Department of Industry, Trade and Commerce. As far as I am concerned, nothing either illegal or erroneous has been done.

Mr. Crosbie: Answer the question.

Mr. Fretz: Madam Speaker, if the minister alleges that the bids have not been reopened, what is the reason for the delays which constitute a loss of work for Canadian plants?

Mr. Lamontagne: Madam Speaker, I would suggest that the hon. member ask McDonnell Douglas about the delays if any.

Some hon. Members: Oh, oh!

Mr. Crosbie: They are not in the House. Let's ask Herbie Gray.

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FISHERIES

SCALLOP CATCHES ON GEORGES BANK—REQUEST FOR CHANGE IN LIMITS

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, my question is directed to the hon. Minister of Fisheries and Oceans. At the present time the size of scallops is smaller than usual being caught on Georges Bank. This has resulted in fisheries officers carrying out a survey of landings and some eleven ships have been found to have scallops of a size below the present legal limit.

In light of the resulting controversy, will the minister consider decreasing the catch limit per trip from 30,000 pounds to 20,000 pounds? At the same time, will he consider increasing the scallop count per pound from 40 to 50 pounds in the hope of stabilizing this section of the Canadian fishing industry? Also with the minister make proposals to his U.S. counterpart to the effect that the United States consider taking similar actions on Georges Bank?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, we have known for some time that the scallops stocks were under heavy pressure. This is not only related to what we consider heavier than usual fishing on the part of U.S. fishermen. Biologists have been warning us about this for some years.

However, the possibility of a breakdown of conversation, attitudes and measures, would obviously significantly increase the problems of all fishermen, Canadian and American.

In the conversations we had with Secretary Baldrige when he was here we tried to develop a conservation plan for all fishermen from both countries.

As to the suggestion from the hon. member, we have been meeting with the fishermen and processors in the area. We will be looking at the recommendations which they have made to us, with an open mind, and I hope that I will be able to announce some changes in the days to come.

DECLINE IN CATCH OF INSHORE LOBSTERS

Mr. Lloyd R. Crouse (South Shore): Madam Speaker, in the same area, fishermen along the south shore of Nova Scotia are complaining about the decline in their lobster catches. They are blaming some of the decline on the larger boats using larger traps, that is, fishing trawls with 20 traps on a line, in deep water on the offshore banks where the catch has been heavy with what we call seeded or berried lobsters.

Is the minister aware of these facts, and will he consider carrying out biological studies to determine whether the heavy offshore catches are affecting the inshore stocks?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, perhaps I could add one phrase to my previous answer before answering this second question. The Canadian catch of scallops this year has shown a significant increase over last year.

On the hon. member's second question, the problem is a long-standing one. Scientific opinion now is that there is an effect on the inshore lobster fishery more directly linked than we had assumed in the past. We are looking at more restrictive measures. This is part of the balance of trying to find a fair and equitable distribution of the benefits between the interests of two competing groups of fishermen.

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CIVIL RIGHTS

REQUEST FOR EXTENSION OF FRANCHISE TO PENITENTIARY INMATES

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is for the Solicitor General. As the minister knows, the government of Quebec recently amended its provincial elections act to permit prisoners the right to vote. Despite the fact that some 3,000 prisoners in provincial institutions are being granted this right to vote, 2,000 prisoners in federal institutions are being arbitrarily denied this fundamental democratic right by the minister, on administrative grounds.

In view of the fact that imprisonment involves the loss of liberty, but surely not the loss of all other fundamental civil rights, will the minister reconsider this decision and permit federal prisoners in Quebec to exercise the franchise extended to them by provincial legislation and not subvert the will of the Quebec provincial legislature, allowing these prisoners the right to vote in the upcoming Quebec election?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, in this matter there is a problem of order and security in the institutions.

Mr. Crosbie: Free them for the day.

Mr. Kaplan: It is quite right that it is a matter for the province to determine. However, we were able to permit the officials of the government of Quebec to conduct the referendum in the prisons, but conducting a referendum is much less complicated than conducting a full election. Votes go many hundreds of miles from prisons to polling booths around the province. Candidates also hundreds of miles away have the right to access to individuals in prisons.

I do not mean to indicate to the provinces that we would never allow elections to be conducted in federal institutions, although it is a fact that no other province or the federal government gives the right to these people to vote in their elections. I am anxious to see whether the problems of inmates' privacy, order in the prisons and security can be successfully dealt with in one case in this country, that is, the conduct of this Quebec election in Quebec provincial institutions. If all of the problems which I have indicated—and there are others which I cannot describe in the format of the Question Period—can be met and dealt with satisfactorily, we would in the future be prepared, as we were in the referendum, to allow federal institutions to accommodate provincial election machinery.

REASONS FOR POSITION TAKEN BY GOVERNMENT

Mr. Svend J. Robinson (Burnaby): Madam Speaker, naturally it is rather interesting to note that somehow order and security can be maintained in provincial institutions but not in the federal institutions.

The minister agreed at a recent session of the Special Joint Committee on the Constitution that the proposed charter of rights may very well extend the right to vote to all prisoners at both the provincial and federal level. Why is the government now, naturally with the support and encouragement of the Quebec Liberal leader, Claude Ryan—and it is not surprising in view of the 80 per cent result in favour of the PQ position in the referendum campaign last fall—denying this fundamental right to vote to prisoners, and very likely violating its own charter of rights and freedoms?

• (1200)

Hon. Bob Kaplan (Solicitor General): Madam Speaker, when the hon. member says that matters of order and security do not seem to arise in the case of the provincial institutions in the province of Quebec, he is taking quite a lot for granted. The vote has not yet been held. There are a lot of problems still to be resolved. I do not know whether those institutions will be able to conduct fair elections consistent with order and security. Even if they do, the institutions for which Canada is responsible tend to contain more dangerous and violent offenders because they have been sentenced to two years before we get them, whereas in the provinces there are often people who have just been sentenced to 30 days. It is a totally different problem.

As to whether the right to vote is accorded by the charter of rights and freedoms to inmates, I speculated in front of the committee that it might. I do not know how a court will interpret, whether it is reasonable, as our Elections Act provides, to withhold the right to vote from inmates. I indicated it would be a matter for the court to decide. Certainly if the

court did decide that inmates should have the right to vote, we would proceed in the way we are proceeding now. Because Quebec made that decision we will try to accommodate that decision as best we can.

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ROYAL CANADIAN MOUNTED POLICE

INCREASED COST OF SERVICES PROVIDED TO MUNICIPALITIES

Mr. Al MacBain (Niagara Falls): Madam Speaker, my question is to the Solicitor General. It deals with the RCMP negotiating contracts, particularly with the municipalities, and the extra cost that will result to municipalities as a result of bringing the RCMP fee for service into line. I do not necessarily ask the Solicitor General that they stop proceeding in that manner, but will he consider phasing in those additional costs over a period of, for example, four to six years? As a former municipal alderman I can tell hon. members that any big budget item that changes drastically in any one year upsets municipal financing.

Hon. Bob Kaplan (Solicitor General): Madam Speaker, Canada has provided the services of the RCMP to provinces and municipalities for almost 70 years. The contracts, which expire every five or ten years, will expire at the end of this month. I have begun a process of negotiating with my provincial counterparts, who not only speak for the provinces but who represent the municipalities as well. I think we have resolved virtually all questions except the financial question. I indicated last week that I was prepared to discuss a generous phasing-in arrangement for municipalities, but not because the offer we made is unfair.

I think the offer we have made will still give them cheaper police service than they would have, for example, if they chose to establish independent police forces. Recognizing that the increase is substantial, I am prepared to discuss with them a phase-in proposal. I am only waiting now for my counterparts to agree to some date. I would be ready to meet them tomorrow or at any time, at any place in Canada, in order to try to settle these financial arrangements as quickly as possible.

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POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT—RULING BY MADAM SPEAKER

Madam Speaker: Yesterday the Right Hon. Leader of the Opposition (Mr. Clark) raised a point of order to the effect that the House cannot debate the motion of the Minister of Justice (Mr. Chrétien) since, in his opinion, the matter is presently sub judice.

I listened to his arguments and I promised that I would rule narrowly on the basis of the arguments he presented in the House. In his argument he quoted Citation 338(4) of Beauchesne's fifth edition, which I need not repeat here. I should point out, however, that this citation deals with bills referred to the Supreme Court of Canada—bills, I repeat—and not with motions.

Sub judice is a convention which is "a voluntary restraint imposed by the House upon itself in the interests of justice and fair play", as stated in Citation 335 of Beauchesne's fifth edition. I have not been persuaded by the particular argument brought forward by the Leader of the Opposition which he offered in his presentation yesterday, namely, that the House cannot debate that motion because the matter has been referred to the Supreme Court of Canada.

MR. CLARK—NOTICE OF INTENTION TO RAISE POINT OF ORDER

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise on a very brief point of order. As I indicated yesterday, and as the Prime Minister (Mr. Trudeau) again invited me to pursue today, there is a second point of order on this question which I wish to pursue after any questions of privilege that might be before the House are heard. I will be pursuing that matter because it does not deal with the questions that have been covered by your judgment.

Madam Speaker: I will take that as notice. I want to remind hon. members of what took place in the House last night. I remind them that points of order have to be pertinent to the matter before the House. The only reason I could accept the point of order of the Leader of the Opposition yesterday was that it flowed from the deliberations of the House yesterday. If that is the case again today, of course, I will be able to hear his point of order. I would hear it now, but I understand the Leader of the Opposition defers to the other questions of privilege.

Mr. Clark: Yes, Madam Speaker.

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PRIVILEGE

MR. WILSON—REPLIES OF MR. LALONDE RESPECTING NATIONAL ENERGY PROGRAM

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question of privilege, as I mentioned yesterday, relates to answers given to me by the Minister of Energy, Mines and Resources (Mr. Lalonde) to a question I posed on Wednesday and other questions relating to the National Energy Program and drilling activity by oil drilling companies in this country, questions dating back to December and January earlier in this session.

On each occasion that I put questions relating to the expectations of the energy program, the minister repeatedly stated that we were taking a very gloomy view of the effects of the National Energy Program. He said our fears were unfounded. On a number of occasions he used the words "doom and gloom". We on this side, as well as members of the drilling

industry and the oil industry itself, have been trying to draw attention to the shortcomings of this program and the very serious dangers it will have for Canada.

The minister continually contradicted me in answers to questions that I asked in this House. I want to make specific reference to the questions and relate them to the answer he gave me on Wednesday where he clearly reversed himself. He indicated that he knew all along that the caution we were expressing and the dangers we were drawing attention to in the energy program existed, but he continually cast these aside. It was clearly an attempt to force the legislation through before these dangers became readily apparent.

I want to draw specific attention to the contradiction in what he—

Madam Speaker: Order. I am sorry to interrupt the hon. member but I would like a bit of silence in the chamber if that is at all possible. It is very difficult for the Chair to follow the hon. member who has the floor.

Mr. Wilson: Thank you very much, Madam Speaker. I was saying that the minister had clearly reversed himself. In so doing, I believe he has misled the House. I will show in the references to the answers he gave to me on a number of occasions how he clearly misled the House.

I take to heart the caution that Your Honour stressed to me on Wednesday, that this must not be a dispute between two members, but that we must be looking at a clear change in the direction that the minister has taken, stating one thing on one occasion and something else which is diametrically opposed on another occasion.

● (1210)

I think it is important that he accurately portray his judgment on the impact of the NEP because it is such a far-reaching policy. We are in the middle of deliberations before two committees and I understand there will be further legislation brought in. If we are unable to get an accurate judgment from the minister, it makes it very difficult to judge the merit of the legislation before us. The impact on Canada is tremendous and far-reaching, and will be so for decades ahead.

On Wednesday I asked the minister about the decline in drilling activity announced in *Oilweek*, which he said he has specifically referred to as his main guide on drilling activities, and I pointed out that the latest issue stated there was a drop from 480 wells last year to 467 this year. I subsequently received an edition showing the number has dropped even further.

The minister responded to my question on page 8598 of *Hansard*, March 25, 1981, where he said:

> Madam Speaker, the hon. member is confirming that he and his colleagues on the other side are certainly very slow readers if they only discovered in the last few weeks that there would be a decline in the activity of rigs in Canada.

Well, Madam Speaker, we have been trying to get the minister to comment on this expected decline because we have been calling for one, and it is only now that he acknowledges he knew there would be a decline. He continued:

> As a matter of fact the drilling contractors association said, before the budget and the National Energy Program were announced, it was predicting a 30 per cent decline in drilling activity this year due to a surplus of natural gas in this country and an over-building of drilling rigs in Canada in the last three years. This was announced and published by the drilling contractors association quite independently of the National Energy Program in the October 28 budget.

Clearly he is saying to the House he has been aware of this decline for some time and he implies he was aware prior to the October 28 budget embodying the NEP. On January 12, 1981, at page 6079 of *Hansard* in reply to my question he said:

> Madam Speaker, supposedly the hon. member is comparing the figures for last year and this. The hon. member knows that quite frequently in winter there are fewer drilling rigs operating than during the rest of the year.

Clearly his information was wrong; drilling activities are higher in the winter, and we drew that fact to his attention. But then he goes on to point out the difference in drilling activity in 1980 and 1981, and draws the very clear conclusion that drilling rig activity is very healthy. He says there has been no decline and implies it will continue to be strong for the balance of this year.

On January 28, at page 6644 of *Hansard*, in answer to a question from my colleague the hon. member for Assiniboia (Mr. Gustafson), he said:

> Madam Speaker, the hon. member contends that oil rigs are leaving the country. As of the last count by *Oilweek* magazine, 36 more rigs are in operation—

Then he goes on to say:

> So the gloom and doom picture which the hon. member is trying to paint does not seem to be supported by the facts.

Clearly he again implies everything is healthy in the industry.

Madam Speaker: Order, please. The hon. member is obviously debating the question. I have to remind him that not being satisfied with an answer, for whatever reason, does not constitute the basis for a question of privilege. I would ask him to try to come to terms with what he feels is the question of privilege so that I can make my determination.

Mr. Wilson: Madam Speaker, the clear question of privilege that I am trying to develop for you is that the minister has misled the House by his answers in December and January; I have other examples to give you. The question of privilege involves the question whether he was mistaken or had misjudged that information, or he was deliberately misleading the House. That is the question of privilege you must respond to.

I wish to give further examples—

Madam Speaker: Order. I really do not need further examples. If the minister has given the hon. member an incomplete, unsatisfactory, misleading or, for that matter, even a mistaken answer, that is for the minister to live with; it is not for the Chair to determine whether that is so. The Chair cannot make a judgment on the quality of the answer, and what the hon. member is doing now is debating the points on which he disagrees with the minister. That does not constitute a question

of privilege. If that is the basis for his question, I would ask the hon. member to conclude in a few sentences so I may rule.

Mr. Wilson: Madam Speaker, the basis for the question of privilege is that the answer he gave on Wednesday last is diametrically opposed to those given previously, and I have five different references to make. He is misleading the House, and I think the question is in the context of whether the minister has been deliberately misleading the House. I would like to give specific references apart from those I have just given you.

On October 29, the day after the NEP was announced, we pressed the minister as to his expectations of its impact and he said, as reported at page 4210 of *Hansard:*

—we on this side of the House will not subscribe to the gloom and doom predictions of the hon. member or his colleagues on that side. As far as we are concerned, the energy program which has been put forward is one that is good for the industry, good for the producing provinces, good for the consumer—

And so on. As reported on page 4884 of *Hansard*, in response to my question, he said that the energy program is:

—quite normal and I am quite confident this will work out to the satisfaction of everyone.

Clearly it is not.

Madam Speaker: Order, please. The hon. member is a very logical person and I am sure he realizes he is now debating the question. The minister expresses an opinion that something is going well and the hon. member disagrees. This is obviously a matter of divergence of opinion on a particular government program and does not constitute the basis for a question of privilege. If the hon. member feels that the minister has deliberately misled the House, he has to come forward with that very serious charge and only under those circumstances will I be able to pursue this matter.

Mr. Wilson: Madam Speaker, you say I am a very logical person. I am, and my logic was clearly offended on Wednesday last by the minister's response. It was clearly opposite to what he has been saying in this House for six months. It is on that basis that I am putting the question to Your Honour as to whether Your Honour feels that the minister was mistaken or was deliberately misleading the House. That is the question I put to Your Honour. I believe it is supported by the facts.

● (1220)

I have one other reference. It is taken from the speech which the minister made when presenting Bill C-48, the proposed Canada oil and gas act, to the House. He referred to the National Energy Program and said:

We did so with a determination unmatched by any previous federal government, and we believe we have found a solid way in which to build our energy house.

A solid way to build our energy house, and at the same time drilling rigs are leaving the country. The minister tells us that drilling activity will increase, but we know that has turned around. It will decrease. It will decrease further by the end of the year. The minister is now admitting that he knew this earlier on in October prior to the announcement of the National Energy Program.

How can we as members of this House deliberate on the three pieces of legislation which are before us or are expected to be before us in the next little while? This legislation will have a very serious impact on the energy future of this country. There have clearly been contradictory statements by the Minister of Energy, Mines and Resources. We have to rely on the judgment of the Minister of Energy, Mines and Resources in a number of ways in coming to the conclusions that we as Members of Parliament must come to in considering these pieces of legislation.

In my judgment the Minister of Energy, Mines and Resources has misled the House. That is clear from the statement he made in answer to me on Wednesday. I have pointed out five different illustrations in statements he has made in the House in the last six months which clearly contradict what he said to me on Wednesday. I say that he has done so at a very crucial time in the development of the energy policy of this country. We are considering this energy policy at a very critical time. The cost to this country is very high. That is why I say this is a serious point for Your Honour to consider.

If Your Honour believes that the allegation I have made today on this question of privilege is well founded, I would be prepared to move the appropriate motion to have the matter referred to the Standing Committee on Privileges and Elections.

Madam Speaker: I must give the hon. minister a chance to reply.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I will be extremely brief. I think it is quite obvious that this is another in a series of spurious questions of privilege and points of order the official opposition has raised. The official opposition is quite clearly obstructing the work of the House. It has been doing it for days and intends to go on doing it. I think the people of Canada clearly see through this. The allegations of the hon. member are clearly unfounded. His own argument shows that. Every time I was asked about drilling activity I answered using statistics provided by *Oilweek* magazine.

I confess to having misled the hon. member yesterday but, indeed, it was unintentional. In my answer I said that the drilling contractors' association had forecast a decline of 30 per cent in drilling activity this year. I apologize to the hon. member for having misled him. On October 16 the Association of Oilwell Drilling Contractors made the declaration that that association expected the use of drilling rigs in Canada to drop to 59 per cent of available capacity over the next 15 months from full utilization in 1980. That was two weeks before the budget and the NEP were introduced. That forecast was made completely independently of the NEP and the budget. So I apologize to the hon. member for having told him that the decline expected by the industry, independently of the NEP,

was 30 per cent. I apologize. The decline forecast was 41 per cent.

Madam Speaker: The logic I was asking the hon. member to use was that which should have applied to what he knows is the foundation of the question of privilege. If he feels that the minister has given him answers which offend his logic, that is another matter. It is a matter of debate and of divergence of opinions with regard to what I recognize to be a very serious question, but it certainly is not a question of privilege.

MR. BAKER (NEPEAN-CARLETON)—USE OF PUBLIC FUNDS TO ASSIST POLITICAL PARTIES

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I rise on a question of privilege. The issue in this question of privilege is the probability that public funds have been used to support one political party only.

I will be referring to judgments of Your Honour's predecessor, Mr. Speaker Jerome, during the period of time in which our government was in office, and certain quotations from members of the New Democratic Party and members of the Liberal Party about the impropriety of using public funds and resources where caucus research funds should be used.

The case arises out of a news report in this morning's *Globe and Mail* which I am going to read, in part in any event, to frame the case.

Mr. Collenette: "Frame" is the right word.

Mr. Baker (Nepean-Carleton): The report is datelined Ottawa and reads as follows:

It's a rather embarrassing coincidence, but it appears that New Democratic Party leader Edward Broadbent and Liberal Justice Minister Jean Chrétien have the same ghostwriter.

The evidence turns up in a study paper Mr. Broadbent sent to British Labour Party MPs a month ago commenting on an internal Labour Party document, Canada and the Constitutional Question.

The story is referring to the contribution of the hon. member for Oshawa (Mr. Broadbent). He is described as "Mr. Broadbent" in the article.

Mr. Broadbent's contribution, entitled Comments by the Office of the Leader of the New Democratic Party of Canada, contains several long passages—

This the point, "several long passages".

Mr. Collenette: Madam Speaker, I rise on a point of order. I do not object to the Conservative Party's engaging in a filibuster, but I think hon. members opposite should observe the rules. As Your Honour knows, hon. members cannot refer to other hon. members by their proper names.

An hon. Member: He was quoting.

Mr. Collenette: Madam Speaker, a few days ago—perhaps it was last week—I drew the attention of the Chair to the fact that even when such language is used indirectly in quotations, it is clearly out of order. One cannot do indirectly what cannot be done in the House. I ask Your Honour to caution the hon. member for Nepean-Carleton that he cannot refer to members of this House by their proper names. He must refer to them by their party designation, their ministerial designation or their constituency name.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am aware that there has been a conflict for some time on that particular point. Because it has been raised by my friend—and I have great respect for his helpful attitude and helpful interventions in relation to the rules, and this is one of them—I want to lay out why I believe it is appropriate for me to proceed in the way I did.

As all hon. members know, when a member completes an argument to the Chair, the *Hansard* messengers ask for all the notes and documents referred to by hon. members so that those items can guide *Hansard* in producing an accurate record. While it is inappropriate for me to identify an hon. member by his name in any other context, in order that *Hansard* will depict precisely what did occur on the floor of the House of Commons, I believe it is appropriate in those circumstances—when I am quoting from a document—to quote the words precisely.

• (1230)

Mr. McGrath: The Prime Minister does it all the time.

Mr. Baker (Nepean-Carleton): It is inappropriate, of course, for me to do it in any other way, I suggest with respect. Cognizant of the issue which has developed, you will note, Madam Speaker, that when I tried to deal with the matter I identified the hon. gentleman by his constituency and then proceeded to read the quotation and refer to his name. I know there is a difficulty there, but I think it is one which perhaps the House would want to clear up.

I would have no objection to having this matter argued, since it has been raised by the parliamentary secretary in his usual helpful way, but I do reserve the right to complete my question of privilege. Your Honour may be prepared to rule on the matter now, but I hope we can expedite the proceedings of the House—

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): —by your allowing us to continue with my question of privilege. I am in your hands, Madam Speaker.

Madam Speaker: There is a considerable divergence of views as to the time when a member can be referred to by his proper name, whether a member, in the course of reading a quotation, can refer to another member by his proper name rather than by the name of his constituency. I tend to think that when a member is quoting, he might be allowed to quote the article as it is written, and if the name of a member appears in a quotation, it would be acceptable to read it that way since it is in the body of the quotation. Also, if the name of a member is used as a reference, such as, for instance, the MacEachen budget—

Mr. Beatty: Or the Trudeau disaster.

Madam Speaker: —or the Trudeau plan, or something of that nature, I would tend to think it is acceptable. However, there is considerable controversy about this and I am researching the matter. I will rule on it when I am ready to rule, but for the time being I would ask the hon. member to respect the parliamentary secretary's sensitivities and refer to the hon. member, when possible, by the name of his constituency. For instance, when quoting, he might have said "the hon. member for Oshawa's contribution", etc.

Mr. Baker (Nepean-Carleton): I have read the precedents, and, as a matter of fact, I have had an opportunity to discuss this matter informally with the government House leader. I know the hon. member for York East, the Parliamentary Secretary to President of the Privy Council (Mr. Collenette), is interested in this matter and I will do my best to abide within what I guess is a temporary ruling until the research has been carried out. I am sure Your Honour was not considering adjourning the House while this research is being carried out. No, I did not think so.

I should like to go back to the argument and identify it for Your Honour. It is a report in *The Globe and Mail* of today, March 27, 1981. I will not read what I read prior to the intervention by the parliamentary secretary, for which I thank him, but I will carry on reading the quotation referring to the hon. member for Oshawa, the Leader of the NDP. It is as follows:

> Mr. Broadbent's contribution entitled Comments by the Office of the Leader of the New Democratic Party of Canada contains several long passages that turned up again verbatim three days ago when Mr. Chretien tabled an official government reply to the report of the British Parliament's foreign affairs committee, headed by Sir Anthony Kershaw.

The article continues:

> Both Mr. Broadbent's and Mr. Chrétien's papers use the same examples and arguments to explain British convention in dealing with the requests from the Canadian Parliament and use nearly identical words to describe their respective interpretations of last September's first ministers' conference:

At this point there is a quotation in the article, which I point out for identification by *Hansard* reporters. It reads:

> "Some premiers accepted some of the Prime Minister's proposals, the Prime Minister accepted some of the premiers' proposals, some premiers rejected the proposals of other premiers and some premiers rejected some proposals of the Prime Minister. When a summary of the position of all first ministers on each of the 12 items was made, it became clear that there was not unanimous consent on any of the 12 items, but, as explained above, the reasons for this lack of consensus were many and varied, and blame for the failure to reach consensus cannot be assigned to any single individual."

The only difference is in the last sentence. Everything else in what has been described as the Chrétien paper is exactly the same as what has been described as the Broadbent paper. The only difference—I have to point this out in fairness—is the following:

> (The Chrétien document closes by saying "... blame cannot be assigned to anyone").

I should just like to contrast the position taken by the Minister of Justice (Mr. Chrétien), when he deals with the British, with the position taken by the Prime Minister (Mr. Trudeau) today in the House of Commons respecting his attitude toward provincial premiers. It is interesting that the argument when the emissaries, the ambassadors, go off to talk to the foreign government differs from the argument used here in the House of Commons. I know the hon. member for Gatineau (Mr. Cousineau) is blushing at that kind of inconsistency on the part of his leader.

I should like to go on quoting from the article in *The Globe and Mail*. The following does not appear in quotes, let me point out for the benefit of the *Hansard* reporters:

> As well, Mr. Broadbent goes on to defend a government memo detailing federal strategy that was leaked during the September conference by noting that "the object of the memorandum was to suggest how best to achieve consensus on as many of the 12 items as possible".

We all know what that memorandum is. It is the memorandum to which that constitutional giant, the hon. member for Oshawa, the Leader of the NDP, referred, and that is the Kirby document, the "dirty tricks" document to which the leader of the NDP referred, in a submission to the British Parliament—he did not make it here—when he said its object was to achieve a consensus. We obviously know what the object of that document was. It becomes exceedingly important because allegations have been made—

An hon. Member: What is your question of privilege?

Mr. Baker (Nepean-Carleton): —in Saskatchewan by a member of the Saskatchewan legislature that the NDP paper was written by a federal official, and there was a request made to the attorney general of Saskatchewan to investigate this matter, which is a matter—I hesitate to be unparliamentary—which borders on duplicity.

Madam Speaker, I intend to move a motion at the end of my remarks. The business of assistance given by governments to one political party and not to the other political parties in the House of Commons has been argued—

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): Madam Speaker, I have difficulty because of the noise coming from the little red rump behind me; there seems to be great nervousness down there.

In any case, this issue has come up before in the House of Commons, the issue of the propriety of a government of any stripe giving aid to one political party and denying it to others, and what this does to the sense of fairness which ought to exist in terms of research facilities.

An hon. Member: Tell us about the sense of fairness.

● (1240)

Mr. Baker (Nepean-Carleton): My friends ask me to tell them about it. I thank them for the invitation. I will tell them about it, naturally, because that is the issue.

I should like to refer to certain matters which occurred in the House of Commons, starting on November 5, 1979, with the comments of the hon. member for Glengarry-Prescott-Russell (Mr. Ethier). By the way, the hon. member for Glengarry-Prescott-Russell is not with us today because of illness, for

which all of us are sorry; he is a fine member. He sits in the chair from time to time and, therefore, he can speak with some authority on these matters. At that time he talked about the expenditure of public funds by the then minister of transport, the hon. member for Vegreville (Mr. Mazankowski), to produce a paper known as the Neil report on railway abandonment. It was a job well done.

Our government, perhaps unwittingly, provided public funds for the preparation of a report by a member of our party. Those funds went to one party of the House of Commons, but they were denied to the New Democratic Party and to the Liberal Party. On that occasion great umbrage was taken by the Liberal Party and the NDP at the impropriety of it. This is precisely what we could be led to believe is happening now, and I want to argue why that is the case.

In any event, as reported at page 940 of *Hansard*, when dealing with the propriety of the subject matter, the hon. member for Glengarry-Prescott-Russell said:

> Moreover, the minister recognized that he had authorized the spending of public funds for the preparation and publication of a caucus committee report—

Today we are referring to a caucus committee report of the New Democratic Party. It stands in the name of the Hon. Leader of the New Democratic Party. I am sure it was prepared with the knowledge and consent of the House leader of the NDP. At least, it was prepared with the knowledge and consent of those members of the NDP who support the government in the constitutional matter; I cannot say whether or not it was prepared with the knowledge and consent of those members of the NDP who do not support the constitutional matter.

Mr. Knowles: Madam Speaker, I rise on a point of order. How long is the hon. member for Nepean-Carleton (Mr. Baker) permitted to indulge in this speech before establishing his question of privilege?

Madam Speaker: I must say that I am having some difficulty in recognizing the question of privilege.

Mr. Chénier: He does not know where he is going.

Madam Speaker: Order, please. I am going through the article quoted; I am trying to find the statement of the hon. member. He opened his remarks by indicating that he would discuss the use of public funds when caucus funds should have been used, but he has not referred to it often in his remarks. I am still waiting for the hon. member to discuss that matter.

Mr. Baker (Nepean-Carleton): I am coming to that, Madam Speaker.

Madam Speaker: Well, it has been a long time and the quotations have been lengthy. I ask the hon. member to come to the point more quickly.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am surprised at the interjection of the hon. member.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): In any event, I think it is important Your Honour understands that the question of privilege is that it is improper for government funds to be used to support a single activity of an opposition caucus, according to the ruling of the Hon. James Jerome on December 10, 1979. This is my question of privilege.

Mr. Waddell: Then sit down.

Mr. Baker (Nepean-Carleton): I am doing my best to develop my question of privilege, but I am being subjected to the catcalls of the New Democratic Party and the interruptions of its House leader who does not want to hear the truth.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): I will present my question of privilege as quickly as I can, but it is important to know what was said by members of the Liberal Party and the New Democratic Party which led to the judgment of the then Speaker of the House of Commons.

The following was said by the hon. member for Glengarry-Prescott-Russell:

> Moreover, the minister recognized that he had authorized the spending of public funds for the preparation and publication of a caucus committee report, as well as made use of government facilities such as telephones, news releases, contacts and what have you, not to mention the services of public service employees—

Mr. Chénier: We have already heard that.

Mr. Baker (Nepean-Carleton): At that time the hon. member for Glengarry-Prescott-Russell said that it was improper. This is the issue here. Then the member went on to deal with the matter by saying:

> In specific terms, that group of five, that caucus committee, is really a political committee—

In that case he was referring to a "caucus committee"; in this case I am saying that there is no difference between a caucus committee and the entire caucus. He went on to say:

> —a partisan committee. When we look up the word "caucus" in Harrap's dictionary, we find the definition "political clique". That is precisely what I mean when I say it may not and must not be financed by taxpayers' money.

It is up to the House, and ultimately the committee, to establish it; I just have to establish a prima facie case. Then he went on to say:

> —proves that my question of privilege is well founded and that the Minister of Agriculture (Mr. Wise) could be called upon to appear before the Standing Committee on Privileges and Elections to explain the propriety or legality, if you would rather, of those expenditures.

Then he complained because the document was in the course of translation and not available in French.

Then the Minister of Consumer and Corporate Affairs (Mr. Ouellet), who was styled in the House at that time as the hon. member for Papineau, commented on the propriety of this procedure. All of us know that the Minister of Consumer and Corporate Affairs understands the House of Commons and the Standing Orders. As reported at page 942 of *Hansard*, on the very point I am raising now, he said:

Mr. Speaker, on this very point, it was not too clear to me from your remarks whether you will be looking at the propriety of spending federal funds for caucus research activities. What is at stake here, and I think it is important that you give some guidance on this question, is whether a caucus of the government should carry out some research on its own with public funds.

The issue was whether a caucus of a government should finance and support research activities out of public funds. He went on to say:

It is totally appropriate that a caucus should carry out such research, but whether it should use public funds for that purpose is the question.

Then members of the New Democratic Party had something to say about the matter. The very courageous hon. member for Yorkton-Melville (Mr. Nystrom) had something to say about it and, in the course of his argument on that occasion, informed the House—

Mr. Blais: Mr. Speaker, I rise on a point of order. The hon. gentleman just identified the principle upon which he wants to hang his hat. However, he has not yet advanced any fact upon which he could rely for the application of that particular principle.

Mr. Hnatyshyn: That is your interpretation; you are not the Speaker.

Mr. Blais: If he wants to identify the nature of the document to which he referred and indicate that the document has some sort of departmental origin which makes it not readily available, either under the freedom of information act, some other statute, or generally available to the Canadian public, he should so state.

Mr. Baker (Nepean-Carleton): Madam Speaker, evidently the Minister of Supply and Services (Mr. Blais) was out of the House or, as usual, was asleep when I identified the document. I said that the document was entitled: "Comments by the Office of the Leader of the New Democratic Party". As the minister well knows, there is no freedom of information legislation yet in place, but there is a very inferior bill now before the committee which this Parliament is doing its best to improve.

● (1250)

I want to deal with the comments made by the hon. member for Yorkton-Melville. This is what he said:

—we now have information on the Order Paper that the federal government paid with public funds for the printing of this report.

Here is the relevant part—it comes a little later:

My question of privilege is that as a member of the NDP I do not have the privilege of being a member of that committee,—

Madam Speaker, I ask you to include with the word "committee" the word "assistance".

—nor do members of the liberal party or members of the Social Credit party.

I am saying that, as a member of the opposition, I am raising the same complaint that the hon. member for Yorkton-Melville raised on December 7, 1979. The coincidence is unavoidable. I do not have the same access to funds, to assistance and to help, to present my position as seems to have been given by the government to the New Democratic Party.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. I must interrupt the hon. member, since he has now been speaking for over 20 minutes on this question of privilege and has not yet indicated any real basis for it. The evidence for his question of privilege, which is not clearly demonstrated, is based on a newspaper article. The hon. member knows that a newspaper article may be quoted in order to support an argument, but it is not sufficient evidence for me to find a prima facie case of privilege.

I suppose what the hon. member is saying is that he does not have the same access to certain documents—

Mr. Baker (Nepean-Carleton): No!

Madam Speaker: —which would have helped him to prepare a position paper for his party—

Mr. Baker (Nepean-Carleton): No, you have got it wrong.

Madam Speaker: I am repeating nearly word for word the last sentence of the hon. member. What I have to find out, and what the hon. member must tell me very clearly, is why the hon. member for Oshawa (Mr. Broadbent) cannot quote from a document which has been tabled in the House by the Minister of Justice (Mr. Chrétien)—

Mr. Baker (Nepean-Carleton): Because it has not been tabled.

Madam Speaker: —and why the Minister of Justice may not quote a document which might have been prepared by the hon. member for Oshawa or his party. I think that is a perfectly legitimate thing to do. One can quote the document if it is public, which is the case with the document of the minister; I do not know if the other document is public or not, but the minister might have knowledge of it.

The other argument the hon. member puts forward is that the document to which the hon. member for Oshawa allegedly has had access to was again allegedly written by an official. I would have to know clearly whether it has been written by an official. That is the first point.

The second point that I would have to know is in what manner the hon. member for Oshawa came in contact with this document. Did the government give it to him selectively and not to others? Nothing of that sort has been demonstrated in the hon. member's argument. It is extremely difficult for me to find grounds for a question of privilege in what the hon. member has said until now.

I must say that having listened for 20 minutes I cannot listen any longer. I feel that the hon. member does not have a question of privilege at this point. I see his indignation but he must know that the Chair has some difficulty—

Mr. Clark: And some responsibility!

Madam Speaker: —in listening to a question of privilege when other members might want to take the time of the House and the validity of the hon. member's question of privilege has not been demonstrated to me.

Mr. Beatty: I can demonstrate it, Madam Speaker.

Madam Speaker: Does the hon. member want to speak again briefly and try to enlighten me on the particular points which I have just referred to?

Mr. Baker (Nepean-Carleton): Of course I do, Madam Speaker.

Madam Speaker: The hon. member for Nepean-Carleton (Mr. Baker).

Mr. Beatty: I have the evidence, too!

Mr. Baker (Nepean-Carleton): Madam Speaker, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) also wants to speak. I also take it that the Speaker is interested in obtaining the facts and issues, since the duty of the Chair, as I understand it, is to find a prima facie case of privilege and then the committee does the rest.

Some hon. Members: Hear, hear!

Madam Speaker: Indeed, that is the duty of the Chair. But it is the duty of the member who raises the question of privilege, especially when he speaks for 20 minutes, to indicate to me where the privilege lies. If in the course of the hon. member's first intervention I do not see the light of a prima facie case of privilege, it has been my tendency not to listen to a second speaker, but I will listen now to the hon. member for Nepean-Carleton. I will then decide if I will hear other interventions.

Mr. Baker (Nepean-Carleton): Madam Speaker, I think you may have misdirected yourself, and I say this with respect.

Some hon. Members: Oh!

Mr. Baker (Nepean-Carleton): The argument is not as to the availability of the report to the New Democratic Party. I am not arguing that. The question which was before Mr. Speaker Jerome in 1979 was not a question of availability; it went much further than that. The question was with respect to the provision of services. The fact of the matter is that the report from which the New Democratic Party drew was not available publicly, to my understanding. I think one would have to believe that when there is identical wording in a report from the New Democratic Party and in a government report, from the point of view of establishing a prima facie case one would have to be on another planet to suggest honestly that that is entirely coincidental. The possibility of this happening is about the same as the proverbial monkey sitting at a typewriter and producing the Oxford English dictionary.

The second possibility is that some agent of the New Democratic Party stole into the Privy Council office in the dead of night and made off with a draft of the government position paper.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): I am sure that we do not have to believe that. If that had been the case, Madam Speaker, I am certain there would already have been a charge laid had some enterprising New Democratic Party person done that. I am suggesting that they had all the evidence in the world ahead of time of something which had not yet been published. The coincidence would lead a cautious person to consider how these identical quotations could come about.

The final possibility—and I think I must deal with all possibilities as to how this unusual coincidence could have happened—is that the representatives of the New Democratic Party were given help by those officials of the government in preparing the government's own position paper. That is the other possibility. In fact, it is the only remaining possibility.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): The prima facie case of privilege arises from the fact that none of the resources of the government was made available on an equal basis to all members of the House of Commons.

Mr. Beatty: There is further evidence.

Mr. Baker (Nepean-Carleton): There is further evidence which can be produced.

What I have stated is the basis for a prima facie case, Madam Speaker. This matter came up before and the hon. member for Yorkton-Melville argued it strongly. He was talking about the case in which I was involved, and I remember it very well.

I see the Sergeant-at-Arms is approaching the table. May I call it one o'clock, Madam Speaker?

Madam Speaker: I am waiting for the hon. member to finish his sentence.

Mr. Baker (Nepean-Carleton): I want to refer you to the judgment of your predecessor, the Hon. James Jerome, on December 10, 1979. I hope I will have an opportunity to expand on this. That judgment was given after a long argument in this House, which took place over several days and involved members of the then government, members of the Liberal Party, which was then the official opposition—and the country would be better off it they still were—and the arguments of the very distinguished member for Yorkton-Melville. I will refer to that judgment for the purposes of putting my prima facie case at two o'clock.

Madam Speaker: It being one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1 p.m. the House took recess.

● (1400)

AFTER RECESS

The House resumed at 2 p.m.

Mr. Baker (Nepean-Carleton): Madam Speaker, I should just like to reiterate the issue, which is the probability that funds have been used to support one political party in this House; that funds were authorized for that purpose.

I will say for the purpose of the prima facie case, that it can be identified in committee that the author of the Broadbent paper is a constitutional adviser in the FPRO, the Federal-Provincial Relations Office of the federal cabinet. Others will argue the significance of that but I want to mention it for the purpose of the prima facie case.

I want to turn to the argument just briefly. The hon. member for Winnipeg North Centre (Mr. Knowles) contributed to the argument on this point on December 7, 1979. When speaking to the prima facie case he said, as reported on page 2139 of *Hansard:*

Have the practices and rules of this House been offended?

That is, by the use of resources on that occasion. He then went on to say:

I feel that has been done in two ways. In the first place, I think that it is an affront to Parliament when a committee is set up which consists of members of only one party in the House. In the second place, I think that something is wrong when the government is able to provide money, whether it is only $9,000, $9 or hundreds of thousands of dollars, for a purpose not usually handled in that way.

Equally, Madam Speaker, if the hon. member for Winnipeg North Centre had been right on that occasion, he would stand in his place today and say that if it were established that the allegation that the New Democratic Party had received the services that I am talking about—assistance in drafting their document which is not available to another party in the House of Commons—then it too would be wrong. I expect the hon. member for Winnipeg North Centre to stand up and announce that this is the case.

An hon. Member: Where are they?

Mr. Baker (Nepean-Carleton): Madam Speaker, another important statement was made which I think relates to my question of privilege. On December 7, 1979, the hon. member for Yorkton-Melville, speaking in the course of the debate, said as reported at page 2136 of *Hansard:*

My question of privilege is as follows: Does it not infringe upon my privileges and rights as a member of Parliament not to have access to the same public funding—

Substitute "assistance" for "funding" in that statement. It continues:

—to the same services—

Substitute "assistance" for "services" in this particular case. Then he said:

We do not have that right as members of Parliament, and because of that I think it is a very serious question of privilege. I believe that this is a precedent.

It was a precedent on that occasion. This is a precedent. He continued:

I believe that this type of thing has never happened in the history of the country.

It had not happened until then. It was found wanting by Mr. Speaker then, and the same situation would apply today and it ought to be found wanting by Madam Speaker. I refer to the fact that party or government public resources are used to assist one party of the House of Commons rather than another.

The hon. member went on to refer to the position of Members of Parliament, and I quote again from page 2136 of *Hansard:*

Regardless of whether the Prime Minister thinks so or not—

He was referring to the then prime minister, the Right Hon. Leader of the Opposition (Mr. Clark):

—all of us in this House are equals and we must be treated as equals by the ministers of this cabinet and by all departments of the Government of Canada.

Given the fact that it is necessary only to find a prima facie case in this matter, one has to consider the coincidence, the alarming coincidence, concerning what appeared word for word in the so-called Broadbent paper—and I use his name from the point of view of title—and the paper prepared and submitted by the Government of Canada and tabled in this House, I believe last Tuesday. Others will argue with respect to the time, but I think the inquiry that must be made by the Chair is with respect to timing.

The interesting thing is that the evidence will show that the document from which the Broadbent paper was prepared was not tabled in this House, and that the Broadbent paper used the resources that were available to the government in the preparation of the paper of the Minister of Justice.

So the case is clear. I do not have to prove the case in this House beyond a reasonable doubt; I think at this point it will be up to the committee to deal with this matter—it will be up to members of the House who are on that committee to deal with the matter. My responsibility to the House is to make out a prima facie case.

I referred to your predecessor just before the adjournment, Madam Speaker. The particular case which I regard as a precedent was so serious, it being alleged that the then government of the Right Hon. Leader of the Opposition was involved in something of this nature, that there were six notices of privilege filed at that time. They came from the hon. member for Yorkton-Melville, the hon. member for Kenora-Rainy River (Mr. Reid), who is in the House and may want to argue the case again but from a different point of view, the then hon. member for Sault Ste. Marie, the hon. member for Vaudreuil (Mr. Herbert), who is in the House today and might want to argue the merits of the case, the hon. member for Broadview-Greenwood (Mr. Rae), who was in the House this morning and I am sure is still in town and lastly, the hon. member for York West (Mr. Fleming).

These Liberals and New Democrats argued that it was inappropriate to provide services, funding, to make resources

available to one political party in the House of Commons and not to another. I think that is true; it is. That is why I think this case smacks—indeed, it goes further than that, it stinks—of exactly the same things, Your Honour's predecessor dealt with.

I want now to establish a prima facie case of privilege, and then I intend to put a motion which I would ask you to consider.

Mr. Broadbent: Are you catching your breath, Walter?

Mr. Baker (Nepean-Carleton): No, I am looking for one of your quotes. Excuse me, Madam Speaker. I just want to—

Mr. Broadbent: That is better than what preceded it, Walter; it has more intellectual content.

Madam Speaker: The Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) on a point of order.

Mr. Collenette: Madam Speaker, before we adjourned for lunch you indicated that you were not yet satisfied that the hon. member for Nepean-Carleton had established grounds for a question of privilege. Perhaps I could ask him, through you, Madam Speaker, how much time he wishes to have to try to prove that he has a question of privilege. I want to speak to this alleged question of privilege, but what he is doing right now by not articulating the question of privilege is prohibiting other members from this side or his own side from contributing to the point that he is raising.

Mr. Baker (Nepean-Carleton): Madam Speaker, that is the usual useful intervention from my friend. I would not want to accuse him of filibustering in the House of Commons.

Some hon. Members: Oh, oh!

Mr. Cullen: Hypocrites!

Mr. Hees: Stop wasting time, you folks.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am having some difficulty speaking over the gruntings from the other side. I guess my friend was not in the House—he was out in the lobby or somewhere—when I gave you some additional facts which establish what I think has to be established at this time, and that is a prima facie case of privilege. Circumstances which so fall together that they cannot be regarded by any rational person as anything like a coincidence are worthy of examination. That is the point. I think they do. I think there is a conspiratory aspect to this case. The coincidences just dovetail too much for any rational person to believe otherwise.

• (1410)

Having dealt with the intervention by my friend the parliamentary secretary, I shall now turn to how the Speaker dealt with these matters. On December 10, 1979, as reported in *Hansard* at page 2180, he said this:

> Both questions of privilege make reference to a practice which was admitted to by the Minister of Transport and, to a lesser extent—or to a less formalized extent—by the Minister of Agriculture, in the sense that in the months since the election and the formation of the new government committees which were in fact entirely committees of the government caucus were encouraged to carry out investigation work in their particular fields and, in addition to being encouraged, were in fact financially supported through government funding. In some cases this entailed assistance in travelling, in some cases in defraying staff charges of research advice and in others in printing and publication of documents.

That is precisely the case here. My allegation is that the assistance which has been given by the federal-provincial office to the Leader of the New Democratic Party, with respect to the preparation of its document which has now gone to Great Britain is research, advice and assistance in the printing and publishing of documents, all of which fell right within what Speaker Jerome found to be improper. Indeed, it gave an advantage in terms of research and service to one party which was not given to all parties in the House of Commons. That is my first point.

Speaker Jerome went on to say this:

> —but it is a very difficult point for the Chair to decide—

It had not happened before, as I said. He went on to say:

> —and before making such a decision I would want very much more detailed information and would wish to hear far more argument.
>
> However, I am able to say to the House that while I am absolutely satisfied—as I am sure the House is—that the practice initially entered into by the government since the election was entirely in good faith—

I do not know whether I can say that about this case, but you could say it about the case which was before Speaker Jerome. Speaker Jerome went on to say:

> —and while it may in fact be defensible against the argument of privilege of the House, I hope hon. members will understand that it is a rather dangerous practice to embark upon.

In the light of these circumstances, I think Speaker Jerome showed amazing foresight. If he were in the chair today, I respectfully suggest he would have difficulty saying that what was done was done in good faith, having before him a judgment of his own in 1979.

Speaker Jerome continued:

> I refer to the practice of supporting from public funds a committee composed of members of any one caucus. In theory, I suppose, it is not likely that government funds would be used to support a single activity of an opposition caucus, but in any case that is no better.

This case goes much further than that. This goes right through to the theory. In fact, the theory has been justified on the coincidences here. Services and resources were given by the government to one caucus for it to prepare a position on a matter now before this House of Commons. It is an advantage given to one party by the government and not given to another.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Again, on December 10, 1979, at page 2180, the Speaker said:

> The support of public funds, where applied to parliamentary activities, ought, I think, to apply across the floor of Parliament, particularly—

And Speaker Jerome concludes his sentence by saying this:

> —the provision of funds for researchers for individual caucuses.

That is what happened in this place, Madam Speaker. Research assistance from one party in this House of Commons was given to the little red rump down there, assistance which they were not prepared to give to the other party.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Speaker Jerome continued:

This being the case, that fund is available for individual caucus committees to carry out research, to be used in whatever way the particular caucus sees fit.

That is the third injustice in this matter and the third point of the judgment of a former Speaker of this House with respect to this activity.

I shall not quote the whole of Speaker Jerome's judgment, but I think it is worth while reading and considering it. In my respectful submission, it applies precisely to the facts and allegations in this case. Speaker Jerome continues at page 2181 of *Hansard:*

—it seems to me to be preferable that it is strictly the caucus research budget that would be employed to that end.

It is not the budget of the federal-provincial relations office, the budget of the Privy Council or of any minister of the crown, but funds which are distributed on a more or less equal basis to all members of the House of Commons. That is a strong statement by the former Speaker of this House.

The last extract of Speaker Jerome's judgment which I will put on the record is this:

I am simply saying to the House, though not in a formal finding of privilege, that in my opinion the greater wisdom would be to ensure that in every case where this is done, where public funds are used to support such a committee even if it is an informal committee, such a committee consist of members of more than one party.

Obviously what he is saying is that it is improper for the government to use its resources in the public service and elsewhere to support only those groups of members or parties in this House of Commons who happen to support the position of the government. That is what happened here. There is a sense of unfairness.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Madam Speaker, as I said earlier—and I will repeat it briefly because I know the member opposite who is smiling is impatient to get home—

Mr. Chénier: No, go right ahead.

Mr. Baker (Nepean-Carleton): We have three possibilities in this case. The identical wording of the New Democratic Party's study paper and the government report is entirely coincidental; that is the first possibility. It is an entirely fortuitous accident that that occurred. The wording is identical even right down to the commas.

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I just want to know how much time the hon. member has used up on this question of privilege. So far I have not understood his explanation.

An hon. Member: Sit down.

Mr. Rose: I am sure the House would be prepared to grant unanimously a request by him for extra time so he can explain.

Madam Speaker: This is the difficulty in which I find myself. That is why I am listening to the hon. member, in order to make certain that I really understand the question he is putting before the House and make a judgment on it. I have to listen to him, but I must tell the House that I have several other questions of privilege to hear this afternoon. I do not want to push the House into concluding its business sooner than it would like to. Nevertheless, other members have questions of privilege. I have to listen to them all. I have no problem. I am here as long as the members want me to stay. But I think some fairness should be demonstrated in distributing time among members. The hon. member for Nepean-Carleton knows that better than anyone else. I ask him if he would kindly come to the point.

Mr. Baker (Nepean-Carleton): Madam Speaker, I would not want to infringe on the rights of other members of Parliament. Therefore, I will sum up my argument.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): There is evidence available to substantiate further the allegation which I made. I want to repeat the allegation because it is part of the prima facie case. It is that "solid sources have identified the author of the Broadbent paper as a constitutional adviser in the federal-provincial relations office of the federal cabinet". That is part of the case that Your Honour must consider in terms of whether there is a prima facie case. There is other evidence as well.

• (1420)

I want to go back to where I was before I was interrupted by the hon. member for Mission-Port Moody (Mr. Rose). I said that we have three possibilities in the prima facie case before you. They are as follows. The first is that the identical wording of the NDP and the government report is entirely coincidental.

Mr. Chénier: Absolutely.

Mr. Baker (Nepean-Carleton): Absolutely coincidental. No one read anything, no one prepared anything; the words came from heaven all the same. That is the first possibility. As I said before lunch, one would have to go a long way to honestly believe and accept that.

The second possibility is this. Some agent of the New Democratic Party in the dark of the night—I do not know who it would be, whether the hon. member for Mission-Port Moody who was wearing a bag on his head—stole into the Privy Council office in the dead of the night and made off with a draft of the government papers. It could be that. Virtue is claimed by that party. I am sure that if they did that, they would get up and admit it. Then the RCMP could lay the appropriate charges against them. That is the second possibility.

The third possibility is the only remaining one because the others are so incongruous as to not be believable. I suggest that

an examination before the committee would reveal that the only remaining possibility is that the representatives of the New Democratic Party were given help by officials of the government who were preparing the government's own paper for London.

Some hon. Members: Shame.

Mr. Baker (Nepean-Carleton): Mr. Speaker Jerome settled a long time ago in this House that the resources of the government should be made available on an equal basis to all members of the House. If they are not made available to all members of the House on the same basis, then the privileges of members have been infringed. With that in mind, Madam Speaker, if you see a prima facie case, which is all that has to be shown at this time, I would move:

That the matter of the assistance given by the government to the Leader of the New Democratic Party, in helping him to prepare a document entitled "Comments by the Office of the Leader of the New Democratic Party", as evidenced by the identical wording of portions of that document and portions of the government document entitled "The Role of the United Kingdom in the Amendment of the Canadian Constitution", and the possibility that such help involved the allocation of public service manpower and financial resources to one party in the House of Commons in a discriminatory manner, be referred to the Standing Committee on Privileges and Elections.

Mr. Edward Broadbent (Oshawa): Madam Speaker, it is always a pleasure to follow the master of synthetic emotion, the House leader for the Conservative Party, who takes longer to say nothing than any member in the history of the Canadian Parliament, if not the history of parliaments throughout the world.

We listened at considerable length to a series of banalities connected by semi-colons, commas, and occasionally even a period. Let me allay the hon. member's concerns right away. We do not have a spy that I am aware of in the office of the government to which he refers.

Miss MacDonald: No, it is a mole.

Mr. Broadbent: Second, in case there is any doubt in the hon. member's mind that certain material came from the federal-provincial relations office at our request, I want to tell him it is true. It is the scandalous reality that we requested certain information from the federal-provincial relations office. Having said that, I would tell the hon. member that if we thought we could have got comparable technical data that made any intellectual sense at all, I would have asked his party for it.

Unlike the House leader of the Conservative Party, if we can find relevant arguments in a book by MacGregor Dawson, Kenneth Wheare, Professor Cory or in a speech by a Conservative academic that we happen to agree with, not to mention a federal department employing civil servants, then we use those arguments. I never thought it an intellectual or political sin to take certain arguments from persons with whom on other matters you might disagree and use them. It is a problem for the Conservatives to accept that rather banal reality in the intellectual world, but for thinking people in the universe it is taken as elementary common sense.

I am a little amused but not surprised by the long, discursive, rambling pile of words we just had to sit through from the man who, through his brilliant management of the Conservative government, managed to bring that government down after nine months.

Mr. Baker (Nepean-Carleton): I must have hurt you, Ed.

Mr. Broadbent: He should have known that the federal-provincial relations office, even as it existed under the Conservative government, made information available to anyone who requested it, whether they were Social Crediters, members of the rhinoceros party, the Liberal Party or Conservative Party. I would have thought that a party which has preached a lot about freedom of information would have taken as an accepted fact that one of the established principles of the office of federal-provincial relations when it was established by the previous Liberal government was that it would provide information to whoever wanted it, and that that practice was continued by the Conservatives when they were in office. I am not aware that they changed that practice.

Of course, the feigned scandal and the mock horror of the master of synthetic emotion was precisely a bogus argument from the word go, intended simply to use up more time of Parliament. No one with an ounce of knowledge about the process of government or how governments work in providing information would take that argument seriously for one minute. It is a pile of nonsense and the member knows it.

I would be happy to provide the argumentation that was used in the document we prepared—

An hon. Member: Argumentation?

Mr. Broadbent: —part of which did come from the office alluded to. A substantial part came from some of us who have some experience in teaching Canadian government, to know something about the federal system, unlike my colleagues to the right. I would be happy to send the Conservative Party a copy of what he described as the Broadbent paper if they promise me two things—that they will read it and that they will attempt to understand it.

Having devoted about four minutes more than was necessary to that two-hour diatribe that the hon. member inflicted upon the House, I want to raise in this context a related question of privilege that concerns me as a Member of Parliament very much.

Mr. Fraser: I thought the NDP were not in favour of privilege.

• (1430)

Mr. Broadbent: We are now in our third day in which no business of the people of Canada has been conducted in this House.

Madam Speaker: I presume the hon. member is not raising a new question of privilege; he is speaking of privilege in another sense. We cannot have two questions of privilege at

the same time. I would have to dispose of one before I hear the next one. I understand the hon. member is speaking on the question of privilege raised by the hon. member for Nepean-Carleton (Mr. Baker).

Mr. Broadbent: Madam Speaker, I respect your authority and accept your judgment immediately. When you rule on the substance of the question of privilege, which should take all of ten seconds, I would be happy to raise a related question of privilege.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I would like to contribute briefly to this question of privilege because I want to support some of the points just made by the hon. member for Oshawa (Mr. Broadbent). He states quite correctly that government departments in the normal course of business make documents and briefings available to the general public, the press, and that every member of this House can request certain information about them, whether through the Order Paper or a phone call to the minister's office. As the hon. member has outlined—and I was interested to hear his explanation—apparently his party, being in agreement with the substance of the resolution, sought some additional information from the government which apparently was made available.

Well, Madam Speaker, I submit there is no question of privilege outlined by my friend the hon. member for Nepean-Carleton (Mr. Baker). He alleged that certain privileged information was being made available to one party in this House which was denied all other parties. As the hon. member for Oshawa pointed out, if members of the Conservative Party would like to have any information on the government's position on this resolution, anything that might alter their up until now unalterable and inflexible position, then certainly that would be made available.

However, Madam Speaker, it works both ways. I ask your indulgence because I want to read a few extracts from the deliberations of the Special Joint Committee on the Constitution of Canada and its report. They will show that the kind of alleged behaviour that the hon. member for Nepean-Carleton objects to appears to me—and I stand to be corrected—to be the normal routine in this place and in committees, in the functioning of government, and in the give and take we have here.

I draw your attention to issue No. 56 of the proceedings of the committee, dated February 9, 1981, just before the committee adjourned. Senator Austin said:

> I would recommend that we keep the staff that supports us at our steering committee meetings, and that we should also ask three officials of the Department of Justice to remain—Mr. Tassé, Miss MacDonald, and Mr. Bertrand.

Mr. Epp then said:

> Mr. Chairman, I have no difficulty in terms of who the government wants. I would just like to suggest to honourable members that we be given the opportunity to decide who our staff members will be and that they be part of our delegation.

Then Mr. Epp said—

Some hon. Members: Order, order.

Mr. Collenette: Well, Madam Speaker, I am sorry—

An hon. Member: "The hon. member for Provencher".

Mr. Collenette: Madam Speaker, I know you left this question wide open. After suggesting to the hon. member for Nepean-Carleton that he follow my sensibilities—which are, incidentally, not based on personal pique but rather on the rules as I read them in Beauchesne and Erskine May—you allowed him to go on and break the rule. Nevertheless one should always follow one's own directive, and I apologize for having maligned the hon. member for Provencher (Mr. Epp) by calling him by his real name.

Senator Austin then said:

> Well, I would leave it to Mr. Tassé to decide if there are any other officials from the Department of Justice that he thinks would be helpful.

Then the hon. member for Provencher, otherwise known as "you-know-who", said:

> Mr. Chairman, if that point has now been determined, I think it is important, because this will be the last time, I take it, that we will be in public, that we thank publicly the people who have been here.

He was referring to Department of Justice officials, among other research staff. He continued:

> On balance, Mr. Chairman, I very sincerely want to thank all these people, including the people from the Justice department.
>
> I have mentioned them earlier, Mr. Chairman; but it has really been the first experience I have had where amendments we have moved as an opposition party were given additional and a great amount of help by people from the Justice department, who gave us of their professional abilities. I want to thank them for that.

Mr. Hawkes: Madam Speaker, I sat on that committee. Those services were available to all members of all parties, and I think that should be said at this point.

Mr. Collenette: Madam Speaker, my friend from Calgary West (Mr. Hawkes) is always at his most erudite when he states the obvious. That is the point I make in reading these extracts. The hon. member for Burnaby (Mr. Robinson) supported the hon. member for Provencher and said:

> Rather than singling out all of the different people who have assisted us, I would simply like to say that I join with Mr.—

"You-know-who", the hon. member for Provencher:

> —in thanking the many different people who have made the committee as effective as it has been.

Then Senator Austin said:

> Mr. Chairman, I would like to clear up one point before we adjourn.
>
> I was told that—

—the hon. member for Provencher—

> —I am sure because of a misplaced word or two suggested that the officials of the Department of Justice whom I suggested ought to be here tomorrow in case we wanted them as resources, were government committee member designees.
>
> I would like to place it on record that they are resource people for the committee and are not people I am suggesting should be here on our side in any partisan way.

I will not go on and abuse the time of the House as the hon. member for Nepean-Carleton did in formulating his non-question of privilege, but I would also like to draw Your Honour's attention to the report of that committee which was tabled in this House on Friday, February 13, 1981. I find this under the heading "Organization of Committee's Work":

The resources of both Houses of Parliament and the Library of Parliament, as well as those of the Department of Justice, the Federal-Provincial Relations Office and other government departments, the Prime Minister's office—

My goodness, Madam Speaker, the members over there have really deviated from their normal behaviour in acknowledging any assistance from the Prime Minister's office, given their daily tirades in this House. I continue:

—and the Parliamentary Centre for Foreign Affairs and Foreign Trade, were directed to the facilitation of the work of the committee.

There we have it, Madam Speaker. In dealing with the Constitution, we acknowledge the fact that members of the Conservative party themselves had technical assistance from advisers of the Department of Justice at those hearings. What is wrong with that? Indeed, my friend the hon. member for Calgary West agrees with my point. All I am saying is that any assistance required by any opposition member, whether of the NDP or the Conservatives, on any matter of government business had only to be requested.

Mr. Munro (Esquimalt-Saanich): Madam Speaker, I rise on a point of order. I think the hon. parliamentary secretary should distinguish between the preparation of amendments for bills and the preparation of official party documents for another party. That is what the argument is about.

● (1440)

Mr. Collenette: It is awfully nice of the hon. member for Esquimalt-Saanich (Mr. Munro) to make that suggestion to me but, as I was stating, if any member of this House wishes to ask the government for an opinion on any matter, whether it is through Order Paper questions or through a direct request to a minister, or even through questions asked in Oral Question Period, answers will be forthcoming.

If members of the Conservative Party wanted assistance in drafting their amendments because they did not have the ability to put into words what they really had in mind—I think this has been only too evident, judging by the statements made by various members of the official opposition who, at many times during this constitutional debate, have contradicted themselves and talked about one certain formula and one type of amendment—it only had to be requested. It was requested of the Department of Justice officials, and those officials complied.

What I am essentially saying is that this is not a question of privilege. First, the hon. member for Nepean-Carleton (Mr. Baker) read from a newspaper article. The authenticity of that report has not been confirmed in any way, except the hon. member for Oshawa (Mr. Broadbent) has said that he and his party have from time to time sought certain information from the government. If that information supports the position of that party, there is nothing wrong with that.

Quite simply, for an hour and a half or more—I suppose almost two hours from twelve o'clock today—the hon. member for Nepean-Carleton stood and spoke about nothing and continued a systematic filibuster of the business of this House of Commons. This filibuster has brought this House of Commons to a standstill and frustrated the normal legislative deliberations of the House. It has frustrated the will of the people of Canada who have sent us here to legislate and govern on behalf of all Canadians. If this kind of filibuster and obstruction continues, only the people of Canada will be able to decide.

Some hon. Members: Hear, hear!

Mr. Collenette: Only the people of Canada can decide in their very intelligent way. I must say that the people of Canada are much more intelligent and sophisticated than members of the official opposition give them credit for. This question of privilege and the other questions of privilege and delaying tactics we saw last night frustrate not only our normal business but also the will of the people of Canada. Furthermore, it is an insult to the intelligence of the very people who elected us to serve in this place. I think the people of Canada will condemn the official opposition for this outlandish turn of events.

Some hon. Members: Hear, hear!

Madam Speaker: I have listened quite carefully despite—

Mr. Beatty: Madam Speaker, on the question of privilege—

Madam Speaker: Later.

An hon. Member: Throw him out.

Madam Speaker: Order, please. I have listened to this question of privilege submitted by the hon. member for Nepean-Carleton, and I must note a few things about his presentation and about the way I can look at it.

The hon. member did not allege that the article itself represented a breach of privilege but used it as evidence to sustain an allegation that a breach of privilege had occurred, to the extent that government services had been made available to the New Democratic Party but not to his own party, and that therefore public funds had been used by the New Democratic Party in preparation of a certain document.

Mr. Lawrence: That was admitted.

Madam Speaker: I must say that beyond the newspaper article itself no other evidence was offered to support the allegation—

Mr. Baker (Nepean-Carleton): Except the admission.

Madam Speaker: —apart from the fact that the hon. member for Nepean-Carleton did identify the alleged author of that article. But beyond that we do not know anything else.

However, these arguments and allegations seem to be laid to rest by the intervention of the hon. member for Oshawa (Mr. Broadbent). We know exactly how the New Democratic Party was able to use certain arguments and data in order to prepare that document. So I think that part of the argument can be laid to rest.

Then the hon. member for Nepean-Carleton invoked the precedent of December 10, 1979. That situation was described at length, but I must say it is not too comparable. At any rate, the hon. member used that statement of the Speaker, which was not a formal ruling. I must remind the hon. member that it was not a formal ruling because the Speaker did not want to make a formal ruling on that question. I think the reasons for that will become obvious at the end of my own intervention.

With respect to that precedent of December 10, 1979, it was alleged at that time that public funds had been improperly allocated to support the work of the task force composed entirely of members of one party in the House. That is exactly the situation to which the hon. member was referring. As I said, my predecessor did not make a formal ruling on that question but commented on the situation. I think that has to be very clear because that comment has been submitted to me in several questions of privilege which have been raised.

I have said repeatedly that I have studied the comments but that I would not be brought to make judgments on the propriety on impropriety of certain matters.

I want to remind the House of the concept of parliamentary privilege. It seems to me that it is important for me to tell the House again exactly what privilege is. I will quote to hon. members now two eminent authors, Abraham and Hawtrey, who say:

> A privilege in the legal sense of the term is an exemption from some duty, burden, attendance or liability to which others are subject. In parliamentary language, however, the term is also applied to the powers other than legislative possessed by either or both Houses and to the exclusive right of the Commons to grant supplies and to originate measures of taxation.
>
> The privileges which attach to Members of Parliament individually are freedom of speech, freedom from arrest, and exemption from serving on juries, attending as witnesses or serving as sheriffs.

The authors go on to list a number of powers other than legislative, which I will not enumerate, but I think it is my duty at this point to put again before the House the concept of a question of privilege and the basis on which I am called upon to judge a question of privilege.

I think for a member to argue successfully that he has a prima facie case of privilege, he would be bound to relate his argument very specifically to the concept of privilege which I have just cited. That is an important requirement of a question of privilege.

Therefore, if I may summarize, part of the argument of the hon. member for Nepean-Carleton was based not on a formal ruling of my predecessor but on a commentary he made. I suppose the hon. member would want me to say that this particular action was improper or, even worse, to guess that it was improper, but I do not feel that he has brought before me sufficient arguments to bring me to conclude that these things were improper.

At any rate, I repeat that the Chair will not become a censor, that the Chair will not pass judgment on the propriety or impropriety of certain actions of governments.

I have another notice of a question of privilege—

Mr. Beatty: Madam Speaker, I rise on the same question of privilege.

Madam Speaker: It is decided. The hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) cannot intervene on the same question of privilege; I have ruled on it.

Mr. Clark: Madam Speaker, I rise on a point of order. Unless I misheard you, my very clear recollection is that you said, prior to your ruling, that you would hear the hon. member for Wellington-Dufferin-Simcoe.

Madam Speaker: No. I am sorry. I have to correct the Right Hon. Leader of the Opposition. It is true that the hon. member was rising, but I said "later". I did not say I would hear him on this question of privilege. As a matter of fact, I did not know why he was rising. I know now. I know now he was rising on the same question of privilege. I cannot guess when somebody is rising. I suppose hon. members did expect me to rule on this question of privilege, because I said before lunch that when the first intervener does not convince me that there is a question of privilege, I am not inclined to listen to a second speaker. However, the matter is closed.

• (1450)

Mr. Baker (Nepean-Carleton): Madam Speaker, just for the record, I think if you researched the blues you would see that I did in fact indicate, during the course of my argument—

Some hon. Members: Order.

Mr. Baker (Nepean-Carleton): —that the hon. member for Wellington-Dufferin-Simcoe would be speaking.

Madam Speaker: Order, please. Perhaps the hon. member did say that other hon. members wanted to speak, but I have to remind the hon. gentleman—and he knows that—that the number of speakers whom I hear on a question of privilege is left to my discretion. Despite the fact that many people might have announced they wanted to speak, it is still left to my discretion to determine that I will hear no other speaker, and that is what I have determined on this question of privilege.

MR. BROADBENT—RIGHTS OF MEMBERS OF PARLIAMENT

Mr. Edward Broadbent (Oshawa): Madam Speaker, I rise on a question of privilege which arises directly out of the one which you have just heard from the Conservative House leader and the kind of nonsense, as I regard it, that we have gone through for the past three days. I want to address the serious question of privilege that is connected with the dignity of the institution of Parliament—

Some hon. Members: Oh, sit down.

Mr. Broadbent: —the preservation of respect for the Chair of the House of Commons, and the recognition in Parliament of the right of the majority of members of Parliament elected by the people of Canada at some point to make a decision on a question.

Some hon. Members: Hear, hear!

Mr. Broadbent: We have witnessed for the past three days not parliamentary debate but something that costs the people of Canada $300,000 a day. That is what the Conservatives are putting the people of Canada through, $300,000 a day.

An hon. Member: What price freedom?

Some hon. Members: Oh, oh!

Some hon. Members: Order!

Madam Speaker: Order, please.

Mr. Clark: Madam Speaker, I rise on a point of order. I am not sure whether the hon. member for Oshawa is discussing his privilege or his price.

Some hon. Members: Hear, hear!

An hon. Member: What is your price, Ed?

Mr. Broadbent: That comment from the Leader of the Opposition (Mr. Clark) reflected all the wit and intelligence that enabled him to last in power as a prime minister for so long.

Some hon. Members: Hear, hear!

Mr. Broadbent: I want to say as a Member of Parliament, in addressing my comments to the House to those issues—

An hon. Member: We love you, Ed; cross the floor.

Mr. Broadbent: Madam Speaker, we have been listening ad nauseam for some three days now to the Conservative Party on my right. Perhaps they will listen to the rest of the House now for a few minutes.

I want to address myself to the three areas that are connected with my question of privilege. First of all is the right of the majority of the people of Canada at some point to reach a decision in a debate. We have before us—

An hon. Member: The tyranny of the left.

Mr. Broadbent: We have in fact the tyranny of the minority of the Conservative Party.

Some hon. Members: Hear, hear!

Mr. Broadbent: We are dealing with the constitutional resolution which has probably been debated in the House of Commons longer than any other single matter in the history of the Canadian Parliament. Madam Speaker, just consider the following. The resolution, whether one is for it or against it—and I respect those who are against it in terms of their judgment—

Mr. Forrestall: Madam Speaker, I rise on a point of order. I would like to remind the leader of the NDP that there are a number of us here who sat in this chamber when colleagues in this House to the left delayed the normal process of the business of this chamber for a period of about two years on the question of the writing of a new divorce arrangement into Canadian law.

Mr. Broadbent: That is totally absurd again. That occurred during private members' hour, and the hon. member knows that very well.

Some hon. Members: Oh, oh!

Mr. Broadbent: I would like to continue, Madam Speaker. It is interesting that the Conservatives want the opportunity to talk away, but they object when someone else rises to speak on what they said at different times, on the most important matter to come before Parliament. They have had their say; perhaps we can have ours for just a minute.

We have had the matter before the House for a total length of time of some six months, from the time we started last fall to the present. Before Christmas, some 78 Members of Parliament made speeches on this resolution, and since Christmas over 100 members have spoken, all but two of whom have spoken on one Conservative amendment. In terms of the discussion of this profoundly important matter, a committee met 106 times and its meetings were extended twice under pressure from both opposition parties. The point I want to make is that there were 106 meetings of that committee. Over 1,000 submissions in writing were put before that committee for consideration.

Mr. Baker (Nepean-Carleton): Madam Speaker, I appreciate the anger of the hon. gentleman, but I must call to your attention the very strict ruling on questions of privilege and order—

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): —the very strict ruling on questions of order and privilege which you imposed upon the House yesterday. You spoke about the absolute necessity for all of us at the beginning to found our question of privilege. If the hon. gentleman has a question of privilege, then I would say that it is not because of the length of debate on the issue but rather because of the fact that the government of the day has decided to close debate on the issue.

An hon. Member: Supported by the NDP.

Mr. Baker (Nepean-Carleton): I am beginning to wonder now—

An hon. Member: You are a simple minded hypocrite.

Mr. Baker (Nepean-Carleton): —whether the hon. member for Oshawa is changing his position and is about to support the government, if and when we ever get to the question of closure imposed by the President of the Privy Council (Mr. Pinard).

[*Translation*]

Mr. Pinard: Madam Speaker, I trust my colleague will not be offended, but I will speak in the language with which I am more familiar. He has spent an hour and a half today systematically destroying and demolishing this noble institution by taxing your patience and raising a question of privilege which was totally unfounded. I have the right to speak French here and I will do so freely. If you want to shout—Madam Speaker, it seems to me it would be normal—

[*English*]

Mr. Clark: I rise on a question of privilege, Madam Speaker—

Madam Speaker: Order, please. Let us be clear about what is going on. The President of the Privy Council (Mr. Pinard) now has the floor and the Leader of the Opposition (Mr. Clark) is asking for the floor on a question of privilege. We cannot have two questions of privilege at the same time. If he wants to raise a point of order, that is another matter.

Mr. Clark: I will do that, Madam Speaker. The point of order is very clear. One of the matters that has been respected—

Some hon. Members: Order.

● (1500)

Mr. Rose: There can be only one point of order at a time.

Madam Speaker: I am sorry, I was somewhat confused. The hon. President of the Privy Council (Mr. Pinard) was on a point of order, so we must let the hon. minister finish his point of order.

Mr. Baker (Nepean-Carleton): We must observe the rules.

[*Translation*]

Mr. Pinard: That being said, Madam Speaker, if the Leader of the Official Opposition in the House can afford the shameful luxury of undermining this institution during an hour and a half, I wonder why the leader of a party, in this instance the leader of the New Democratic Party (Mr. Broadbent), should be prevented from trying to defend this institution and to inject a little more dignity into the proceedings of the House since the beginning of the week. Therefore, Madam Speaker, I think that the Leader of the New Democratic Party has every right to speak during at least ten minutes and demonstrate to you that perhaps he does have a prima facie question of privilege, whereas the House leader of the Progressive Conservative Party (Mr. Baker) has taken an hour and a half to—

An hon. Member: —to say nothing!

Mr. Pinard: —systematically run down this institution and put your credibility on trial.

[*English*]

Mr. Clark: Madam Speaker, I will be very brief. I am sure this matter can be very quickly resolved.

[*Translation*]

—because I am convinced that perhaps the House Leader of the Government said something that he did not mean at a time when he was perhaps a bit angry. He accused members on this side of having objected to his speaking in French. This is what he said. And I believe that someone on the other side said that it was true that the members of the Progressive Conservative Party are against the use of French in this House. I am referring to the hon. member for Saint-Hyacinthe (Mr. Ostiguy), if I am not mistaken.

Madam Speaker, I believe that we have touched on a matter which could cause real problems for the House of Commons and the country. All my life, I have tried to defend the right of Canadians to use both official languages throughout Canada.

Madam Speaker, I can accept accusations and I can accept that, from time to time, even the most peaceful of members can lose their temper. That is a fact! However, when an accusation such as that is made not by an ordinary member but by the government House leader, I believe that it must have been a mistake and that it should be withdrawn. I believe that this creates a really serious situation for the House.

The minister said that he greatly respects the House, and I accept this statement. He has shown since his election to this House that he has a lot of respect for both official languages, and I think that he will accept the fact that I have also shown a lot of respect for both official languages in this House and for the fact that a member can use either one in the House. The minister made an accusation which was supported by some of the members of his own party. I believe that it is essential to have the minister immediately withdraw his accusation, because otherwise, there will be a really unhealthy atmosphere in the House, an atmosphere that no one wants to have.

[*English*]

Mr. Pinard: Madam Speaker, I think the Hon. Leader of the Opposition (Mr. Clark) understood nothing. All I said is that I had the right to speak French, and members on the other side started to shout and heckle me.

I reiterate and repeat that I have the right to speak French, as the hon. member has the right to speak English. So, he understood absolutely nothing. I think he is just threatening and blackmailing us when he says that the atmosphere of the House will be worse just because I stated my right to speak French in the House. I think he is just wishing that it does not go so well in this place, as has been the case for the last many days.

I say once more that if the hon. member for Nepean-Carleton (Mr. Baker) had the right to try to undermine this institution for an hour and a half, the Hon. Leader of the New Democratic Party (Mr. Broadbent) has the right to try to plead the case of this institution and to bring some dignity to this debate. That is all I said.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, I rise on the same point of order. It may well be that I misunderstood the government House leader; I will accept that. I certainly did not misunderstand the interjection of the hon. member from Saint-Hyacinthe or from others who shouted from their seats, but it may well be that I misunderstood the words of the government House leader.

I am certainly prepared to accept that there was a misunderstanding, if the government House leader will stand in his place and admit that there was no opposition by members of the Progressive Conservative Party to his use of either of the official languages he wants to use. If he will do that, I will certainly be prepared to admit that I may have misinterpreted what he said.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, perhaps I could continue. I was almost three minutes into my question of privilege before the Conservatives thought they ought to interrupt. We listened to them for more than an hour and a half; I hope we will get a little further this time.

Mr. Cossitt: Madam Speaker, I rise on a point of order.

Some hon. Members: Oh, oh!

Mr. Cossitt: Madam Speaker, a few moments ago—and it was quite audible to members at this end of the chamber—the hon. member for Skeena (Mr. Fulton) referred to the hon. member for Nepean-Carleton (Mr. Baker) as a simple hypocrite.

An hon. Member: What is wrong with that?

Mr. Cossitt: If one consults Beauchesne, the word "hypocrite" is unparliamentary.

Madam Speaker: Order, please.

Mr. Cossitt: It also indicates that the right to intervene—

Some hon. Members: Sit down.

Madam Speaker: Order, please.

Mr. Broadbent: If an unparliamentary word is used against any member, I have the right to rise—

Some hon. Members: Order.

Mr. Cossitt: I am exercising my right; I intend to do so.

Madam Speaker: Order, please. The hon. member knows the occurrence must have taken place in debate and it must have occurred in a manner that the Chair was aware of the expression used. It is not a valid point of order.

Mr. Cossitt: Madam Speaker, it indicates that the following words are unparliamentary—

Madam Speaker: Order, please. Would the hon. member please resume his seat. The hon. member is right when he says there is a list of unparliamentary words, and I will look at the list. But, in order for the Chair to declare those words unparliamentary, they must have occurred during the course of a debate and I must have heard them. Therefore, it is not a valid point of order.

Mr. Cossitt: Would Madam Speaker undertake to look at the blues to see if it was said?

Madam Speaker: Order, please.

Mr. Cossitt: Madam Speaker, I rise on a further point of order.

Madam Speaker: Order, please. Is the hon. member still arguing his point of order?

Mr. Cossitt: I am asking for clarification from the Chair. Would Madam Speaker be prepared to consult *Hansard* to see whether those words were picked up? If they were, Madam Speaker would have to hear my point of order. Is Madam Speaker prepared to do that?

Madam Speaker: Yes, I am prepared to do that.

Mr. Broadbent: Madam Speaker, the continuing interjections of the Conservative member is a vivid demonstration of the precise point I am attempting to make.

So far I have said that in my judgment—and I have checked with some people—we have had a long debate on this constitutional matter. It has involved many speeches. In terms of witnesses, some 100 groups or individuals appeared before the committee. There have been a thousand written submissions. Almost 200 Members of Parliament have spoken. In the past six weeks, including the current one, there has been only one amendment before the House of Commons by the Conservative Party.

• (1510)

This is the leader of the party which in the past—and I used to believe it—talked, as he did in the 1979 election campaign, about respecting the dignity of Parliament and about trying to improve our parliamentary democracy. Madam Speaker, that is a party which has witnessed a debate that has gone on for a long time, involving not only members of the House but men and women across this country; a party which says to the women of Canada that it wants to move an amendment improving legal rights; and which says to our native people it wants to move an amendment improving the entrenchment of aboriginal and treaty rights. This is a party which says all that,

but spends the past three days not even permitting us to proceed with House business. It is a hypocritical party which is ham-stringing Parliament.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, the Conservatives cannot have it both ways. They pretend they stand for the dignity of Parliament and they want people to participate in a free and full debate when we have over a million unemployed in real numbers, when we have record levels of inflation we cannot get around to dealing with, when we have a six-month-old debate, and when its members exercise what can only be described as the tyranny of the minority over the majority of people collected in this House of Commons. That is unacceptable to anyone who believes in parliamentary democracy.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, what concerns me is that a member who has only been here since 1968—many others have been here longer—and the Leader of the Opposition (Mr. Clark) himself, and his party's constitutional critic, the hon. member for Provencher (Mr. Epp), have said that despite having spent three days at a cost of $300,000 a day to do nothing, will not stop at this point. No, they are not content with that. They do not want us to have the right to a vote. They have said this process will continue up to the day of the Quebec election. I ask you, Madam Speaker, to count the number of days we will spend sitting here, listening to inane arguments, frivolous questions of privilege and spurious argumentation that any five-year-old in Canada would see through in 30 seconds.

Some hon. Members: Hear, hear!

Mr. Broadbent: It is a party which was once led by a great Canadian, Sir John A. Macdonald. But it is responsible for what is happening right now.

I want to come to the second point raised by the House Leader of the Conservative Party yesterday, and which caused me some real concern. There is one position in this House, and it is not the Prime Minister's position, the Leader of the Opposition's or mine, which must have respect, and continuing respect. I refer to your position, Madam Speaker.

Some hon. Members: Hear, hear!

Mr. Broadbent: We heard it yesterday from that sleazy House leader of the Conservative Party—

Some hon. Members: Oh, oh!

Mr. Broadbent: He heard your ruling, Madam Speaker. He got up and he smiled in his unctuous way and said "Far be it from me to question your decision, Madam Speaker." Then he proceeded with an argument, the only logical thrust of which was to undermine the credibility of the Speaker of the House of Commons. That is something this party will not put up with.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, surely at this point in our history the Conservative Party has made its position clear. I do not agree with that position. I know there are serious arguments which can be made in favour of it. I think they are seriously wrong but serious people can make them—

Mr. Clark: Allan Blakeney, Lorne Nystrom—

Mr. Andre: And 65 per cent of all Canadians.

Mr. Broadbent: Allan Blakeney is one of them. The point I want to make, as a Member of Parliament, is that one of the guiding principles and one of the privileges of every member in a democracy—not some kind of autocracy, whether a right-wing regime or otherwise—is that at some point we have the right, as Members of Parliament, to make a decision—for the majority to make a decision.

Some hon. Members: Hear, hear!

Mr. Broadbent: I contend that the people of Canada who are out there and are interested in this question also have an interest in other matters. They have concerns about the cost of living. They are concerned about jobs. When they have made their arguments, as they have, and they are understood, and when the government has made its argument, as it has, and it is understood, and we have made our arguments, as we have, which on balance we say are in agreement in principle with the government on this—

An hon. Member: What about the provinces?

Mr. Broadbent: —and when the final argument is considered and cleared up we will stand together at this historical moment.

Surely if we are to maintain respect for this institution—and this is what concerns me—we must know that if we continue on as the Conservatives want us to we will cease to be a democratic institution. I repeat, we have heard it from the Leader of the Opposition and from his party's constitutional critic that they have no intention of allowing us to come to the point at which we can make a decision. They have no intention of allowing us to proceed with House business. They want us to cease to be a democratic institution.

Some hon. Members: Oh, oh!

Mr. Andre: Do you favour closure?

Mr. Broadbent: They want us to perform as if we had a lock on the House of Commons. That is all we are accomplishing with their obstructionist tactics.

I am sure that every Canadian, no matter where he or she lives and no matter on what side of this important issue they are on, if they could witness the behaviour of this House of Commons in the last few days, would be ashamed.

Some hon. Members: Hear, hear!

Madam Speaker: I apologize for interrupting the hon. member, but if he is exposing a question of privilege I would like him to indicate to me if he feels that any particular rule, or practice, for that matter, in the absence of a rule, has been breached. I would like him to tell me where his point of privilege lies. Of course the hon. member knows that democratic debate is part of what Parliament is all about. He would have to tell me that there have been some irregularities in the way these proceedings have been going on. If the hon. member would do that it would be helpful to me.

Mr. Broadbent: Madam Speaker, I promise to take no more than two minutes. I have listened to what has gone on in the House for three days. This is the last speech of this kind I hope will have to be made by anyone, because I hope the Conservatives—

Some hon. Members: Oh, oh!

Mr. Crosbie: Unctuous hypocrite!

Mr. Broadbent: I want to conclude by saying most seriously to the Conservative Party, which in many respects has both in Canada and Great Britain a responsible and honourable Conservative tradition when it comes to the governing process, read Edmund Burke and a contemporary Conservative, Michael Oakshott. If they read people like that they will understand that the rights and privileges of Members of Parliament are inextricably bound up with the principle about which you hear minorities speak. Listen to them. At some point in a democracy the majority must have the right to decide.

Some hon. Members: What about the provinces?

Mr. Broadbent: If that majority will is frustrated, if that majority of men and women elected from all parts of Canada is not able to decide because a minority wants to disrupt Parliament then—

Some hon. Members: Then call an election.

Mr. Broadbent: —the respect for which all members should be held in a free society is diminished. That causes serious harm to the democratic assembly when it is held in mockery by the people of this land. I am one who believes that the majority must have the right to decide at some point, which is the essence of my question of privilege. At this point the will of the majority is being frustrated by the irresponsibility of the minority.

Some hon. Members: Hear, hear!

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I can bear name-calling from the Leader of the New Democratic Party—

Mr. Broadbent: How about "windbag"?

Mr. Baker (Nepean-Carleton): —although most of the time I have always spoken very kindly of him.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): That is not the reason I rise. The reason I rise is with respect to the question of privilege he raised and what he said in the course of it about it being our intention to not allow the question on the constitutional matter which is before the House to come to a vote. That is resolution No. 41, or whatever it is. I recognize, and every member of this House recognizes, that whether we are talking about amendments or about the main motion, it will come to a vote. I think what has to be recognized is that there is a very strong difference of opinion on the resolution itself. There have been discussions amongst us, from time to time about how that might be expedited.

• (1520)

I have said categorically to my friend, the government House leader, on every occasion, that I took seriously—and maybe this is where I was wrong—two undertakings that were given by the Right Hon. Prime Minister (Mr. Trudeau). One of those undertakings was given the night he made the announcement in respect of the proposals before the government. What he said was that every Member of Parliament who wanted to speak would have the right to speak on that resolution.

Mr. Crosbie: We are not going to hold our noses here to put it through.

Mr. Baker (Nepean-Carleton): Then, prior to the Christmas adjournment the government House leader, on the instructions of cabinet, because I do not think he would do it on his own initiative—I think better of him than that—used the provisions of Standing Order 33 in the House to close off debate when Members of Parliament were exercising their right. As everyone knows, there was a great upset in the House of Commons, and I do not condone that kind of upset in this place.

Some hon. Members: Oh, oh!

Mr. Broadbent: More hypocrisy!

Mr. Baker (Nepean-Carleton): But it occurred, and that was the use of closure at the first stage. Then when we raised that, we were told by the Prime Minister again, "Don't worry, fellows. You still have the third stage."

In answer to a question from the hon. member from Athabasca (Mr. Shields) a line is recorded in *Hansard* in which he said he wanted to hear from every member. So, we had closure the first time with the promise that we would have the right to hear, at the third stage, every member who wanted to speak.

The fact is that as the debate has gone on—and you yourself can check—the speeches have not been 40 minutes; they have been much shorter than that, with one exception. That happened to be the speech of the Prime Minister. He is the Prime Minister and I am not going to quarrel with his right to do that. That is what we were promised, twice.

What we are faced with today as a result of the question I put to the government House leader last night is this: "I want

to proceed to the motion that stands in my name on the order paper, the effect of which will be to limit debate in this House to four days." On its face it has an admission within it that members will not be allowed to speak. In fact, on its face it says that because members will not be allowed to speak—and this is Parliament where members are supposed to be allowed to speak on the most fundamental issue there is, "—you can file written essays, gentlemen, not beyond 3,000 words, please. We do not want to overburden *Hansard* so let's not do that."

That is the issue today. Madam Speaker, I said publicly and I am going to say in this House, that I will resist with every legitimate procedural device there is—not rushing into the House to call the bells early or anything like that, but, with every legitimate procedural device there is—the opportunity for the government to call the motion which stands in the name of the President of the Privy Council (Mr. Pinard) and that is that closure motion which, instead of the quick death of Standing Order 33, is a slow strangulation method. The end result is the same, that my colleagues will not be able to make their speeches.

We have, in fact used—and I use "we" collectively because members of the House on all sides have been involved in the discussions—a fair amount of parliamentary time. I want to say to my friend directly that while that motion stands on the order paper in his name, that closure motion, we are going to use parliamentary time and we are going to waste it.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): We are going to waste the time that could otherwise be used in allowing Members of Parliament to utilize the right which they believe they had because they believed the Prime Minister. Madam Speaker, that is the position which we take.

Mr. Crosbie: We are going to hangar down.

Mr. Baker (Nepean-Carleton): We are not objecting, after every member who wants to speak has the right to speak, to the question being put on the constitutional resolution itself. We realize that has to be the effect of the debate, but we take the view that this is so fundamental to Canada, to the sense of togetherness of the country, to the sense of this Parliament, to everything that all of us in this House, I think, should hold dear, no motion which is closure by another name ought to stand between the right of Members of Parliament to exercise what we believe is our right, and that is the right to speak.

Some hon. Members: Hear, hear!

Mr. Pinard: Madam Speaker, we on this side listened very carefully to what the hon. member for Nepean-Carleton had to say in the last few minutes. I hope he will listen to what I have to say in the next few seconds.

The House leader of the official opposition in this House just stated publicly that his party intended to deliberately waste the time of this House—

Mr. Baker (Nepean-Carleton): No!

An hon. Member: That is not what he said.

Mr. Pinard: —if the government was not willing to withdraw its motion to limit time on the constitutional debate. Those were his exact words, Madam Speaker.

An hon. Member: No.

An hon. Member: You should listen.

Mr. Pinard: We are speaking now on a question of privilege raised by the hon. Leader of the NDP. The basis of that question of privilege is the right of this Parliament, this institution, to work. The hon. member for Nepean-Carleton said, "We will resist with every legitimate device there is . . ." I say this is wrong. What they have been doing this week was not to use legitimate devices but was to use frivolous points of order, frivolous questions of privilege, to delay and obstruct this Parliament, and stop this Parliament, this institution, from working. That is what they were doing. This is not a legitimate device at all, Madam Speaker.

If I may be allowed and if my colleague is patient, I will quote from the constitutional debate those few lines, and I ask them, I beg them to listen very, very carefully as I read:

> The policy of the opposition was just this—they wished to spend the whole of March and the best part of April in the general discussion upon my motion; and then, when they could do nothing more to nauseate the House and disgust the country with the subject, when they had wearied the members and made the reporters sick with their talk they were to spend the remainder of April, all May and June, and run the debate well into summer, upon the amendments they intended to propose one after another. It is because these honourable gentlemen have not endeavoured honestly and candidly to discuss the question, but have played the game of prolonging the debate to midsummer and preventing the House coming to a final decision upon it, that the government have taken the step now proposed—

An hon. Member: Who wrote that?

An hon. Member: Machiavelli?

Mr. Pinard: No, that was not Machiavelli, that was Sir John A. Macdonald 116 years ago.

Some hon. Members: Hear, hear!

Mr. Pinard: I just heard an hon. member from the other side say that I was quoting Machiavelli. I was quoting Sir John A. Macdonald when he was delivering his speech in the great debate on a resolution to establish confederation in Canada, Madam Speaker.

Some hon. Members: Hear, hear!

• (1530)

Mr. Pinard: May I remind my hon. colleague that I was quoting from the great debates on confederation, specifically March 5, 1865.

An hon. Member: It went on all summer.

Mr. Pinard: At that time debate on confederation started mid-January and ended on March 11 that year.

Sir John A. Macdonald uttered the words I have just quoted in 1865, and it is coincidental that 116 years later we find ourselves in an almost identical situation at about the same time of year. Sir John A. in the confederation debate was about to put the previous question. He did that on March 5, and described his motion as follows:

I move, sir, that the main question be now put.

Explaining his motion after having said that, he said:

That was the proposition made by the government. It was a fair, liberal, even a generous one.

Sir John A. Macdonald, after two months of debate put the question on March 5, 1865.

Mr. Clark: How many members were in the House?

Mr. Pinard: On March 10 or March 11, at one o'clock in the morning, the confederation debate was over. It was a former Tory Prime Minister of Canada who uttered the words which I have just quoted. If he were in this House today, he would be ashamed of the attitude of Her Majesty's official opposition. He found that after two months it was enough. Yet we have been debating this question almost six months. We allowed this question to go to a joint committee of the House and the Senate where many amendments were debated. We are now in the sixth week of debate on one amendment put by the hon. member for Provencher. We have not yet been able to dispose of this amendment and deal with the rest of the resolution.

The reasons the hon. member for Oshawa rose today are obvious. He is saying to the official opposition, and I join with him, that if they do not agree with our proposals, they cannot claim they have not had time to speak. They have been allowed almost six months, compared to the two months which were allowed by Sir John A. Macdonald, to deal with the old confederation. They have had ample time and they must recognize that, in a democracy, in a parliamentary system, there is a time when the government must have its way. There is a time when a question must be put and there is a time when elected representatives of the people of Canada decide if it is to be approved or rejected. But it is basically wrong for a House leader to say he will not allow a question that has been discussed over a six-month period of time to come to a vote—

Mr. Baker (Nepean-Carleton): I did not say that.

Mr. Pinard: —and will deliberately waste the time of the House of Commons of Canada. That is wrong, Madam Speaker. That is unacceptable.

Some hon. Members: Hear, hear!

Mr. Pinard: There are 25 minutes left before we reach private members' hour at four o'clock today. I am sure the official opposition will not allow me to put the motion to allow all members of Parliament to be on record, and allow most of them to speak for 20 minutes each over the next four days, each day comprising 13 hours. I am pretty sure the official opposition will not allow me to do that today.

We have the weekend ahead of us. I invite the official opposition to respect the dignity of this institution, to respect the Speaker and to allow this Parliament to work, and—

Some hon. Members: Oh, oh!

Mr. Pinard: —and after six months to allow a question to be put. I invite them to reflect on what Sir John A. Macdonald said exactly 116 years ago.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. I think I can dispose of this particular question of privilege. First, I want to tell hon. members that I am not trying to push ahead with business of the House, but I have several notices of questions of privilege. Like any good administrator, I must try to get rid of papers on my desk, if at all possible and I must insist on doing it that way when a question of privilege is obviously not a question of privilege. I think I can rule in that sense that this is obviously a debate.

The hon. member for Oshawa (Mr. Broadbent) did not indicate there had been any irregularities in the procedure or in the customs of the House. He does not like what some hon. members are doing during the course of this debate, but that is not for me to determine. The rules are there precisely to ensure that the democratic right of Members of Parliament to speak are protected. Since hon. members did not detect any irregularities in the proceedings, I have to say that, while it might be debate, differences of opinions—all of these things together perhaps—but the hon. member did not have a question of privilege.

The next question of privilege I have is in the name of the hon. member for Durham-Northumberland (Mr. Lawrence).

Mr. Lawrence: Madam Speaker, I gave you notice this morning at the earliest possible moment of a question of privilege. At the same time I gave verbal notice to the minister concerned. The Solicitor General (Mr. Kaplan) was here earlier, but he is not in the House now. I seek your guidance as to whether I should continue. You know the gist and the substance of my question of privilege because I gave it to you in writing. Perhaps I should wait until Monday when the minister will be here.

Madam Speaker: That is the hon. member's choice. I cannot tell him when to raise his question of privilege. His notice is in order. It came at the proper time. There is no rule about the order in which I should hear questions of privilege. However, I shall tell hon. members that I classify them in the order in which they reach me. I have now come to the hon. member's question of privilege. I know the hon. minister is not in the House, but that does not preclude the hon. member from raising his question of privilege. The only thing which might happen is that I would not rule in the minister's absence.

Mr. Lawrence: Madam Speaker, under the circumstances, I think as a courtesy to the minister, if you do not mind and as long as I am not abrogating any rights as far as my question of

privilege is concerned, out of courtesy I would like to wait until the minister is here.

Madam Speaker: That is the hon. member's choice.

The next question of privilege I have is in the name of the hon. member for Prince George-Peace River (Mr. Oberle).

MR. OBERLE—ALLEGED FAILURE TO FULLFIL STATUTORY REQUIREMENTS

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I, too, gave you notice this morning of my intention to raise a question of privilege with regard to the failure of a minister of the Crown to live up to his statutory requirements under an obligation he has in connection with an act passed before this Parliament. I make reference to the statutory requirements which the Minister of Indian Affairs and Northern Development (Mr. Munro) has in connection with the James Bay and Northern Quebec agreement.

I shall quote the requirement in the act as follows:

> The Minister of Indian Affairs and Northern Development shall, within sixty days after the first day of January of every year including and occurring between the years 1978 and 1998, submit to the House of Commons a report on the implementation of the provisions of this act for the relevant period.

I raise this question of privilege at this time because over the last few days before the standing committee we have had members of the native associations from northern Quebec who are directly affected by the agreement.

● (1540)

The James Bay Northern Quebec Agreement was not an ordinary land claims settlement or agreement. It is known as the most modern precedent-setting agreement ever reached in this country. I look around the House and see many of the members who served in the House and on the committee at the time the agreement was signed in 1977.

Because of the history of the treatment of native people in this country over the last 100 years and, indeed, much longer, we in the opposition at that time wanted to ensure that this agreement, which was to set the pace and precedent for all agreements to follow, would be one of which we could all be proud. We wanted an agreement that could be honoured by all parties which were a signatory to it. For that reason we insisted at the time that the minister, who was the guardian of the people affected by the agreement, make an annual report to Parliament. The minister has the responsibility for native people directly. He cannot pass that on to any province or agency. He is the guardian of rights of native people in this country.

We wanted to be sure that this agreement, which was negotiated and signed in good faith, would finally be honoured. For that reason the hon. member for Moose Jaw (Mr. Neil) moved a motion to amend the agreement, "that the minister of Indian affairs be required to report to the House on an annual basis as to the implementation of the agreement".

We have the first report from the minister which was tabled in November, 1980. The report for 1978 was not tabled. The report for 1979 was not tabled.

Mr. Chénier: That was your government.

Mr. Oberle: The report which was tabled in 1980 was eight months late. It is now the eighty-sixth day of 1981 and the minister has still not tabled his annual report.

So serious is the infringement and the neglect of this particular agreement that the people came to Ottawa to meet with the minister and to appear before the standing committee. They told us of unbelievable horror stories. They told us their children are dying of disease because the government passed its responsibility for health care, as well as its responsibility for education, to someone else. It was not its right to do that under the agreement. It did not pass on the means and the funds required for the establishment of health care and education delivery systems.

For that reason the hon. member for Cariboo-Chilcotin (Mr. Greenaway) stood up and challenged the Minister of National Health and Welfare (Miss Bégin), reminding her of her responsibility, which has not yet expired. He told her that ten small children had died in the area because of unsanitary conditions which occurred because the agreement entered into in good faith had not been implemented. The death of these children occurred because the Minister of Indian Affairs and Northern Development did not report these conditions to the House, yet that is his statutory obligation.

So frustrating is this situation that the chairman of the Indian and Northern Affairs Development Committee said to the press last night, and I quote from the March 27 edition of *The Globe and Mail* reporting on what the hon. member for Cochrane (Mr. Penner) said:

> It's stupid to spend a lot of time and money investigating problems when you can't make any recommendations to Parliament. Perhaps that will provide the pressure-point to improving the implementation process.

The hon. member stated that the committee is not split along party lines, as most other committees. That is indeed a fact. All the members of the Indian Affairs and Northern Development committee agreed last night to sit behind closed doors to conspire and try to work out some kind of scheme whereby the members of the committee, including members of the governing party, could decide on a way to apprise the public of what is happening in northern Quebec in respect of that agreement. The article continues:

> "Most MPs feel they are fighting against the Indian Affairs bureaucracy," he added.
>
> Warren Allmand, Liberal MP for Notre-Dame-de-Grâce in Montreal and former Indian affairs minister, said it may be the first time all MPs on a committee have felt strongly enough about an issue to circumvent Parliament.
>
> The Inuit, who insist the James Bay agreement is a good one, want Ottawa and Quebec to pay the cost of implementing the agreement.
>
> Under the agreement, Quebec's 6,500 Cree and 5,200 Inuit or Eskimos gave up their rights to half the province so that Quebec—

Madam Speaker: Order, please. The hon. member is debating, and he knows that. If I let him go on, he will read the

whole report to the House. I cannot allow that. The hon. member has yet to prove that he has a prima facie case of privilege. I would ask him to make some effort to indicate that to me.

Mr. Oberle: Madam Speaker, my privilege is simply this. It concerns the privileges of all members who serve on the Indian affairs committee. We are prevented from adequately discharging our duty by the fact that the minister is not reporting to the House the extent to which this agreement has been implemented. That is the question of privilege.

This is not the first time this kind of question has been raised in the House. When the House makes a conscious decision to include a requirement in a statute that there shall be a reporting to the House on an annual basis, that compares with the annual reporting of the Auditor General or the Commissioner of Official Languages and Human Rights. Why is there that requirement under statute that the minister must report? It is so that members can discharge their duties in line with the responsibilities they receive when they accept membership in this institution.

The minister has not reported to the House, as is his statutory requirement. For that reason, the members of the Indian affairs committee and all members of this House were not able to discharge their responsibility to those children who died in the Quebec region. The minister has a responsibility to those who live in that region in abject poverty, similar to that in Third World countries. I would point out when the Cree appeared before the committee, they could not identify their member of Parliament. That member knows this agreement has not been implemented properly. He is ashamed to go to that area lest he have to accept responsibility for some of the problems which occur there.

I would ask, Madam Speaker, that you refer to other debates throughout *Hansard* where other Speakers have ruled. In particular, I refer you to a debate on March 9, 1972, where my former colleague from Peace River, Mr. Baldwin, reported to the House the failure of the Auditor General to report his findings. The then hon. member for Peace River wanted the Auditor General called before the Bar of the House. The Speaker ruled that an officer of the Crown or an officer of the House could not be made accountable for his actions in that way, and that could not be done. It was quite clear. He said that even though the privileges of the members may have not been affected, it was a very serious breach of order of the House. There again he was referring to an officer of the House rather than a minister. In this particular case, Madam Speaker, we are talking about the statutory responsibility of a minister, and his failure to live up to that responsibility.

● (1550)

For that reason, Madam Speaker, should you find that I have a prima facie case of privilege, I am prepared to move the appropriate motion to ask this minister to appear before a committee to answer for his neglect and his contempt of Parliament.

Madam Speaker: I am afraid I have to deal with this question rather quickly as it is quite clear there is no question of privilege. I remind the hon. member that failure to comply with the law is not a matter for the Speaker to determine, but rather should be decided by the courts, and I quote Beauchesne's fourth edition, 71(5):

> The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

I read that because I want the hon. member to understand it is appreciated that he brought this matter before the House, but of course I cannot be called upon to judge it. The hon. member has complied with this rule by bringing the matter to the attention of the House and, hopefully, the House will consider whether it has been inconvenienced by the fact that a certain thing has not been done. But, it is not for me to force the minister to comply with the law. I thank the hon. member for having brought it before the House.

Mr. Oberle: Madam Speaker, one final comment. What recourse—

Madam Speaker: Order. I think I have told the hon. member what his recourse is.

Mr. Oberle: There is no recourse.

Madam Speaker: Well, there is no recourse to the Chair because the Chair cannot decide.

Mr. Oberle: But it is the institution—

Madam Speaker: I am sorry, but when I am explaining the position to the hon. member he has to listen to the Chair. The recourse is not to the Speaker, and the hon. member surely has enough knowledge and experience of parliamentary and government affairs that he can inform himself of the necessary recourse. I am telling him now there is no recourse to the Chair.

MR. HAWKES—PROPOSED REPRINTING AND DISPOSITION OF PORTIONS OF "HANSARD"

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question of privilege arises from today's question period and involves an exchange between the hon. member for Gaspé (Mr. Cyr) and the Prime Minister (Mr. Trudeau). You will recall the hon. member for Gaspé asked the Prime Minister if he would consider an extra printing of the March 23 edition of *Hansard*. This request was made so they could be supplied to the parliamentary members in Britain, and others whom I cannot recall.

I was positively disposed to this idea because of the quality of the Prime Minister's speech, and in particular his quotations of the Late Right Hon. John Diefenbaker during the flag debate when he indicated we would have a less united country some years later, which certainly is the case. I would be disposed to see that this was brought to the attention of parliamentarians in Britain.

However, the Prime Minister's response was that he was predisposed, I believe were the words, to have the Crown pay for extra printing of *Hansard* provided that it included *Hansard* for the days on which the Leader of the Opposition (Mr. Clark) and the Leader of the New Democratic Party (Mr. Broadbent) spoke on this matter.

As I reflected upon that, Madam Speaker, I thought perhaps the privileges of this House were likely to be circumvented by the predisposition and any action as a result of it. It is, I think, a basic principle of parliamentary law that we are the Commoners, equal in this House, and in that way our constituents are treated equally in this House. Certainly on such an historic debate I would believe that, even though this resolution says the people of my province, hence my riding, shall be second or third-class citizens compared to those of other provinces, at least we would not move in that direction in this House; that each of us here should be treated as first-class Members of Parliament, equals, and that the predisposition of the Prime Minister to have three days of debate sent off to the British parliamentarians would in fact infringe on the rights of the people I represent.

If in fact he is predisposed to do that, then I think, Madam Speaker, in terms of your responsibility to this House, you might advise the Prime Minister that he should send all of the issues dealing with this debate so that those on the list of the hon. member for Gaspé would receive all the speeches that have been made, and that is the brief point that I wanted to bring to your attention.

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, you will recall that earlier today I indicated there was a point of order I wished to pursue arising from Question Period where I put a question to the Prime Minister (Mr. Trudeau) having to do with a question before the Supreme Court of Canada and the matter of this Parliament's ability to deal constitutionally with the resolution now before the House. I wish to pursue this matter now before the day expiries as it has to do with the question period, and in order that I can carry on that debate at some other time.

It is a matter of some very real concern to all of us on this side of the House that we are dealing with a situation in which the government—

Mr. Ouellet: Sit down, you are out of order again.

Mr. Clark: I understand when a point of order has been raised and I am speaking on that point of order, as you have earlier ruled, Madam Speaker, my point of order takes precedence over one raised from the floor. So the point of order I am pursuing has to do—

Mr. Ouellet: Order.

Mr. Clark: —with the very real concern we have on this side of the House at a time when it is possible that the premiers can come together and get agreement. André Ouellet, speaking as he usually does to judges, tells me that I should sit down.

Madam Speaker: Order, please. Just so I can keep some order in the House, I have to dispose of the questions raised by the hon. member for Calgary West (Mr. Hawkes). However, I consider the hon. member has risen before four o'clock.

The hon. member for Calgary West understood, I am sure, that the Right Hon. Prime Minister (Mr. Trudeau) had suggested that the other speeches would be printed as he probably assumed this would not be a partisan thing. He suggested that the speeches of the other leaders of parties should be printed as well, but he expressed only the opinion that it would be a good thing. This does not in itself cause the speeches to be printed and appended to *Hansard*, or extra copies to be printed. It was not made an order of the House. Therefore, we have no such order of the House before of us and, for the time being at least, those speeches will not be printed.

• (1600)

The hon. member suggested that all of the speeches be printed so that all hon. members could be equal in this House. He would have to ask for the unanimous consent of the House for that to be done, and he could do that at some other date when procedure allows. For the time being, nothing is being printed, neither the speech of the Prime Minister, the Leader of the Opposition, nor the Leader of the New Democratic Party (Mr. Broadbent).

The Right Hon. Leader of the Opposition has the floor, and it is now four o'clock.

Mr. Fretz: Madam Speaker, on a point of order—

Madam Speaker: I cannot have two at the same time. I have a point of order—

Mr. Clark: Madam Speaker, my understanding is that I have the floor, but we are now into a different stage of the proceedings of the House, and I certainly would not want to intrude upon private members' hour.

Mr. Ouellet: What a farce.

Mr. Clark: I should specify my understanding.

Madam Speaker: I want to make sure whether the Right Hon. Leader of the Opposition could still have the floor when the House resumes. I have not had that question presented to me before. I just want to make sure. I want to make it quite clear that my advice is that the right hon. member will have the floor when the House resumes the particular proceedings we are engaged in now, but for the time being—

Mr. Fretz: On a point of order—

Madam Speaker: For the time being it is four o'clock.

[*Translation*]

It being four o'clock the House will now proceed to the consideration of private members' business as listed on today's

Order Paper, namely, public bills, notices of motions and private bills.

PRIVATE MEMBERS' PUBLIC BILLS

[*Translation*]

NOVA SCOTIA

OFFICIAL DESIGNATION OF THE NAME—NOVA SCOTIA

Mr. Pat Nowlan (Annapolis Valley-Hants) moved that Bill C-217, respecting the official designation of "Nova Scotia", be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, before dealing with the substance of my proposition, I should like to make a few preliminary remarks. First and foremost, I want to emphasize the fact that the introduction of this bill does not relate in any way to bilingualism. I am solely interested in the purity of the forms enshrined in legislation, documents and traditions.

[*English*]

Mr. Speaker—

Mr. Knowles: Carry on. Continuez en français.

Mr. Nowlan: I will have a few more words—

[*Translation*]

—a few words in French. Although I am not fully bilingual at the moment, I am studying French and I hope that by the end of this session I will be functionally bilingual.

[*English*]

But I seriously ask the House to consider Bill C-217, which has a very simple title but, frankly, does have a serious message.

This matter affects all members. Mr. Speaker, you and I have sat in this House when the then hon. member for Three Rivers used to rise in his place in a proper way and raise questions of privilege every time "Three Rivers" was used as a proper noun to describe that place. You remember that, I remember it, perhaps other hon. members remember it and I think the hon. member for Winnipeg North Centre (Mr. Knowles) would remember it. I think that member was a former mayor of Trois-Rivières. Gilles Grégoire was also a member. I forget the name of the county, but every time the words "Seven Islands" were used, he stood in his place on a question of privilege and said, "The proper noun for my place is 'Sept-Iles' ". That was of particular interest to me because I used to work in Sept-Iles when it was called "Seven Islands", long before iron ore was developed in Ungava. I was on a survey crew for the Iron Ore Company of Canada to lay the centre line up the Moisie River. At that time it was "Seven

Islands". It was a little fishing village. It is now Sept-Iles, quite properly.

There is probably no good time to present this type of bill because we are perhaps ultra sensitive with respect to language in this House. I actually had this bill before the House and on the Table at the time of the referendum. Frankly, I have had it on the Order Paper for about two years. There were always tense times with respect to language, and I deliberately delayed bringing the bill on. Perhaps I am bringing it on now because there may be no good time to bring it on, but—

[*Translation*]

Finally, by way of introductory remarks, may I say that I would have liked to deliver in French all my argument in support of this bill. Still, I will continue to make efforts and take lessons to improve my French, but I admit that those efforts have left me somewhat less than perfect. Therefore, I would not dare embark upon a long speech, keeping in mind the status I have achieved thus far.

[*English*]

Having said that, I want to emphasize by those preliminary remarks en français that this bill is not against anything. It is for the proper use of proper nouns. That is the whole purpose of this bill.

The proper noun for the Speaker, "Monsieur le Président", may be very apropos in view of the things which have gone on in this House for the last two or three days. "Sauve" means to save. Madame Sauvé, is the hon. Speaker of this House. That is stretching it a little. The man who was chastised by the hon. member for Winnipeg North Centre, Mr. Baker, is Monsieur Boulanger. The Minister of Fisheries and Oceans (Mr. LeBlanc) is "Romeo the white". Even the Minister of Transport (Mr. Pepin) is the pit, in effect, almost.

Mr. Pepin: The "peep-in".

Mr. Nowlan: The "peep-in". My friend Bernard Loiselle—I know what that is en anglais. It is too demeaning to say in English. The hon. member is much finer than the translation of his name, as far as I know. There may be some jest, and I am glad there is because we know the temperature of this House rises and sometimes get a little too hot.

Frankly, for a period this afternoon I did not think this was the best time to bring this bill to the floor of the House in view of some of the things which were said, but I accentuate the fact that this bill has as its purpose the proper use of proper nouns with respect to some of the people I have mentioned, but especially with respect to places.

I have mentioned two places which stimulate my interest in my own province, the proper nouns, Trois-Rivieres, and Sept-Iles, because as some hon. members may not know the proper noun describing my province of Nova Scotia is neither English nor French. It is Latin. It is in the original charter given by King James way back in 1621 to William Alexander. In the original charter it was "Nova Scotia". Of course, in those days the educated people could not speak English or French. The only language they could speak was Latin. It is as simple as

that. But if the name is "Nova Scotia" in Latin, I say with respect that it should not be translated because it would not be the proper name.

I gather all hon. members in this House know that the name "Canada" is not a French name or an English name. It is an Indian name. It is the Huron-Iroquois name "Kanata" meaning a village or community. We all accept "Canada" as the name of our country. We do not translate it. We do not have "Canada" on one side of a name card and "Village or Community" on the other.

The case of Quebec is very interesting. As all hon. members from *la belle province* know, "Québec" is an Indian name. The Algonquin name for Quebec means where the river narrows. I cannot say that in French but I do say I am proud and happy that Quebec is known by its proper name, and in my opinion and submission Nova Scotia also should be known by its proper name. The interesting thing about Quebec, which I did not appreciate, but scholars of French would know, and I imagine you, Mr. Speaker, would know, is that if you went down the river a little way you would get the translation of Quebec in French from the name of a little town called Détroit. In effect, Détroit means of the narrows, the same meaning as that of Quebec in the Algonquian language. Until I did a little research on this I did not appreciate that, and I thank those researchers who gave me that little hint.

• (1610)

Let us now move on to that great big province of Ontario. Again Ontario is a name which is not translated at federal-provincial conferences. It is not English or French, it is Iroquois. It has two names, ontare, meaning lake, plus io meaning beautiful, or beautiful lake. If Ontario means beautiful lake and Ontario is good enough for Ontario and for the Canadian public, and in federal-provincial affairs, we do not have to make it any prettier by calling it beautiful lake.

Nova Scotia is Latin for New Scotland, it is not Nouvelle-Écosse. Let us go out west to a couple of the provinces there. Manitoba in Cree and Ojibway means the strait of the manito or spirit. Saskatchewan is another Indian name. It is a Cree Kishiska name for rapid current. I could go on to the other provinces but I will not waste much time on them. They have names which are translatable into English or French even though, quite frankly for my purpose, in terms of the proper use of language, they should be known by their own proper names.

You could consider the names of members on both sides of the House, such as that of my friend, the former minister of agriculture, the hon. member for Elgin (Mr. Wise). He wants to be known by his own name of John Wise, not Jean Le Sage. The whole thing could be carried to absurd lengths. Or let us consider the name of the former minister, the hon. member for Notre-Dame-de-Grâce-Lachine East (Mr. Allmand) who, I am sure, would prefer to be known as Mr. Allmand, not Mr. German. There are so many other names, but I do not want to take the time of the House to go through them. Quite frankly, the proper name for British Columbia should be British Columbia, not Colombie Britannique. Trois Rivières is the proper name for Trois Rivières. I do not understand why that name is not translated but British Columbia is.

I want to stick to my own province of Nova Scotia. My own town, which is a very beautiful spot in Nova Scotia, is called Wolfville, and it is known as such. Anyone who tried to translate it to la Ville de Loup would find that, although it might help him to get through on the telephone system, he would be laughed at in my province. I seriously hope members will be disposed to give some direction and pass this very simple bill. It did not take a bill for us to correct what I consider to be an injustice in terms of Trois Rivières and Sept-îles.

Now that I have finally got this bill on the floor of the House, having started work on it eight years ago, I intend from now on, in a non-argumentative way, to try to stress the importance of using proper names for places in this country. Just notice, Mr. Speaker, how conditioned we are. The very title of my bill says in French "la Nouvelle-Écosse". That is in the official title of my bill. I will not go into all the pragmatic reasons I would like to see this changed in terms of tourism. We spend money in our part of the country to get tourists to come to Canada. I know that part of the country has a history of its own and I have received some very interesting letters from people in Nova Scotia and in Quebec, some very good Acadian friends of mine, who have sent me copies of their deeds 300 or 400 years ago. Some of them are in Nova Scotia, but some of the early Acadians even then were calling it Nouvelle-Écosse because they had translated the Latin name of Nova Scotia. That is all right. I am not suggesting we could get this changed overnight and condition people to calling Nova Scotia by its proper name.

I see the former premier of Nova Scotia, the Minister of Labour (Mr. Regan), in the House. Had I known he would be here on this late Friday afternoon, I perhaps would have tried to get him to second this bill in the hope it could move through, because it will hurt no one. Frankly, at this time when we are trying to renew federalism, as has been discussed from time to time when we are revising constitutions, and as we have certainly heard from time to time, we should allow reform on the proper use of language and call proper nouns by their proper names.

Some hon. Members: Hear, hear!

Mr. Douglas Fisher (Mississauga North): Mr. Speaker, I have to say at the outset that this is a tough act to follow. Like most of his fellow members from la Nouvelle-Écosse, the hon. member for Annapolis Valley-Hants (Mr. Nowlan) is a great speaker and he has clearly laid out his reason for putting this bill forward. I have to say I support him. I think it is a good idea. He wants to make common usage official usage. I think that is a good idea. He has spent a long time in his speech telling us he is not against anything and, like most of the people from Nova Scotia who I know, such as our Minister of Finance (Mr. MacEachen) or our Minister of Labour (Mr. Regan), I think it is a constructive idea from a constructive

person. He really made his point with me when he said he is dealing with a standardized approach. He wants to make Nova Scotia, like Moose Jaw, a name that we know from coast to coast, the same name in every language. I think it is a great idea and I cannot stress enough how much I support it. It is an idea that follows a trend. It stresses the bilingual aspect of our country by picking out a third and quite acceptable compromise.

We have seen this with things like Air Canada and a lot of other official government names. We are now seeing it creeping slowly and surely into our use of place names. The proposal is logical and practical. I think it recognizes tradition, it recognizes the great history of that province as the first colony of Great Britain to possess a royal charter and a flag of its own. As he said, it harks back to the days of King James I when the only language of the educated was Latin.

However, the hon. member belongs to a party which has taught us that agreement and high-minded principle are not enough in this House. Being a new member here, I would like to apply one or two of the tests I have been learning over the past few weeks to this particular bill. I have listened to the constitutional debate and I have learned that the end does not justify the means. I hope the hon. member can apply some rigorous tests to his idea. I wonder, for example, what the other provinces say about this. Has the hon. member discussed this with the current Premier of Nova Scotia, let alone, for example, the premier of my province, Mr. Davis, who has been known to take an independent stand on some things. After all, Mr. Davis in my province will have to change all the maps of some areas, and little children will have to learn all kinds of new things. No longer will the people of Sudbury be saying Nouvelle-Écosse; they will be saying Nova Scotia. Do we have the Premier's consent to make that change? I really wonder whether we can proceed to steamroller this idea over those premiers. Perhaps if they do not agree, we could opt in and opt out. Perhaps in Sudbury it will still be Nouvelle-Écosse, whereas on Vancouver Island, Nova Scotia will ring loud and clear. What does popular opinion say? Have we had a Gallup, have we had a Goldfarb, have we had an election on this? Did the hon. member campaign on this the last time around? Does he have a clear and ringing mandate to bring this to this House, or he is trying to push through his own ideas? Principles are not enough; we need to have popular consent. Does the hon. member want to call an election on it? Would he like us to discuss this with the Prime Minister (Mr. Trudeau)? Perhaps we should be discussing trilingualism from coast to coast; not unilingualism, or bilingualism, but the idea that Canada needs to remember her great Latin roots. Maybe we should just have a special referendum, although I know that idea, as I heard today, is particularly odious in some corners.

● (1620)

As a Liberal, one can see I am cautious. I do not want to shove Latin down the throats of every Canadian. I do not want to add to a bureaucracy where we would have to change the maps and spend thousands of dollars just to bring this idea into line.

Perhaps the hon. member can tell me: Does Parliament have the right to decide? Should we take it to the people? Should we take it to the premiers? Are we acting out of line here? Perhaps we have here from Annapolis Valley-Hants a red Tory, a man who wants to take us back.

I am happy to support this bill. I think it is a great idea. I think it reflects the respect for education, the high standards and traditions which prevail in Nova Scotia. I would like to say quite seriously that I personally believe that Nova Scotia is becoming tomorrow's country. The change of attitude which has existed in that province for the last ten years has been remarkable. Today, Nova Scotians are high-minded and optimistic about their future, but I am sure they, as all Canadians, have a respect for Parliament.

I will cut my speech short, just so that I do not waste time and filibuster on this important idea. Having expressed my reservations, I hope that the due process will now take place.

Some hon. Members: Hear, hear!

An hon. Member: That is a tough act to follow.

Mr. Peter Stollery (Spadina): Mr. Speaker, yes, it is a very difficult act to follow. After all, it is not simple to argue against what seems at first to make sense. It is a Latin name. The hon. member proposes that we should effectively make "Nova Scotia" the name of that province in both official languages. But I would argue that it would start a whole series of changes in names which go back many hundreds of years.

[*Translation*]

It introduces in the French Canadian language what is known as "Franglais"; in my opinion, a great many people in Canada who already find it difficult to cope with two languages would find this unacceptable; we must oppose this idea of mixing French and English, which would destroy both languages and we would end up with "Franglais". This suggestion would establish a precedent which a great many Canadians would find unacceptable.

[*English*]

I noticed with interest that the hon. member mentioned Three Rivers and Trois-Rivières in his speech. Personally I have always thought that we live in a bilingual country. As an English Canadian, when I am speaking English I refer to Three Rivers, whereas French Canadians refer to it as Trois-Rivières. That is the spirit of bilingualism, as I understand it as a reasonably bilingual Canadian of English background. I do not see anything wrong with it.

It is rather difficult to expect unilingual Canadians to switch back and forth. These problems do not really arise very much with bilingual Canadians; they come up more with unilingual Canadians. It is difficult to ask them to switch suddenly to an unfamiliar pronunciation. In the case of Nova Scotia, the precedent dates back approximately 300 years. The hon. member talked about Nova Scotia getting its charter in 1621. I do not think the reason it was written in Latin at that time

was because educated people had difficulty speaking English or French; it was probably a custom at the time.

I have read most of the works of Samuel Pepys in that 1659-60 to 1669 period. In those days it was common to use a Latin description for titles and such things, not because people could not speak English or French or because educated people spoke Latin. Certainly in the early part of the seventeenth century in England people did not speak Latin.

It is interesting to look at the map of Quebec. There have been many recent name changes in the northern portion of le Nouveau Québec. I should like to refer to this business of suddenly deciding to change a name which has been in existence for 300 years, as is the case of la Nouvelle-Écosse, and suddenly saying—

[*Translation*]

I intend to spend a holiday with my family in Nova Scotia. It would not sound right in French if I said: "Bon, je vais avec ma famille passer mes vacances en *Nova Scotia*."

[*English*]

It is not really what bilingualism is supposed to mean in Canada. I think it is unreasonable to ask for this, as the hon. member is doing in good faith. I am not suggesting the idea does not make some sense, but it is unreasonable to ask people all over the French-speaking world to suddenly change their atlases and their customary way of referring to the province of Nova Scotia. It gets into this business of "franglais" which, as the hon. member knows, is resisted rather strongly in many French-speaking countries. It will not work. In fact, name changes will lead us in Canada into more difficulties than can readily be seen.

[*Translation*]

Considering the systematic effort of the Government of Canada to make our federal institutions bilingual ever since the enactment of the Official Languages Act in 1968, we do not hesitate to describe as regressive this attempt at "unilinguization", Mr. Speaker, it is on purpose that I used the word "unilinguization". I could even have termed it an attempt at English "unilinguization".

• (1630)

[*English*]

I would point out to the hon. member who proposes this idea that one of the very important points against his bill in the province of Nova Scotia today is that there is a fairly substantial French-speaking minority. This morning when I was looking at the figures I noted that the minority had declined in only five years in the 1970s from about 6 per cent of the population to approximately 5 per cent. In other words, it is already difficult for French-speaking Canadians to survive in Nova Scotia as French-speaking Canadians, for all kinds of reasons. It seems to me we would be putting, unnecessarily, one more nail in their language coffin. For all of recent history, and going back to the time when the Acadians came back, I guess in the early part of the nineteenth century—

Mr. Nowlan: In 1755.

Mr. Stollery: They didn't come back in 1755, that is when they went out. They did not get back until quite a long time after that. We could discuss at length what the province was called before the Acadians were expelled. I am sure that since they have been back they have always referred to it as Nova Scotia.

Mr. Nowlan: It was Acadie.

Mr. Stollery: They have always referred to it as Nouvelle-Écosse.

Mr. Nowlan: Acadie.

Mr. Stollery: I am saying since they came back; it was Acadia that they were expelled from. As the hon. member knows, the people who were actually expelled were the Acadians who lived in the French Shore, who had agreed that they were the treaty Acadians.

If I recollect my Francis Parkman, whom I have not read for many years, they were the treaty Acadians who then got into some trouble because of various New England versus Quebec arguments. Finally, they were expelled. At that time they probably called themselves Acadians but, in fact, they were treaty Acadians. The French had ceded the territory to the New Englanders.

I suspect that after they were expelled in 1755 and came back, up until 1930 they were still drifting back to New Brunswick and Nova Scotia. There is no question that ever since then they have had a very difficult time maintaining their culture and language. I know the hon. member supports the efforts to maintain the very ancient French culture of Nova Scotia, but I think changing the official name of Nova Scotia would also make it just a little more difficult for those people.

As I said, Mr. Speaker, I think the idea has some merit. I also think there will be some problems. There are many name places for which we use English words which in fact are not English—there are hundreds of them. I think to get into the business of legislating what a place is to be called and changing traditional practices would be counterproductive.

[*Translation*]

Mr. Marcel Prud'homme (Saint-Denis): Mr. Speaker, if I had not known the sponsor of this bill for many years and if I had not known his father before him for a great many years, I would be very suspicious of his intentions. The advantage of sitting in this House for a long time is perhaps that you get to know well each member on both sides of the House and you can tell the difference between those who understand the spirit which must prompt us Canadians, and I am not speaking about French Canadians or English Canadians, but about all of us Canadians in this House. Some have reached a higher degree of Canadianism than others, but I have every confidence that one day, we shall all have reached the high degree

of Canadianism required if we are to understand not only what the institution of Parliament, but also every province and the federal government represent for us.

I might be afraid for my hon. friend and colleague that the francophone minority in his province would become suspicious and consider this a second attempt to expell the Acadians, but I say this with a smile. Fortunately, we can be seen on television, because those who know me will realize that I have no intention of dividing the Canadian people according to whether they speak French or English. However, I would like the hon. member to reflect on what this would mean for the French Canadians. I know that he has made considerable efforts to learn French, and I congratulate him as he, or rather as his father congratulated me on learning English as I could hardly say a few words of English when I was elected to this House. I learned English with difficulty in the beginning, and this is why I would not want the hon. member to become discouraged because he is making considerable progress. However, I can imagine what it would mean for francophones who, as my colleague the hon. member for Spadina (Mr. Stollery) has noted, would talk of spending their holidays in a place called Nova Scotia while the traditional term has always been "Nouvelle-Écosse" in French. This designation has been traditionally accepted, and if there were a sudden change, people would wonder who brought about such a change and whether it is another regressive step. Let us imagine for a moment people telling us: I plan on spending my holidays—

[*English*]

I am going to go for the summer to Newfoundland. It is rightfully universally accepted by everyone in Canada—at least every Canadian of French-speaking tongue—so you know where I put the emphasis "Canadian of French-speaking tongue". It is not my fault if the translation is bad and in English we are called "French Canadian". In French we call ourselves "Canadiens français", but in English it is not my fault if they put the emphasis somewhere else. One thing I know is that we say to ourselves, "Nous allons à Terre-Neuve". We do not say, "Nous allons in Newfoundland". Maybe some day we will say that. I know my friends opposite may like that, but I did not think it acceptable for us. They will not say, "I am going this summer to British Columbia". They say, "la Colombie-Britannique", even though when I was young at school I was taught that there was a nice province called "Canadian Columbia", because the word was offensive to some. It is not offensive to me. Then do you say, "I am going to go to New Brunswick"?

[*Translation*]

Would I go spend my holidays "au Nouveau-Brunswick" or in New Brunswick? People say "le Nouveau-Brunswick". Do people say, Will you be spending your holidays "à la Prince Edward Island"? Of course not, people say. I will be spending my holidays "à l'Île-du-Prince-Édouard". Are you going to suggest at some other time that the name of Newfoundland be changed?

[*English*]

I can see my very good friend jumping in his seat, and rightfully so. If someone would say that "Newfoundland"in French means "Terre-Neuve" and in Latin it means "Terra Nova", so let us all go next summer to Terra Nova, then I think that would be unacceptable. That is not historical. What is historical is that we have customs. We have good customs. This one is universally accepted. Because I get along very well with some hon. members on the other side, I should not like to add to their difficulties by too solidly supporting the bill. I am ready to believe in the very good intentions of the hon. member who is the son of a very prominent friend of mine, a man who sat in this House. I always like to recall that because as a student I knew the hon. father of the hon. member for Annapolis Valley-Hants (Mr. Nowlan).

• (1640)

I should like to say that people who are suspicious of certain intentions of certain members and certain political parties—I should like to stay above partisan politics—will say that this is something about which to be suspicious. They may not say it in English but I can assure the hon. member they would say in French that they are taking something away from us. I hear so much in this country about people who think we want to impose something on them.

There are other people who may say we are used to saying "la nouvelle-écosse". Why, suddenly, is there this new interest to call it, en français and in English, Nova Scotia? I am trying to help my hon. friend from the other side and to help his political party too. There is so much misunderstanding and he knows about the true feelings of some of the Conservative Party on bilingualism in my own province. I am not joining in that; I am only saying to them that they should reflect upon what may happen or could happen or how people are going to interpret that—people who are used to the words "la nouvelle-écosse".

I will conclude by saying that I should like to see this bill have a chance to come to a vote. I do not want to participate too long and take up the time that would deprive my hon. friend of a vote. I shall help him, as I always help other hon. members. I have not abused the time of the House of Commons in the 17 years I have been here because I do not believe in that. At times I believe I can be helpful in certain situations. I repeat, I do understand the good intentions and the good faith of my friend from Nova Scotia who introduced the bill. I want to tell him, however, that people will not understand it that way, especially those who are used to the words "la nouvelle-écosse".

I hope I can convince my hon. friend, if we do come to a vote, to withdraw the bill from further consideration with the permission of the House. In that way we would not have to vote against his bill and show division on his good intentions. If that is the case, I am sure we will not have to vote and divide ourselves. If he pursues it, however, I suppose someone else will speak and then we will not have to take a decision. I think we should not have to accept the bill at this time.

Designation of Nova Scotia

Mr. Garnet M. Bloomfield (London-Middlesex): Madam Speaker, the hon. member for Annapolis Valley-Hants (Mr. Nowlan) proposes that the name currently used in the English language to designate the province of Nova Scotia be also the official usage in the French language.

There are, no doubt, practical reasons for such a proposal. The most obvious is the administrative simplicity of a single identifiable name which is immediately recognizable and never needs to be translated from one language to the other. There is also, unfortunately, an appearance that one of our official languages, French, is being slighted by removal of the French name for this province, a name that has been in official use ever since the King of France ceded Acadia, of which Nova Scotia formed part, to the British Crown.

We have come far, especially in recent years, toward making francophone Canadians feel at home in many parts of Canada. The Government of Canada, and numerous members of this House, have taken special pains in the very recent past to proclaim Canada's deeds in this respect, and to give assurances of further progress to the people of the province of Quebec when they were asked to make a fateful decision concerning their future and that of our country. Much is being done. It is generally agreed that among the ways in which francophone Canadians will be made to feel more at home is to increase the number of Canadians learning the French language and to improve the quality of tuition.

The federal government gives financial aid to the provinces and territories to provide education in the minority official language, that is to say, English in Quebec and French in other areas of Canada. This assistance is calculated according to instruction costs and student participation rates. For example, in assisting minority language education at the elementary and secondary levels, a percentage of the average annual provincial per student cost is paid to provinces with respect to each student who is studying in the minority language on a full-time basis. Similarly, assistance for second official language teaching is based on a percentage of the cost per student enrolled in such instruction and takes into account the amount of time spent studying the second official language. The government also pays a percentage of the provincial per student cost, based on the total number of minority official language school-aged children in the province, toward administrative costs of minority language education. A further contribution is made with respect to capital expenditures relating to minority language education at the post-secondary level. Similar assistance is provided to the two territories under a separate agreement. Total payment in this program during 1979-1978 was approximately $140 million.

In addition, some $30.4 million was allocated last year for a variety of programs approved by the Secretary of State (Mr. Fox) upon recommendation by the Council of Ministers of Education in Canada.

Under a special projects program, federal contributions designed to assist the provinces to develop and expand minority official language education and second official language instruction, in areas specified by the provinces as needing special attention, amounted to $13,721,080 for 249 projects. In order to qualify for funding, the projects had to represent an innovation or an addition to programs already in existence, or else respond to a pressing need which otherwise would remain unanswered. Examples of such projects are the implementation of new core French programs, teacher upgrading, community college courses, development of teaching materials, immersion programs, evening courses for adults, university courses, and educational television programming. Funding here is provided on a cost-sharing basis, with the federal government's share normally not exceeding 50 per cent of total project costs.

Other programs include the fellowship program, in which the Department of the Secretary of State spent some $2,500 on bursaries for each post-secondary student to pursue studies in their second official language, or to undertake studies in their own language if the students belong to an official language minority group in a province. In addition, almost $40,000 was spent on travel bursaries for students unable to pursue studies in their first official language in their province of residence or within commuting distance. Other bursaries totalling almost $2,270,000 were awarded to second or minority official language teachers to upgrade their language skills.

The federal government also provides funds for the establishment and support of minority language teacher-training institutes for the improvement of provincial language training centres. Last year $957,000 was contributed to aid provincial language training centres in five provinces.

In addition, the Council of Ministers of Education in Canada and the provinces, administer two programs for language learning on behalf of the Secretary of State. Last year, disbursements for the summer language bursary program, which enables students to take intensive summer courses in their second official language, totalled more than $5,840,000. Expenditures for the official language monitor program, which pays several hundred post-secondary students for helping language teachers while undertaking post-secondary studies in the milieu of their second official language, were approximately $3,870,000. The Yukon and the Northwest Territories received financial assistance of about $170,000 for activities such as fellowships, teacher bursaries, northern allowances for second language monitors and the hiring of French consultants.

● (1650)

It may seem that I have drifted somewhat from the subject, but I have a point to make. This incomplete description of government activity in the encouragement and maintenance of secondary language education tells something of the great effort the government is putting forth to give equality to the two official languages and to continue on the road of reassuring francophone Canadians that they are, indeed, accepted and needed by their anglophone compatriots.

The proposal before us, that the term Nova Scotia be used unchanged in French, is a negation of that policy. While in point of fact the words are Latin rather than English, as the hon. member said, they are perceived as English through long

usage. I suggest the small administrative economies and efficiencies that would result from this move are heavily outweighed by the discord such a move would almost undoubtedly make. Obviously, such a move would affect Canadians throughout the country, not just in Nova Scotia.

I am reminded of remarks once made by a specialist in public relations on the subject of building a company image. He emphasized attention to detail. He said:

A company can spend millions on building a good company image for itself, and this entire program can be destroyed by one impolite telephone receptionist.

I believe actions such as this, however well-meaning, would be to overlook the feelings and aspirations of any sector of the Canadian population and should be discouraged.

[*Translation*]

Mr. René Cousineau (Gatineau): Mr. Speaker, when I read this bill aimed at changing a name, that is doing away with the expression "Nouvelle-Écosse", the first question I asked myself—true, the hon. member has personal reasons to introduce this bill—but I asked myself what benefits would the residents of that province stand to gain in their everyday life. What economic benefits will flow from it?

If we agree to this change the first thing we will know in the House is that we will have to do the same thing for "Colombie-Britannique", "Terre-Neuve" and "Île-du-Prince-Édouard". The hon. member may very well have personal reasons which prompt him to want that, but I also have personal reasons to want to keep the name "Nouvelle-Écosse" because I must say quite frankly that the name "Nouvelle-Écosse" is part of history and, for all practical purposes, I would like that name to remain in our history books and not be changed through the adoption of this bill. Therefore, Mr. Speaker, I have to say now that I will vote against Bill C-217 introduced by my colleague opposite.

[*English*]

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, it is a very interesting motion we have before us in Bill C-217, an act respecting the official designation of Nova Scotia, introduced, I think, by the hon. member for Annapolis Valley-Hants (Mr. Nowlan). As I explained last night, I am still living in the previous distribution of names and seats and I am sorry if I have maligned members by sometimes not only calling them by their proper names, which is against the rules, but also calling them by their proper names incorrectly. I hope you can figure out that logic.

I know the hon. member for Annapolis Valley-Hants is sincere. He has been a member of this House for many years. He is a distinguished member whose father sat in this place as a minister of the Crown. I know he is one member whose motives cannot be challenged and whose sincerity for the people of Nova Scotia and the traditions of Nova Scotia cannot be called into doubt. I say that the intentions behind this bill are extremely noble. They are in keeping with our history, and when I say "our history", I speak to the hon. member as a fellow English Canadian.

There is a great history in Great Britain and in the English-speaking world of acknowledging the derivation of our English words from other languages. That might have been Norman French, Danish or Scandinavian. Many of our words have come from the northern countries but many of our words are based on Latin and that is from which Nova Scotia comes. As one who studied Latin at school, those two words "New Scotland"—in Latin Nova Scotia—have a very distinguished and distinctive ring to them. As a student of Latin, I am proud to live in a country which has kept our heritage and the heritage of our language, not only the English language but also the French language. The French language is also based on Latin. English is a very eclectic language. I was going to use another word which was unparliamentary, but I do not want to create another fuss at this time of the day. In any event, English is an eclectic language having embraced the traditions of the many people who have conquered Great Britain, including the Romans. I think the words Nova Scotia have a nice ring to them.

Before getting into the reasons I will not support this bill, I will return to the remarks made by the hon. member for Annapolis Valley-Hants when he introduced the bill. He talked about iron ore from Uganda. I think it was a slip of the tongue. He was talking about Ungava. There may well be iron ore in Uganda and many other things, but as everyone knows, Uganda is not in Canada and Ungava is. The hon. member also talked about "almond, almond, almond". I found this a bit strange at first because I did not know what he was getting at. I think what he was really saying was Allemagne which translated into English is Germany. He was not in any way talking about a brand of nuts one can have at Christmas time, or was he in any way maligning the hon. member for Notre-Dame-de-Grâce (Mr. Allmand) by calling him in an unparliamentary way by his proper name.

That aside, why do we want to replace the French words Nouvelle-Écosse with Nova Scotia? If so, do we then want to replace Colombie Britannique?

Mr. Munro (Esquimalt-Saanich): Yes.

Mr. Collenette: My friend from Esquimalt-Saanich (Mr. Munro) says yes. Because I was born in England, I have a great respect for the British tradition, unlike that shown by members of the Conservative Party opposite over the past three days. The hon. member for Esquimalt-Saanich who, quite frankly, is more English than the English is asserting the supremacy of the English culture in derogating or perhaps deriding the contribution the French culture has made to this country. He wants to change the words Colombie Britannique to British Columbia.

[*Translation*]

Mr. Donald W. Munro (Esquimalt-Saanich): Mr. Speaker, I would really like to know whether the hon. Parliamentary Secretary would like to see the name changed of a fairly large

city of Saskatchewan to read, in the French version of our atlas, as "la mâchoire de l'orignal"?

Mr. Deputy Speaker: That is not a point of order.

Mr. Collenette: Mr. Speaker, if I may continue my little speech, I would say that the names of the other provinces are also Indian names: Ontario, Saskatchewan, Manitoba, Quebec. However, we have names like British Columbia—

Mr. Deputy Speaker: Order. The hour provided for the consideration of private members' business has now expired.

It being five o'clock, the House stands adjourned until Monday at 2 p.m. pursuant to Standing Order 2(1).

At 5 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, March 30, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

EXTERNAL AFFAIRS

POLAND—WARNING AGAINST OUTSIDE INTERFERENCE—MOTION UNDER S.O. 43

Mr. Edward Broadbent (Oshawa): Madam Speaker, given the seriousness of the situation in Poland, this motion I am sure, will get the unanimous consent I believe it deserves.

Noting the continuation of difficulties in Poland, I move, seconded by the hon. member for New Westminster-Coquitlam (Miss Jewett):

That this House sends its warmest support to the people of Poland and strongly urges that all outside countries continue to refrain from any military interference in that country's internal affairs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

TRANSPORT

MAINTENANCE OF CROWSNEST PASS FREIGHT RATES—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, despite the fact that western farmers have expressed their support for the Crow rate as an essential component of an over-all transportation policy, the Liberal leader in Manitoba has called the Crow rate "a major handicap" to western agriculture. Therefore, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That this House abhors the statement by the Liberal leader which shows more sympathy for the views of the railways than those of western farmers and this House recognizes that such statements demonstrate why the Liberal Party is nearly extinct in the west; and further, that when Mr. Lauchlan, in the long tradition of defeated Liberal leaders, receives his Ottawa reward after the next Manitoba provincial election he not be appointed to any board or Crown corporation that deals with transportation policy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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VETERANS AFFAIRS

ASSURANCE OF QUICK PASSAGE OF LEGISLATION TO ASSIST WIDOWS—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Oshawa (Mr. Broadbent), I move:

That this House assures the Acting Minister of Veterans Affairs that it will give quick passage to legislation to eliminate or shorten the six and a half year phasing-in period with respect to the payment of pensions to widows of disabled veterans where the veteran's disability was below 48 per cent, and that this House therefore urges that such legislation be introduced without any further delay.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

HEALTH CARE

REQUEST FOR PROLONGATION OF SERVICES TO WASWANIPI, MISTASSINI AND GREAT WHALE RIVER CREE INDIAN BANDS—MOTION UNDER S.O. 43

Mr. Ian Watson (Châteauguay): Madam Speaker, I rise under the provisions of Standing Order 43, seeking the unanimous consent of the House to move a motion related to an urgent matter.

As a result of a conflict between the Cree Indians and the Quebec government over the health services budget, a new 32-bed hospital at Chisasibi (Fort George) is empty while tuberculosis and other serious diseases threaten three Cree communities which have so far been unable to reach agreement with the Quebec government on the terms and conditions of the transfer of health services of the two higher levels of government. Therefore I move, seconded by the hon. member for Laprairie (Mr. Deniger):

That the House strongly urge the Minister of National Health and Welfare to extend health services to the Cree bands of Waswanipi, Mistassini and Great

Whale River until the parties to the current conflict reach an agreement, so that those three communities will not be deprived of basic health services after March 31, 1981.

Madam Speaker: The House has heard the motion of the hon. member. Under the provisions of Standing Order 43, such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

[*English*]

WESTERN DEVELOPMENT FUND

IMPROVEMENT OF HIGHWAYS—MOTION UNDER S.O. 43

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In recognition of the strategic economic importance of the Yellowhead Highway to western Canada's economic development I move, seconded by the hon. member for Vancouver-Kingsway (Mr. Waddell):

That the terms of reference for the western Canadian development fund include improvement to those highways used to move goods to and from western Canadian ports.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

POLAND—WARNING AGAINST OUTSIDE INTERFERENCE—MOTION UNDER S.O. 43

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43.

Some hon. Members: No.

Mr. Collenette: This is a repetition—almost—of the motion of the hon. member for Oshawa (Mr. Broadbent) noting the continuation of difficulties in Poland.

I move, seconded by the hon. member for Parkdale-High Park (Mr. Flis):

That this House sends its warmest support to the people of Poland and strongly urges that all outside countries continue to refrain from any military interference in that country's internal affairs.

Some hon. Members: Order.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

EL SALVADOR—FIRST ANNIVERSARY OF MURDER OF ARCHBISHOP ROMERO—MOTION UNDER S.O. 43

Mr. Bob Ogle (Saskatoon East): Madam Speaker, last week the motion I am about to move was not passed because of one hon. member who, I found out later, was not thinking about what he was saying at the time.

Some hon. Members: Oh, oh!

Mr. Ogle: I am sorry I used those words. He did not hear what the motion was.

Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity, and I trust my motion will receive the unanimous consent of the House.

Last week was the first anniversary of the murder of Archbishop Oscar Romero of San Salvador. I move, seconded by the hon. member for Churchill (Mr. Murphy):

That this House join in an expression of solidarity with the people of El Salvador as they remember some of the last words of their beloved archbishop, "They can kill me, but the clamour for justice among the people they cannot silence."

Some hon. Members: Hear, hear!

Madam Speaker: I take it from the applause of the House that the House does want to express these sentiments.

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PETRO-CANADA

APPOINTMENTS TO BOARD OF DIRECTORS—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, in view of the fact that the Government of Canada announced last week some appointments to the board of Petro-Canada, amongst whom were Ione Christiansen and Jerry Grafstein, plus another appointee from the maritime provinces who has firm links with the Liberal Party, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That in future appointments to Petro-Canada, if the government really wishes to take Petro-Canada seriously, it appoint to the board of directors people with some experience in the oil business.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ENVIRONMENTAL AFFAIRS

ALICE ARM, B.C.—DUMPING OF TAILINGS BY AMAX—CALL FOR IMPACT ASSESSMENT—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the position taken by the Most Reverend E. W. Scott, Primate of the Anglican Church of Canada, calling for the withdrawal of the special order in council permitting Amax Corporation to dump its effluent into Alice Arm and to declare a moratorium on development of the resources until technology is developed to dispose safely of the tailings, and in view of the support given this intervention by the Canadian Conference of Catholic Bishops chaired by the Most Reverend Remi J. De Roo, and the refusal of the Prime Minister (Mr. Trudeau) to meet with the Primate regarding this issue, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House call unanimously for a comprehensive environmental impact assessment and a full public inquiry on the Amax project and go on record supporting the positions of the Anglican and Catholic churches of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ECONOMY

INDUSTRIAL DEVELOPMENT STRATEGY—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, in light of the continued decline of Canada's manufacturing sector caused primarily by high interest rates for mortgages, business inventories, business expansion and consumer purchasing, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That this House require that the Minister of Industry, Trade and Commerce produce for this Parliament his long overdue industrial strategy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

SUPREME COURT HEARING OF MANITOBA APPEAL—REQUEST FOR DELAY IN SENDING JOINT ADDRESS TO BRITISH PARLIAMENT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question would be to the Minister of Justice who I thought was going to be in the House today, but in his absence, and the absence of the Prime Minister, I will ask either the Acting Prime Minister or the Acting Minister of Justice.

The government will know that the Supreme Court of Canada will hear the Manitoba constitutional appeal on April 28, and that an expeditious hearing has been assured by the court. Will the government now give its assurance that it will delay sending its joint address to the parliament of another country before Canada's highest court has had a chance to rule on the constitutionality of that joint address?

Hon. Bob Kaplan (Acting Minister of Justice): Madam Speaker, I understand the Prime Minister will be here before the end of question period, and in view of that I take note of the question on his behalf.

Mr. Baker (Nepean-Carleton): Can you assure us of that?

Mr. Clark: Madam Speaker, if we can take that assurance, I will wait until the Prime Minister or the Minister of Justice arrives.

Mr. Kaplan: I am sorry; the information that I have is that the Minister of Justice will be here before the end of question period.

An hon. Member: Here he is.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, on behalf of the House may I welcome the Minister of Justice back to a chamber in which men and women are offered equal admission.

Some hon. Members: Hear, hear!

Mr. Clark: My question to the Minister of Justice, whose late arrival momentarily delayed some of the proceedings of the House—

Some hon. Members: Oh, oh!

Mr. Clark: —was to draw his attention to the fact which he will already know, that the Supreme Court of Canada will hear the Manitoba constitutional appeal on April 28, and that they have promised an expeditious handling of that appeal. I ask him whether the Government of Canada will now give its assurance that it will delay sending its joint address to the

parliament of another country until Canada's highest court has had a chance to rule on the constitutionality of that joint resolution?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, the position of the government is well known. This House will be called upon to vote on the resolution and, after it is passed, it will be transmitted to the Parliament in Westminster. We have no intention of delaying. We have said since the beginning that we have to legislate, and the courts have to adjudicate, and we should not mix the two.

POSSIBILITY OF REQUEST FROM SUPREME COURT

Right Hon. Joe Clark (Leader of the Opposition): Some of us would prefer a system that would allow the courts in Canada to adjudicate in Canada rather than rushing the question out of this country.

Some hon. Members: Hear, hear!

Mr. Clark: Let me ask the Minister of Justice a question on government policy. If the government were to receive a request from the Supreme Court of Canada that the joint resolution not be sent out of this country until they have the opportunity to rule on it, beginning April 28, would it be the policy of the Government of Canada to accept that request to keep that Canadian question in Canada, or would it be the policy of the Government of Canada to send that question out of our country before our courts decide?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I said earlier it is for this House of Commons to legislate and for the courts to adjudicate. I think the policy is well known, that we want to settle this matter in the House as quickly as possible, and in fact when it is settled the courts will have a definitive situation to deal with.

As to such a request, I do not think it would be appropriate for us to mix the political debate with the role of the courts. The courts decide on what this House has disposed of, and I do not think we should try to mix the political debate into the problem before the courts.

Some hon. Members: Hear, hear!

● (1420)

Mr. Clark: Madam Speaker, that is precisely the point. We do not want political considerations to deny the right of the Supreme Court of Canada to come to a legal decision, which is what the Government of Canada is trying to do.

Some hon. Members: Hear, hear!

POSSIBILITY OF INDIVIDUAL REQUESTS FROM SUPREME COURT JUSTICES

Right Hon. Joe Clark (Leader of the Opposition): Let me ask the Minister of Justice whether the Chief Justice of the Supreme Court of Canada, any justice, any other member or official of the Supreme Court of Canada has sought an assurance from the government that the Supreme Court of Canada would have the opportunity to consider the question of the joint resolution in Canada, before that matter was sent out of our country to another country? Has there been such a request that the courts should be given the opportunity to do their job before the case before them is shanghai'd off to another country?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Not that I know of, Madam Speaker. If the hon. member would like to be useful in the matter, I think he should permit the courts to have a final decision in front of them, and we should have the power and privilege of disposing of this matter in the House as quickly as possible so that the courts will know exactly with what they have to deal.

MINISTER'S TALKS WITH MEMBERS OF BRITISH CABINET

Hon. Jake Epp (Provencher): Madam Speaker, my question is directed to the Minister of Justice in his role as Attorney General of Canada. The answer he just finished seems quite inconsistent with the action of the government in the 1978 constitutional package, known as Bill C-60, which dealt only in federal jurisdiction, and which the federal government in fact referred to the supreme court for a ruling.

Some hon. Members: Hear, hear!

Mr. Epp: Possibly the minister could answer that. As well, when the minister was in London did he tell the British House leader, the Right Honourable Mr. Pym, or other ministers in the Thatcher government, that the Canadian government would insist that Westminster proceed with the Canadian constitutional resolution, before our Supreme Court had ruled on its constitutionality?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, in every circumstance the policy of the government has been the same and it remains unchanged. We decided we were going to dispose of the resolution here in the Parliament of Canada and then send it to London, and the British Prime Minister has repeated that several times at Westminster since last August. She has always said that the policy of the British parliament was to dispose of the Canadian resolution in accordance with the precedents and the tradition, that is to say very rapidly, and we have no intention of urging the British Parliament to change the policy which has been the only correct one since 1867, namely to accept a resolution of the House of Commons and the Senate of Canada.

[*English*]

Mr. Epp: Madam Speaker, my supplementary question is directed to the same minister. He did not answer either one of the questions I asked him, but he said that the British Parliament indicated that it would act according to precedents and that it would not change its policy. If that is the case, I should like to ask him about stated policy.

During his meetings with the British ministers, did any British minister repeat to the Minister of Justice, in any form of words, the substance of the warning of November 10 of the then House leader, St. John Stevas, when he said, expressing British government policy, the "British Parliament could not act if any challenge before the Supreme Court of Canada"?

[*Translation*]

Mr. Chrétien: Madam Speaker, the answer to the hon. member will be very well known, because I hope that the British government will table very soon its reply to the Kershaw report. Personally I am convinced it will act in accordance with the word of Mrs. Thatcher and rapidly dispose of the resolution in light of the precedents and the law.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

ALICE ARM, B.C.—DUMPING OF TAILINGS BY AMAX—REQUEST FOR REVOCATION OF ORDER IN COUNCIL

Mr. Jim Fulton (Skeena): Madam Speaker, my question is directed to the Minister of Fisheries and Oceans. He has risen in the House on a considerable number of occasions and indicated that his scientists have always supported the idea of the special order in council for the dumping of mine tailings at Alice Arm by Amax. On October 31, 1980, he said in the House:

> —the officials in the Pacific region did make a review as I requested. They have now made it clear that nothing has emerged from their re-examination to lead them to change the recommendations they had made and which were eventually put into the order in council which was passed.

However, a member of the task force which looked into the dumping at Alice Arm said the following:

> In the present situation, the records will show that the JDCC approved the task force recommendations. This, of course, is false.

In the same letter, the minister's own scientific team rejected the project in 1978, for the following reasons: "The heavy metals associated with the tailings—"

● (1425)

Madam Speaker: Order, please. The quotations the hon. member is reading are quite long for the question. Could the hon. member proceed to his question?

Mr. Fulton: In view of the fact, Madam Speaker, that the minister has stood in the House a number of times and said that his scientific team has always said that this project was fine and that there were no problems, will the minister rise in his place and tell us on what scientific data he bases that? In light of this information will the minister revoke the special order in council?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I did say some months ago, when the question arose, that I was asking my department to review this matter, which it did. They said that there was no new evidence to change the recommendation which had been made to approve, by order in council, the regulations which were put into effect.

At what I would call the first level of expertise, an interdepartmental committee did examine this question. There were conflicting views. The next level of authority in the department came to the conclusion that this was a desirable approach, on the opinion of an outstanding scientist dealing with the problems of marine dumping. Following normal departmental procedure, the recommendation was to the effect that permission should be granted. This is the recommendation upon which I acted.

As I said, there was a difference of opinion at the primary level of discussions between officials of different departments. I have asked that this be reviewed to ensure that the divergent opinions had been transmitted as the subject moved up through the various levels. I have not yet received information on this matter.

CALL FOR PUBLIC INQUIRY

Mr. Jim Fulton (Skeena): Madam Speaker, this matter has been raging in the House of Commons for a year now. Of the original task force four of the five scientists, the Canadian Wildlife Service, the oceanographic people, and the minister's own Department of Fisheries and Oceans are opposed to this project. In light of Mr. Trethewey's letter, which describes the joint committee report as being highly irregular and completely unacceptable, would the minister tell us why he will not place a moratorium on the project, revoke the special order in council and call for a public inquiry, since there are only two days left until the dumping begins?

Some hon. Members: Hear, hear!

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, a week ago, after a considerable delay, partly due to the worries and fears which the hon. member has been spreading—

An hon. Member: Sit down!

Mr. LeBlanc: Finally, a panel of reputable scientists got to work. They are examining the data which was provided when the decision was made, and when the recommendation of the first level of scientists was overruled by the next level. This is not an unusual procedure on a highly technical and complex scientific matter. The panel will indicate to us if the procedures were correct, if the scientific data was properly exam-

ined, or if changes in the monitoring and changes in the regulation should be put into effect.

Surely, at the moment, since the hon. member has been clamouring for an independent investigation of this issue, he would not want to prejudge or paralyse further the work of the panel of reputable scientists who are looking into this matter. The scientists on this panel are not governmental people.

POSSIBLE DANGER TO HUMAN LIFE

Mr. Jim Fulton (Skeena): Madam Speaker, this is the most serious issue facing us here in this House at this point in time.

Some hon. Members: Oh!

Mr. Fulton: According to the minister's own officials, human life is being endangered by this measure. They have said:

The heavy metals associated with the tailings discharge will result in the elevation of heavy metal levels in sediment, algae, invertebrates, and fish within Alice Arm, possibly to levels which exceed the recommended maximum for human consumption.

Is the minister telling us that we should allow dumping to commence and accept a sort of tinkering form of review over the next couple of months when human life is in danger? Let us see some guts. Let us see him call for a moratorium, in this House, today, before they start dumping.

Some hon. Members: Hear, hear!

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): It is obvious that the hon. member has decided that he will gain footage out of this issue.

Some hon. Members: Oh, oh!

Mr. LeBlanc: The fact of the matter is that for weeks now the hon. member has stood in this House and used words like "toxic", "poison", and a great many scare words to create headlines. I am sorry if I have to disappoint him. By the way, Madam Speaker, he quotes from reports which are not identified. At no place, in any of the documents that I have seen, was there any indication of danger to human life or human health.

● (1430)

An hon. Member: It's in your own report!

Mr. LeBlanc: If the hon. member has any evidence to this effect, besides selective quotes, I wish he would make it available to me.

INFORMATION GIVEN TO MINISTER

Hon. John A. Fraser (Vancouver South): As you know, in reply to my question a couple of weeks ago, the Minister of Fisheries and Oceans said that:

The reality is that I have looked in the records to see if there was unusual haste—I have no evidence of this at all.

He went on to say:

It was made very clear when the permit was issued and the order in council was passed, that on judgment of the scientists who had reviewed this situation they felt this type of tailings deposit was acceptable.

When the minister gave that answer in the House of Commons, had he seen or been informed of the communication from Mr. Trethewey to Mr. R. Hoos, dated December 11, 1978, which talked about the process and the task force report as being against the final recommendation, including the use of the words "unilaterally prepared", "without approval"—that is, of the task force, and—"did not reflect the majority of the task force"—

Madam Speaker: Order, please.

Mr. Fraser: My question, given all that, in view of the fact that in addition Mr. Trethewey's statement said that there were—

Some hon. Members: Question!

Mr. Fraser: —levels which would exceed the recommended maximum for humans—

Madam Speaker: Order, please. The hon. member knows that he should not use long quotations in a question, and I would ask him to proceed to a question now. Otherwise, I will have to recognize another member.

Mr. Fraser: Thank you, Madam Speaker. Did the minister know about this document when he gave the answers to me in the House a few weeks ago? If he did know about it, how can he continue to say that all the scientific evidence showed that it was acceptable to proceed?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I did not know the details of these conversations which had taken place in what I call the first level of interdepartmental discussion, any more than the hon. member knew, when he was minister of the environment and he wrote a letter of congratulations to the Amax company wishing them well in their new project. He did not know, and I did not know what had been the discussions at the working level of departmental officials, the interdepartmental committee. That information would then be passed on to the next level, and then finally to those who have to make clear recommendations in the region. I did not know what those details were. I have been apprised of those in the last few days, and I am looking into this right now.

Mr. Fraser: In reply to the minister, if I made a mistake, I admitted it. The minister has made a mistake, and does not admit it but compounds it by continuing without a public hearing.

Some hon. Members: Hear, hear!

REQUEST FOR PUBLIC HEARING

Hon. John A. Fraser (Vancouver South): In view of the fact that now, because of a leaked document, the minister knows something he has to take responsibility for, and which he should have known before, will he take steps immediately to change the terms of reference to the scientific committee and insist on a public hearing, and insist that guidelines will be laid down in such a way that both sides of this issue will be properly aired, and in the meantime, take steps in consultation with the company to ensure that dumping will not proceed on April 1?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): If having more information now than one had a week ago constitutes a mistake, then I made a mistake. I had incomplete information. I had the information and the recommendation that I was given.

As for the matter of public hearings, it is very clear. I understand the scientific panel intends to hold public hearings. They are perfectly entitled and invited to have a total public discussion of the issue. I hope that they do it on a scientific basis, and if we did make a mistake and if the permit should be cancelled, then I will approach my cabinet colleagues with this issue, and I will ask for a change in the order in council. But surely, while this matter is being discussed now—

An hon. Member: What about the dumping?

Mr. LeBlanc: —I do not think I could proceed, and I do not think the hon. member would have proceeded differently when he had this position.

* * *

NATIONAL SECURITY

TASCHEREAU ROYAL COMMISSION PAPERS—INVESTIGATION OF FURTHER SPY RINGS

Mr. Donald W. Munro (Esquimalt-Saanich): My question is directed to the Solicitor General, if I could have his attention. In light of the disclosures which are continually being made in Britain, and in light of the findings of the Taschereau-Kellock report, more than one spy ring was disclosed, and those people involved in one of the spy rings were brought to justice. I am wondering if the minister could tell us, from his knowledge of the papers, what has happened to the investigations into the second, third, fourth and fifth spy rings.

Hon. Bob Kaplan (Solicitor General): As I indicated, I have not read the Taschereau papers. They are now being examined under terms of reference which I described to the House a few days ago. Hopefully, if the investigation permits or recommends that they be made public, and if they are, the hon. member will have his own opportunity to comment on them.

ACCESS TO PAPERS

Mr. Donald W. Munro (Esquimalt-Saanich): I would like to inquire how it came about that these papers now are being made available for examination when access to them was denied to the Solicitor General in the previous government.

Hon. Bob Kaplan (Solicitor General): I do not agree that access was denied to the solicitor general in the previous government. I think earlier question periods established that the former government had exactly the same right of access to them as the present government. In fact, the present Leader of the Opposition, when he was Prime Minister, indicated in this House—on December 12, I believe it was—that he was planning to establish a task force, or a committee of some sort, which would review those papers to determine whether they should be made public. His answer at that time made it perfectly clear that he had the same authority to make that decision that this government does.

Mr. Baker (Nepean-Carleton): If we had access.

* * *

[*Translation*]

CONSUMER AFFAIRS

INCREASE IN GAS PRICES—INQUIRY WHETHER CONSUMERS WILL BE REIMBURSED

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is for the Minister of Consumer and Corporate Affairs.

The minister is certainly aware that the annual report of Imperial Oil shows a 70 per cent increase in profits, that is, of $682 million. A month ago, this same minister told this House that his department would investigate the recent increase of 6 cents on a gallon of gas. I therefore ask the minister if this investigation is finally completed and if he is willing to refund the Canadian consumers who have been ripped off?

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): No, Madam Speaker.

[*English*]

Mr. Waddell: I wonder if the minister is aware that because he did not do anything on this matter, for 30 days, Canadian consumers have lost, with a six-cent increase piggybacked—as the Minister of Energy, Mines and Resources admitted—onto the previous increases, $25 million. That is $1 million per day. I again ask, in light of those figures, and in light of the fact that the Minister of Energy, Mines and Resources has said that there was something wrong with this increase, is the minister prepared to tell this House now that he will roll back that price increase pending the report of his department?

[*Translation*]

Mr. Ouellet: No, Madam Speaker.

[*English*]

HEALTH AND WELFARE

INVESTIGATION OF BIRTH DEFECTS IN BAY OF QUINTE, ONT.

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, my question is directed to the Minister of National Health and Welfare. A week ago Friday the hon. member for Regina East asked a question in the House which could indicate that there is an unnatural amount of dioxine in the Bay of Quinte, and further that it was causing birth defects. I frankly both resent and regret this type of irresponsible scare tactic, and ask if the minister would clarify this situation.

Hon. Monique Bégin (Minister of National Health and Welfare): Data concerning the number of stillbirths in the Bay of Quinte area during a four-year period in the early 1970s—to which a member of the New Democratic Party referred last week—came from a student at the University of Ottawa who carried out this study as a class project. I just want to make that very clear to the House, because I am not saying the project is good or bad. I am just stating its limitations. I have asked my officials to review the project.

● (1440)

Mr. Ellis: I have discussed this with the medical officer of health for the area. He finds nothing irregular in the number of birth defects or stillbirths in the area. Would the minister assure us that she will give us facts and figures on that, either now or when the report is ready?

Miss Bégin: I can give that assurance. I find it important in view of the technique of spreading anxiety without good findings and data, to make these findings public as soon as I receive them.

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[*Translation*]

COMMISSION ON TEXTILES AND CLOTHING

INQUIRY CONCERNING GOVERNMENT POSITION ON COMMISSION REPORT

Mr. Irénée Pelletier (Sherbrooke): Madam Speaker, in the absence of the Minister of Industry, Trade and Commerce, I shall address my question to the minister responsible for small businesses.

As suggested in the report submitted nine months ago by the Canadian Textile and Clothing Commission requesting that the government make public its position concerning the recommendations of the commission before March 31, can the minister tell the House whether he intends to make this position public today or tomorrow and, if not, when he intends to do so?

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, as previously indicated by my colleague, the Minister of Industry, Trade and Commerce, the government will be able to make its position public in this regard in the very near future.

* * *

[*English*]

INCOME TAX

POLICY RESPECTING TRANSPORTATION PASSES

Hon. George Hees (Northumberland): Madam Speaker, my question is directed to the Minister of National Revenue. Is it the intention of the government in future to tax the free transportation enjoyed by those people employed by transportation companies and educational institutions?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, there was a report suggesting that we would tax passes for employees of air, rail and other modes of transportation. That is an error. The author of that particular article did not consult with the department but simply inferred from an interpretation bulletin that the passes were to be taxed. At the present time, although the situation is under review, these passes are not to be taxed. With regard to tuition, it is true that in future taxation years those people who receive tuition will have to pay taxes on that, but for the 1980 and 1981 taxation years, tuition will not be taxable.

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REGIONAL DEVELOPMENT

FUNDING FOR PROGRAMS IN NEW BRUNSWICK AND OTHER MARITIME PROVINCES

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question is directed to the minister who is responsible for New Brunswick, the Minister of Fisheries and Oceans. Can the minister tell the House what advice he has given to his colleagues in cabinet concerning the funding, for New Brunswick in particular and Atlantic Canada in general, for such programs as the general development agreement, primary highway strengthening programs, tourism, DREE, and other programs?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I am not sure that this is within my area of responsibility as Minister of Fisheries and Oceans. If the hon. member wants an answer, then the advice I give is that we should make sure that the federal government gets credit for federal money spent. Not only that, federal Members of Parliament are also elected to represent the people from my province and they should be consulted before agreements are signed in a definite way.

Mr. Corbett: Based on the minister's answer to the House, I assume that he supports the request from the Premier of New Brunswick that the Prime Minister instigate an investigation into the allegations by the hon. member for Restigouche that

there has been misspending of funds in New Brunswick. Can the minister tell the House, specifically, if he supports the future funding of those programs in New Brunswick and Atlantic Canada—yes or no?

Mr. LeBlanc: Madam Speaker, I really think that now I am in an area that is the responsibility of my colleague, the minister for DREE. I am certainly in favour of anything that helps the people of New Brunswick.

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EMPLOYMENT

EFFECT OF MICRO-ELECTRONIC DEVELOPMENTS ON DISPLACEMENT OF WOMEN IN WORK FORCE

Mr. David Orlikow (Winnipeg North): Madam Speaker, I should like to direct a question to the Minister of Labour. The Women's Bureau of his department just sponsored a conference on the effect on women in the workplace of the development of the micro-electronics industry. Given the fact that it has been estimated that one million to one and a half million women workers in offices will be displaced in the next ten years by micro-electronics, can the minister tell the House what plans his department, or the Department of Employment and Immigration has made to protect the right of women who wish or need to work, to be able to continue to work?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, I am grateful to the hon. member for a very timely question. The conference to which he refers, on the effect of microtechnology on employment, not just of women workers but of all workers in the future, is still under way at the Chateau Laurier. There are exceptionally able authorities from many parts of the world participating in an examination of exactly what will be the effect of the microchip revolution. Indeed, the authorities who are speaking are quoting sources that indicate everything from a vast reduction in jobs to, in some cases, an actual increase in the number of jobs.

The conference is sponsored by the Women's Bureau because of the fact that the type of jobs that are most likely to go out of existence as a consequence of the microelectronic revolution, are jobs in the banking industry and offices, that have traditionally been held by female employees. I think the results of the conference will enable my department and other departments, and other governments, to plan to meet this challenge in the future.

INTRODUCTION OF LEGISLATION TO PROTECT WORKERS

Mr. David Orlikow (Winnipeg North): Madam Speaker, in the 18 months since the Carrothers report was made, four times as many people have been laid off from jobs as in the 18 months before that. Yet the only comment from the government is an indication that it would implement the proposal of the Carrothers commission. Is the minister's department working on any real legislation which would protect workers who are laid off because plants are closing down as the result of microelectronic expansion?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, the hon. member will be aware of the announcements made by the Department of Labour of intended legislation as part of the industrial adjustment package that the government brought forth about a month ago. In addition to that we have undertaken such things as this conference, which has been in the preparation stage for a substantial period of time and, as I say, has brought together what are perhaps the best authorities in the world on this subject. It is hoped that this conference will show the way for the type of legislation about which the hon. member speaks.

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PENITENTIARIES

PROCEDURES GOVERNING SURVEILLANCE OF INMATES ON DAY OUTINGS

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, my question is directed to the Solicitor General of Canada. Would he please advise this House whether the government is considering revising the surveillance procedures on prisoners who are taken on special day outings, or doing away with that completely in the interest of public safety?

I raise this question in light of the recent escape in Toronto of a convicted murderer of two children who, with several other prisoners, was allowed to visit the Sportsman's Show at Exhibition Place. The prisoner has since given himself up.

Hon. Bob Kaplan (Solicitor General): Madam Speaker, in the case of that particular inmate I should like the House to be aware that he had been under psychiatric care during the period that he was incarcerated and had been pronounced to be sane. On that basis he was returned to the general inmate population at Warkworth. He had had a number of absences under escort from the institution which had gone very well indeed. On this particular occasion it was highly unpredictable that he would have escaped from escort at that time. As the facts indicate, he turned himself in a couple of days later.

We have no 100 per cent accurate way of predicting the behaviour of any human being, let alone of someone who has been incarcerated in an institution. I think the system we have is a secure and safe one in over 99.5 per cent of all cases. I cannot tell the House that any dramatic changes are possible which would make the system more secure than it is now.

REQUEST FOR RE-EXAMINATION OF PROCEDURES

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I have a supplementary question. As I understood the hon. member's question, it was whether the situation was going to be re-examined, notwithstanding the assurances of the Solicitor General. Would the Solicitor General undertake to the House that he will look into the question and re-examine the

procedures that are in effect, given the importance of this matter to public safety?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I am looking into it. In fact there is a study on conditional release which I will be making public sometime soon, which examines this and other forms of conditional release of inmates. I think conditional release is a justified form of program for inmates, when you consider that almost all of them are eventually returned to society. This type of program gives them an opportunity to be released under supervisors with some attention to their reintegration into society. That is what was happening in this case.

● (1450)

I cannot imagine a change which could be made in the future which would completely eliminate the risk that we take which, as I indicated, in the case of these temporary absences is a very small one. In the case of Kehoe, the only offence that was committed was the escape. As far as we are aware, no other offences were committed by the individual during the two days he was at large.

* * *

HEALTH AND SAFETY

SALE OF DRUG PARAPHERNALIA ON OPEN MARKET

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is for the Minister of Justice. There is some concern across the country with regard to the establishment or development of a number of so-called "head shops", stores which sell drug paraphernalia. Attorneys general of the provinces, of whom action has been requested, have indicated that this is a matter of federal concern. Does the minister plan any legislative initiative with respect to the curtailing of this kind of activity and the availability of drug paraphernalia on the open market?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I will look into the matter. I am not in a position to give the hon. member an answer today.

* * *

HEALTH CARE

PROVISION OF FEDERAL SERVICES TO JAMES BAY CREE INDIAN BANDS

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, my question is for the Minister of National Health and Welfare and concerns the impending withdrawal of federal health services from the James Bay Cree tomorrow, March 31, 1981. The minister has told this House that "as for the health of the Cree, wherever we have the slightest responsibility, we fulfil it completely. I monitor the situation once a week." If she is indeed doing so, weekly, why did her officials tell us at a meeting of the Standing Committee on Indian Affairs on Thursday, March 25, that there was only one case of tuberculosis in the village of Mistassini when in fact Dr. Elizabeth Robinson, a medical practitioner, reported finding seven active cases and 20 suspects fully two weeks before that date?

Is the minister receiving the correct information from her officials? Is she fully aware of the deplorable lack of sanitation facilities and services in the villages, facilities and services that were promised by the governments of Canada and Quebec upon signing the agreement?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, the hon. member has asked two questions regarding the transfer of health facilities to the Cree health board and the province of Quebec. The agreement includes seven parties. I discussed the possibility of obtaining a legal waiver from the Cree to make us free of any legal responsibilities, but that does not cover the right of the other six parties to the agreement.

I have asked the Minister of Justice to review the situation once more. The way the agreement stands, and because the province of Quebec has lifted the trusteeship of the Cree health board and is ready to receive the transfer, I must execute it. By the way, the Cree lost three injunctions against us in this matter. In other words, I do not have the choice the hon. member suggests.

As to the cases of tuberculosis, I am satisfied from information I have received from Dr. Lyall Black, the Assistant Deputy Minister in charge of medical services, that the hon. member's figures are wrong.

REQUEST FOR RECONSIDERATION OF GOVERNMENT ACTION

Mr. Lorne Greenaway (Cariboo-Chilcotin): Madam Speaker, I disagree with the last part of the minister's answer. We spoke to two medical doctors who were up there last week. They definitely found seven active cases at Mistassini and are treating 20. This was reported in the Montreal press on two occasions. I disagree wholeheartedly with the minister's figures. A way out of this could be Section 5 of the National Health and Welfare Act which reads:

> The duties, powers and functions of the minister extend to and include all matters relating to the promotion or preservation of the health, social security and social welfare of the people of Canada over which the Parliament of Canada has jurisdiction—

In light of this, will the minister reconsider withdrawing these important services from the Cree tomorrow?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I suppose the hon. member is referring to the general mandate of the Minister of National Health and Welfare. When we talk of the specific situation in northern Quebec which follows the James Bay agreement, we talk of an agreement signed by seven parties, I repeat, which forces me to transfer facilities according to a calendar worked out with the Cree some time ago and which includes the transer by March 31 of some facilities in some communities. I

must honour that transfer. I am satisfied that the province of Quebec has informed me officially as to the rules of the game—

An hon. Member: It's not a game.

Miss Bégin: —that it is ready to take over the facilities and provide the health services required for the Indians. I would like to inform the hon. member that the social services for Indian communities in Canada are under the responsibility of the Minister of Indian Affairs, not my department.

* * *

NATIONAL ENERGY PROGRAM

ANTICIPATED DROP IN WELL DRILLING ACTIVITY

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. In answer to a question last Wednesday, the minister stated to me that he has been aware for some months about the drop off in drilling activity in the oil and gas industry in 1981. I am sure he has seen the recent report which shows the drop off has continued for one further week. What level of drilling activity did the National Energy Program anticipate? Last year there were 9,000 wells and this year it is anticipated there will be 6,000. What level did the National Energy Program anticipate for 1981 and 1982 relative to those figures?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I can say to the hon. member that when we developed the National Energy Program we examined the projections of the drilling companies association which forecast that the drilling industry would operate at only 59 per cent of its capacity this year. We have no additional information on this subject.

[*English*]

Mr. Wilson: Madam Speaker, I am astounded that the minister is unable to answer a question as basic as that. Let me try to go about it another way. Since the future production of oil in this country is directly related to the drilling activity that is now taking place and will take place in subsequent years, will the minister advise whether the objective of self-sufficiency as set out in the National Energy Program, and the numbers put in that program to achieve that objective, are consistent with the level of drilling activity projected for this year of 6,000 wells?

Mr. Lalonde: Madam Speaker, they are certainly not inconsistent with that objective.

Oral Questions

AGRICULTURE

HERD MAINTENANCE PROGRAM—DELAY OF PAYMENT IN DISPUTED CASES

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, my question is for the minister responsible for PFRA. As we approach the end of March the herd maintenance review board is reported to be holding about 4,000 cases in which a dispute exists between the review board and PFRA officials as to whether a payment should be made. Since at some point ministerial intervention will be required, can the minister tell us what kinds of issues are being reviewed, whether he will be looking at changes to the snowfall data being used to determine precipitation, whether there will be changes to use actual rather than extrapolated rainfall data, or will superior farming techniques be allowed to go into the computation? If none of these, what will his criteria be?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): Madam Speaker, I am surprised that the hon. member is speaking of a dispute between the review board and PFRA. There can be no dispute because the only authority of the review board, PFRA or the minister responsible for PFRA, is to implement the criteria set by Treasury Board. There can be no discretion as to whether to issue a payment except in accordance with the regulation of Treasury Board. That is the first step. I hope that all cases will be processed before April 15. Then all cases worthy of further consideration will be sent to me. Cabinet and Treasury Board will then have to decide which of those which have been rejected should be paid. This is the second step which is beyond the authority of the review board, PFRA or the minister. It will be cabinet and Treasury Board which says that.

• (1500)

Mr. Althouse: I hope members of the Treasury Board will be aware that there was a meeting at Invermay over the weekend with about 240 affected producers present, of whom over 90 per cent had applied for payment and had been turned down. Of the 240, some seven had received cheques. Even though a number of them had crops of two to three bushels per acre they were not eligible; they had no hay and spent $20,000 for Ontario hay. Will the minister assure us that Treasury Board will be given this information and use it to redraw the requirements under the program so that in the end justice will prevail for these producers?

Mr. De Bané: Madam Speaker, I will certainly bring to the attention of my colleagues all those cases which are worthy of further consideration. Second, while I do admit the program does not help every person who has suffered from this drought, if we compare what the federal government has been doing for farmers with what the provincial governments, particularly the government of Saskatchewan, have been doing, I do not think there has been any relationship whatsoever between our efforts and the efforts of provincial governments.

Last week the federal cabinet adopted another measure concerning water supply in the west, and I think in the next few days we will announce other measures also.

* * *

NATIONAL SECURITY

DANGERS POSED BY BLACKMAILING ACTIVITIES OF SOVIET OFFICIALS

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, the Solicitor General last week outside the House confirmed that Sir Roger Hollis had been one of the interrogators of Gouzenko, that he had taken away Canadian security secrets at least twice from this country, and also that the British government had later warned the Canadian government of the suspicions, at least, respecting him. On February 24 of this year, as reported at page 7609 of *Hansard*, I asked the Solicitor General to report to the House:

—some of these situations which have been hidden in the past on the grounds that these circumstances would endanger the security of those self-same allies?

The Solicitor General replied that he would be glad to look into that matter to see whether there are any such matters which could be made public at this time. My question to the Solicitor General now is, has he been briefed by his officials and can he now report some of the circumstances of some of these matters to which reference has been made?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I have indeed been briefed on some matters touching our national security over the past few decades in respect of which countering and deterring action was recommended by the security service. Perhaps as was the case for my hon. friend when he held this office, I am not prepared to disclose any details of them which have not already been made public.

OPERATION "NAIL POLISH"

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, my supplementary question to the Solicitor General is simply this. Why can he not tell the story, for instance, of the two Canadian traitors and the other blackmailable activities which took place in the Canadian mission in Moscow which are code named in his own files under the code name of "Nail Polish"?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I am familiar with the operation which is known under the code name "Nail Polish", but I will not comment to indicate whether the Nail Polish operation was accurately or inaccurately described by my hon. friend. I have no comment to make on it.

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT—PROPRIETY OF PARLIAMENTARY CONSIDERATION OF RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I am rising to pursue a point of order I raised for the first time late in the day on Friday having to do with an exchange during the question period on that day in relation to a matter which has been before the House for some time. It has to do with the appropriateness of this House of Commons dealing with the government's constitutional resolution at a time when that matter is under consideration by the Supreme Court of Canada.

On Friday Madam Speaker made a ruling in relation to a similar question but on a very different point. Her ruling at that time had to do exclusively with a citation in an earlier argument I had made, Citation 338(4) of Beauchesne's fifth edition. Let me quote that citation for the record:

The reference of a bill to the Supreme Court of Canada withdraws that bill temporarily from the jurisdiction of Parliament. If the constitutional situation of human rights is submitted to the Supreme Court, it thereby becomes sub-judice and cannot be considered by a committee of the House until the Court has given its decision. The question cannot be before two public bodies at the same time.

In making her ruling on Friday, Madam Speaker indicated this particular citation referred specifically and narrowly to bills and not to motions.

I want to distinguish the situation I am raising now from the ruling that Your Honour made on Friday. I can do that initially by referring to an earlier subsection of Citation 338, namely, 338(3), which states:

The convention applies to motions, references in debates, questions and supplementary questions, but does not apply to bills.

The reason it does not apply to bills—and I will not dwell on this at any length—is that there never has been the intention to preclude Parliament from taking legislative action on a matter which happened to be before the Supreme Court. In other words, our ability to be the highest court of the land was not intended to be limited by the rules of the House. There have been precedents in relation to motions, references and debates, and other matters of that kind.

I want to make specific reference to another element of Citation 338(4), because it refers to a reference by the federal government. That is an important point and it is a point on which I wish to dwell for a moment in making the case I want to bring before Your Honour; that is, that we should not be properly dealing with a matter, the legality of which is under consideration by the Supreme Court of Canada. I will be arguing that later.

The federal government had the option—I will get into the citation evidence available to us as parliamentarians regarding proof of the option that exists for the federal government—knowing that there was question about the legality or constitutionality of what it was proposing, to make a direct reference of that question to the Supreme Court of Canada. The government had a precedent for doing that.

Not very long ago there was another bill before this House which attempted to change the nature of the Senate of Canada. Questions were raised as to whether it was proper for the Parliament of Canada, acting alone in relation to a federal institution like the Senate, an institution in which the provinces had a very real concern, to proceed with that bill.

The government at that time decided that the question of constitutionality was sufficiently important that it would exercise its right to refer that question directly to the Supreme Court. After that reference was followed through, the Supreme Court decided in fact that what this government had tried to do to the Senate was illegal; it did not possess the powers under our Constitution to proceed as it had intended.

During the time that matter was before the Supreme Court of Canada, debate on the question was suspended in this House. We did not consider in this chamber a matter, the constitutionality of which was before the Supreme Court of Canada. As I say, the Government of Canada, knowing that the constitutionality of what it was proposing was very much in question, had the option to do that in this case. It declined to do so. I believe you will treat this belief as you will.

• (1510)

I believe the reason the federal government declined to act in this case, as it did in an earlier case when there was an accusation of illegality about its actions, was that it believed what it was doing was not constitutional and it did not want the Supreme Court to stop the matter as the Supreme Court stopped the Senate matter.

The first point I want to ask the Chair to consider today is the question whether there is any significant difference caused by the fact that this question of the legality of Parliament's action is before the Supreme Court of Canada as a consequence of a reference made by a provincial government as distinct from a reference made by the national Government of Canada. I think that that is a very important point and one on which I want to elaborate. As the House knows, and as the Chair knows, only governments have a right of reference. A private citizen cannot make a reference as to the constitutionality of a question. As the Leader of Her Majesty's Official Opposition, I cannot make that kind of reference. Only governments can make that reference, and each provincial government in our system of two orders of government can make that reference only to the superior court in its jurisdiction. In other words, it is not possible for a province to make a direct reference to the Supreme Court of Canada. Provinces make direct references only to the highest courts in their jurisdiction. Only the Government of Canada can make a direct reference of the constitutionality of a question it is debating to the Supreme Court of Canada.

As I say, the matter I want to raise is whether the question of directness and indirectness is germane. What has happened here is that a number of provinces exercised their right under our law and practice to make a reference as to the constitutionality of this measure to the superior court in their jurisdiction. It happened to be the superior court in the province of Manitoba. They had nowhere else to go, nor did anyone else have anywhere else to go. The only people who could have brought the matter to the Supreme Court of Canada directly were representatives of the Government of Canada, and they declined to do that. They preferred to run through something that may not be legal rather than exercise their exclusive right to have the legality of what they were doing referred directly to the Supreme Court of Canada.

The point I want to make here is that the question on which the Supreme Court of Canada will begin consideration on April 28 and the question with which it is seized is the same question which would have been referred by the federal government had the federal government referred it. The question is the same. The court is the same. The only difference is the process of getting that question to that court.

To summarize again, the federal government can take one step to get this question of the legality of its actions to the Supreme Court of Canada. A province has to take two steps to get the same question to the same court. If the federal government had acted, Parliament would be precluded from talking about this question.

I want to dwell on that for a moment. If the federal government had made the reference which Manitoba has made, and if the question which is now before the court was before the court because the government in Ottawa moved it there rather than because governments of the provinces moved it there, then we would be denied the opportunity to debate that question in this House. We would be precluded from having the opportunity to debate that question in the House. All that is at stake here is not the nature of the question and not the nature of the court but the nature of the process by which the matter got there. It got there through the provinces by two steps: first, by going to the highest court in their jurisdiction, and then, on appeal, going to the Supreme Court of Canada.

The question which Your Honour will have to decide is: When the question is the same and when the court is the same, does the fact that it takes two steps to get a reference to that court rather than one step change the practice absolutely? I argue as strongly as I can that when we are dealing with a question of importance so fundamental to our system as the legality of the actions of Parliament or the integrity of our country on the constitutionality of things, this Parliament should not alow a very minor question of process to change the practices which exist in this House.

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PRESIDENT OF THE UNITED STATES

ASSASSINATION ATTEMPT—CONDITION OF PRESIDENT

Right Hon. Joe Clark (Leader of the Opposition): If I might impose upon the House, I have just been advised that, contrary to earlier reports, the attempted assassination of President Reagan this afternoon did result in President Reagan being wounded. He was hit in the left chest. I am sure

members of the House of Commons would want to join with me in expressing our most sincere condolences to President Reagan and to the American people and the hope that his recovery will be speedy and complete.

Some hon. Members: Hear, hear!

* * *

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT—PROPRIETY OF PARLIAMENTARY CONSIDERATION OF RESOLUTION

The House resumed consideration of the point of order of Mr. Clark.

Right Hon. Joe Clark (Leader of the Opposition): To get back to the matter before you, Madam Speaker, the first question I raise for Your Honour to decide is: When the issue is the same and the court is the same, does the fact that the process is different make so overwhelming a difference that what would be illegal for us to do if this government had acted becomes legal for us to do because it was another government which got the same question to the same court? That is very much a question of judgment.

I remind Your Honour of your words on Friday when you said, and I quote:

Sub judice is a convention which is "a voluntary restraint imposed by the House upon itself in the interests of justice and fair play", as stated in Citation 335 of Beauchesne's fifth edition.

I think that is absolutely correct. The Chair will have to decide whether justice and fair play have to do with the substance of the question rather than with how many steps it took to raise the question or how many steps it took to get a contentious question before the court which must ultimately decide it.

I want to go back, if I might, to the principle of sub judice in our parliamentary system, and I would like to cite briefly from the nineteenth edition of Erskine May, page 427. The general principle is stated as follows:

Matters awaiting the adjudication of a court of law should not be brought forward in debate, subject to the right of the House to legislate on any matter—

In other words, that does not preclude the right of this Parliament to act on matters which might be before the courts in the application of existing law. But, when there are questions which relate to the substance of that law, the principle stated by Erskine May is quite clear:

Following the first report of the Select Committee on Procedure, 1962-63, the House passed a Resolution—

That was on July 23, 1963.

_-which set out the rule in detail. This resolution bars references in debate—

As well as in motions and questions.

—to matters awaiting or under adjudication in all courts exercising a criminal jurisdiction and in courts martial from the moment the law is set in motion by a charge being made to the time when verdict and sentence have been announced, and again—

This is germane.

—when notice of appeal is given until the appeal is decided—

There is then some reference to courts martial, which is not relevant here.

The resolution of 23 July 1963 also applies to the civil courts, and in general it bars reference to matters awaiting or under adjudication in a civil court from the time that the case has been set down for trial or otherwise brought before the court, as for example by notice of motion for an injunction; such matters may be referred to before such date unless it appears to the Chair that there is a real and substantial danger of prejudice to the trial of the case; the ban again applies when notice of appeal is given until judgment is given.

So the appeal procedure, which is the matter we are dealing with here, is very much within the practice cited by Erskine May.

On 28 June 1972 the House came to a further resolution, that notwithstanding the resolution of 23 July 1963 and subject to the discretion of the Chair, reference may be made in questions, motions or debate to matters awaiting or under adjudication in all civil courts, in so far as such matters relate to a ministerial decision which cannot be challenged in court except on grounds of misdirection or bad faith, or concern issues of national importance such as the national economy, public order or the essentials of life; and that in exercising its discretion the Chair should not allow reference to such matters if it appears that there is a real and substantial danger of prejudice to the proceedings—

Prejudice to the proceedings of the court is a matter to which I want to turn some attention now. I find it difficult to think of a prejudice to the proceedings of the court that is more dramatic or substantial than exporting the question to another country before our courts can decide on it. In my opinion, there is a very real and substantial danger, to quote the authorities, if the question that the Supreme Court wants to decide is rushed out of our country before the court has had a chance to consider it.

● (1520)

We received today from the Minister of Justice (Mr. Chrétien) a very clear indication, if the government get their way in pushing this matter through the House of Commons and if you decide it is legal for this matter to remain before the House, it is their intention to get this question out of the country before the Supreme Court can begin consideration of it on April 28. That seems to me to be a real and substantial danger of prejudice of the most extreme kind. I cannot think of prejudicing a court's decision in a more dramatic way than to, in effect, kidnap the question and get it out of the country before that court can become seized of it.

We are told part of the reason for this is that there is a timetable problem in Westminster; they want to deal with it more quickly. Well, I think we as Canadians, as a sovereign Parliament, have the right to ask why the timetable of Westminster should prevail over that of a Canadian court.

Some hon. Members: Hear, hear!

Mr. Clark: Now, Madam Speaker, that is one question I would ask you to turn your attention to—whether or not the process of getting the question before the courts makes a significant difference. Then, if you find the process does not matter, I ask you to find whether or not there is the kind of

real and substantial danger of prejudice to the court that is referred to in all the authorities.

The second matter to be dealt with is whether Parliament can proceed with a measure when the Supreme Court of Canada is considering precisely the question of the legality of Parliament's enacting that measure. That has nothing to do with how the question got there; it has to do with the fact the question is there and it speaks directly to the legality of what the House of Commons and Senate of Canada are being asked to do. Let me draw everyone's attention to the questions that were put before the Manitoba court. I apologize for taking the time to do this, but I think it is important we know precisely what is at issue here before the issue is forced out of the country. The first question to the Manitoba Court of Appeal was:

If the amendments to the Constitution of Canada sought in the "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada", or any of them, were enacted, would federal-provincial relationships or the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces, their legislatures or governments be affected, and, if so, in what respect or respects?

The second question is:

Is it a constitutional convention that the House of Commons and Senate of Canada will not request Her Majesty the Queen to lay before the Parliament of the United Kingdom of Great Britain and Northern Ireland a measure to amend the Constitution of Canada affecting federal-provincial relationships or the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces, their legislatures or governments without first obtaining the agreement of the provinces?

The third question is:

Is the agreement of the provinces of Canada constitutionally required for amendment to the Constitution of Canada where such amendment affects federal-provincial relationships or alters the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces, their legislatures or governments?

You will see, Madam Speaker, that each one of those questions has to do directly with whether or not we have the legal power as a Parliament to do alone what this government is asking this Parliament to do alone.

There are other questions raised by Mr. Justice O'Sullivan. For example, he made the point that when the Parliament of Canada is controlled by a party majority in both Houses, what is happening, in effect, is that it is not a parliamentary decision but a party decision that is being taken in this case. That was *obiter dicta* in the Manitoba court but it is a matter that Your Honour may well want to consider. What is precisely at issue before the Supreme Court is the right of Parliament to act alone on this question. That is precisely the legal question.

Now, I think there are real questions as to whether what we are being asked to do is legal. The court will begin to consider the legality of the government's proposed action on April 28. The government wants to act before the court decides whether our action is legal. That certainly offends my sense of justice as an individual Member of Parliament and as a Canadian, but it also fundamentally offends our rights and practices as a Parliament and people, and does so on one of the most fundamental questions that Parliament can ever by seized of.

Some hon. Members: Hear, hear!

Point of Order—Mr. Clark

Mr. Clark: The difficulty for you and this House, Madam Speaker, and the reason I raise the matter, is that we are on new ground here. To my knowledge, this matter has not been raised in Parliament before. If the question has arisen in practice, it has not been raised in this House before. We have never been involved in a direct conflict between a timetable of the Canadian government and that of the Supreme Court, yet that is what we are involved in here. The Supreme Court has set a timetable that begins on April 28, and the government is following a timetable that will end before that date. They are trying to get the question out of the country before the courts can begin consideration of it. To my knowledge, that has not happened before so you will have to consider the newness of this question in coming to your decision.

When Parliament has ruled on questions that are sub judice, the practice has always been to avoid prejudice to the courts; to protect the right of Parliament to bring in bills and legislate, but always to avoid prejudice to the courts. And as Madam Speaker argued in Friday's citation, the criterion has always been justice and fair play.

What must be decided now, in circumstances in which there is no specific parliamentary precedent, is whether it is just, fair, and without prejudice to the courts to allow a party majority to enforce enactment of a matter before the courts have a chance to decide whether that action is legal. That is the question before us and it is one of very real importance to us all.

In coming to your decision, Madam Speaker, you will want to consider a number of matters, including the stated intention of the government in the so-called Kirby document. I want to quote from that document because, among other things, it made reference to possible legal challenges to the unilateral implementation process. Under the heading "The Legal Position" it says:

As soon as the contents of a unilateral patriation package become known, upon introduction in Parliament, it can be assumed that opposition both inside and outside Parliament will focus more on the validity of the procedure than on the contents of the package and most likely will demand that a reference be taken to the Supreme Court before the resolution proceeds further in Parliament.

In other words, the government expected that would happen back in August and September of last year. It goes on:

It will be necessary to have a position on this matter at that time.

As to the question of validity, it is the view of the Department of Justice—

This is not just somebody in the Privy Council writing a memorandum; this is reporting the view of the Department of Justice.

—that a law passed by the U.K. parliament to patriate the Constitution, with an amendment formula and other changes, could not be successfully attacked in the courts.

What that is saying, Madam Speaker, is that if we get this question out of Canada to Britain, then it could well be beyond the courts of Canada forever. That is the view of the Department of Justice upon which presumably this government is acting. That is why the government want to get away from our

courts now, because they know that if they do the question will never again come to our courts.

Some hon. Members: Shame, shame.

Mr. Clark: The briefing goes on to say:

It seems abundantly clear that the legal power remains for the U.K. parliament to enact such a law for Canada—

That is the view of the Government of Canada:

And it also seems clear that they will do so whenever so requested by the Parliament and Government of Canada.

I will not get into the argument on that particular paragraph. I want, though, to continue the quotation:

The more troublesome question is that of the requirements of the conventions that is the practices of the Canadian Constitution with respect to constitutional amendment. While the convention is that the U.K. parliament will act when requested to do so by the Canadian Parliament, there is a potential problem with the Canadian convention concerning the role of the provinces prior to such a request being made.

● (1530)

This is one of the matters which has been raised by the provinces in the courts; it was foreseen in August and September by the government. The government document goes on to indicate:

An argument is already being advanced by Ontario that patriation with an amending formula would involve a change of a fundamental nature affecting the provinces and that on the basis of past practices there is now a clear convention in Canada that such action requires consultation with, and the consent of, all provinces.

According to the government's document, this was the position of Ontario which was put forward during the summer. Presumably this is still the position of Ontario. Certainly it is the position of eight other provinces involved in court actions. The document goes on to indicate:

This is based on the premise that the "unilateral" adoption of an amending formula would affect existing rights of the provinces, at least their "right" of veto over amendments. (Unilateral patriation combined only with an amending formula requiring unanimity would, on this basis, not be assailable.)

But that is not what we are dealing with; we are dealing with something that by the extension of logic would be assailable. It continues:

Further, it is argued that this convention would be enforced as a rule of law by the courts.

They anticipated that at the time they decided whether they would exercise their exclusive right to make a direct reference to the Supreme Court of Canada. I suspect, on the basis of this document, that one of the reasons they decided not to act in this case, as they acted on the Senate case, was that they were afraid the Supreme Court would find that what they were proposing was illegal now, just as it found what they were proposing was illegal in the case of the Senate.

I think it would be highly unsatisfactory for a country like ours to allow a legal device, such as the refusal of the government to exercise its exclusive right of reference, to permit the passage of a matter which would be unconstitutional. The document goes on to indicate:

It may therefore be fairly safely assumed that if the question somehow came before a Canadian court, it would uphold the legal validity of the U.K. legislation affecting patriation.

In other words, if they can get a British law back here, we cannot touch it. It continues:

The court might very well, however, make a pronouncement, not necessarily for the decision, that the patriation process was in violation of established conventions and therefore in one sense was "unconstitutional" even though legally valid.

That was the advice the government received from its own advisers back in August and September of last year. The document continues:

Obviously, the foregoing suggests that while unilateral action can legally be accomplished, it involves the risk of prolonged dispute through the courts and the possibility of adverse judicial comment that could undermine the political legitimacy, though not the legal validity, of the patriation package.

In other words, they are arguing and clinging to the narrowest kinds of interpretation of law. They are admitting, in light of the advice of their own advisers, that even if what they are doing were legal—and we on this side have yet to be convinced of that—it is illegitimate.

The document goes on to offer advice which unhappily was not taken:

This points up the desirability of achieving agreement with the provinces on a patriation package.

Obviously the government did not follow that course. Instead of waiting today for premiers who are looking for agreement on an amending formula, the government is continuing to ignore the advice received from its own advisers back in August and September and is trying to bull this question through.

The point is that this advice offered by its own advisers back in August and September was not accepted by the government. Instead, they acted unilaterally; they refused to make the reference to the Supreme Court which only they could make to ensure that what we were doing was legal, to ensure that what we were doing respected and did not abuse the constitutional law and practice of this country. They have sought to avoid the courts. After the Prime Minister (Mr. Trudeau) has been waiting, as he is fond of saying, for 54 years, why else would he want to rush this through before April 28? If we have waited 54 years, surely we could wait for the Supreme Court of Canada to act within 29 days.

Some hon. Members: Hear, hear!

Mr. Clark: Now they are trying to export the question before the courts can decide on it.

There is a section of this document which is germane to Your Honour's ruling because it speaks to the state of mind of the government, particularly as it addressed the question as to whether it would make a reference. I remind Madam Speaker and the House that if the government had made a reference, there would be no question about our ability to discuss the question: we could not discuss it. It would not be discussible before the House of Commons if the government itself had made a reference. I respectfully suggest that Your Honour

must give some consideration to what caused the government to avoid doing in this case what it did in the Senate case, why it did not exercise its right to make a reference in this case.

I suggest that the answer is contained in the subsection entitled "Legal Strategy" on page 52 of the leaked Privy Council memo, which reads as follows:

(6) There would be a strong strategic advantage in having the joint resolution passed and the U.K. legislation enacted before a Canadian court had occasion to pronounce on the validity of the measure and the procedure employed to achieve it.

Some hon. Members: Shame, shame.

Mr. Clark: The advice to the government then continued:

This would suggest the desirability of swift passage of the resolution and the U.K. legislation.

This has clearly been the purpose throughout, to try to bull this through the Parliament of Canada.

Most of us have focused on what it has done to our institution, the institution in which we work. We know the damage it has done to Parliament; I will not repeat those arguments. But the point is that there was also an attempt made to get around the Supreme Court of Canada. It was not simply an attempt to get around the Parliament of Canada but to get around a second major and central Canadian institution. I suggest that was done with absolute deliberateness. The fact that it was done deliberately is a matter which will have to weigh upon Madam Speaker's decision as you consider whether or not the interests of justice, of fair play and of the importance of prejudice to the courts have been respected in this case. That is the Kirby document.

Another matter Your Honour will want to consider—and we are dealing with new ground here—is the questions upon which some authorities have written but on which no legal or parliamentary authorities have yet decided. I am sure Madam Speaker will want to consider such commentary upon questions of sub judice as has occurred in learned writings, such as the book entitled "Judicial Review of Legislation in Canada", the author of which is Mr. Barry Strayer, who is presently the deputy minister of justice of the Government of Canada. I should like to quote from two sections of Mr. Strayer's book. The first appears on page 188 after a review of the practices concerning the relation between courts and Parliament. He said:

From this brief historical review of the reference system two facts emerge which place it in an interesting perspective. First, it may be seen that at both the federal and the provincial level this device was looked upon as an integral part of the functioning of the Constitution.

It was not something incidental; it was at the very base of the functioning of the Constitution. He continued:

After several years of experience with the reference power under the Supreme Court Act, unsatisfactory as it had been, both government and opposition in the House of Commons were agreed that it should be retained.

In other words, when the question had arisen before in this institution, both government and opposition decided that the principle, which the government decided not to exercise for its own partisan reasons, was sufficiently important to the system that it should remain a part of the system. He continued:

The debates in 1890 and 1891 primarily reveal a concern that the system should be made to operate properly.

I want to emphasize the following sentence:

There was a general assumption that this is an important device for ensuring that neither Parliament nor the legislatures exceed their constitutional powers. Similarly, the resolutions at the 1887 interprovincial conference show that the provinces placed great emphasis on this device, their concern being that they should be equally entitled to resort to it.

I raise the question, that if they are to be equally entitled to resort to it, they should be equally entitled to all the consequences of a resort to the reference. One of the consequences of a resort to the reference, when it is exercised by the federal government, is that this Parliament cannot debate the question. What I am arguing is that it has always been the understanding in relation to references to the Supreme Court of Canada that wherever the reference arose, so long as it arose legally from a province or the federal government, the consequences should be the same. If a federal reference would have stopped Parliament from debating the matter, then a provincial reference should stop Parliament from debating the matter.

● (1540)

Some hon. Members: Hear, hear!

Mr. Clark: This device, then, has always been seen as a protection of the Constitution. It has always been seen as being a guarantee against excesses by one level of government or the other. There are many cases which come to mind. I can think of some cases in my own province where, in the past, actions were taken by the provincial government of the day which seemed to be excessive. We can all think of cases where those excesses have been taken. We all know the need to have some protection in a federal system against those kinds of excesses being taken. The reference device is there precisely to provide that kind of protection, as Mr. Strayer said in his authoritative and respected work.

I want to quote one last reference from Mr. Strayer's book because it specifically deals with one kind of excess. On page 193 he says:

Finally, references provide a flexible means for each level of government to police the constitutional excesses of the other level of government.

I emphasize, Madam Speaker, "to police the constitutional excess."

We have been arguing, and it is a matter of argument in this House, whether or not there is a constitutional excess being practised now. The point is that the question whether there is a constitutional excess has moved beyond this institution into the Supreme Court of Canada. As Mr. Strayer points out in his authoritative work, the reason for the reference provision is precisely to provide either level of government—the provinces in this case and the national government in other cases—a means of protection against that kind of excess. That, I suggest, Madam Speaker, is something you will want to consider very carefully in coming to your decision.

Point of Order—Mr. Clark

On Friday Your Honour ruled on a very limited question with respect to the forms that were used, that is to say, bills as against motions, and that kind of thing. The question I am raising today does not have to do with forms; instead, it has to do with the nature of the government's initiative and whether it is inappropriate for Parliament to pursue the discussion of that initiative while the question is being considered by the Supreme Court of Canada. The government wants to proceed on a process which the court has not decided is legal. That question is very much before the courts. There was a very preliminary decision in the Manitoba Court of Appeal where the question was decided very narrowly—three to two. There is no clear legal opinion on that question. If there were, the Supreme Court would not be seized of it. The Supreme Court is seized with it and we will not have a clear legal opinion until after April 28. We want to ensure that the resolution will still be in Canada for the courts to be judging on a Canadian question rather than passing opinions on a matter that has been exported to another country.

By proceeding with the resolution, by refusing to exercise its right with respect to a reference and by threatening closure again, as it has imposed closure before, the government wants to get the question out of the country before the courts can decide. I make the point again that action may well put this fundamental Canadian question beyond the Canadian courts forever. It may well never come back here, which could create for us, in our country, some very real legal problems.

I do not intend to quote at length from the proceedings before a committee of this House, but Professor La Forest in his presentation to the joint committee established by this House to look into this matter asked a question which you, Madam Speaker, and the rest of us must consider. He asked:

—what would be the situation if Canadian courts decided that the act was not valid because it has not been properly presented to the British Parliament? The act would be valid in the United Kingdom—

But there would be some question as to its legality here. The government believes it could not be challenged, but according to Mr. La Forest:

We would be left in a judicially created limbo from which it would be hard if not impossible to extricate ourselves by legal means.

There is a way around this. The way around that legal limbo is just to wait awhile to let the Supreme Court decide whether or not what the government is asking us to do is legal.

Some hon. Members: Hear, hear!

Mr. Clark: There were other quite important observations made in the testimony before the joint committee. One question was put to Mr. Justice Clyne, the former chief justice of the Supreme Court of British Columbia, which had to do with whether or not it would be appropriate for Parliament to be considering the matter while the courts were considering it. His answer was categoric. He said:

I think my own opinion is clear, that if the matter is before the courts then action should be suspended until the courts rule.

That was the answer of Mr. Justice Clyne, the former Chief Justice of the Supreme Court of British Columbia and a jurist respected for his reputation as much as for the positions which he has occupied.

Professor Cohen, who is a very distinguished Canadian jurist, was brought before the committee as a government witness and as an expert. In answer to a question posed by my colleague, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty), he said:

In answer to your question I must say that politically I think it unwise of Parliament to proceed helter skelter with a piece of legislation when before the Supreme Court of Canada the same problem is now in issue.

I think it does something to the respect for the court—

I remind you, Madam Speaker, how important that is to the sub judice rule. He went on to say:

—something for the respect of the legal system. I am not willing to go that far for the provincial courts because, certainly on a reference case, because I think the reference can be abused as a technique for halting the work of Parliament.

He said "abused as a technique." We are now beyond that.

Some hon. Members: Hear, hear!

Mr. Ouellet: Beyond that!

Mr. Epp: Listen to what he has to say.

Mr. Clark: I will not comment on the hon. member's former associations with the courts.

Mr. Ouellet: Go ahead!

Mr. Clark: The fact is that we are not dealing here with a matter that has now been confined to a reference to a province. We are now dealing with a matter which has moved beyond a reference raised by a province. That was the only way it could be raised, since this government refused to raise it in the Supreme Court of our land. It has moved on to become a question of which the Supreme Court of Canada is seized.

Professor Cohen went on to say:

Having said that, Mr. Beatty, I am reluctant to really go much deeper into this because it is almost a case by case situation, but the general principle I think that ought to be a guideline for all of us is this. Do we do anything which brings the work of the supreme tribunal into any disrepute or give it the attribute of appearing to be second rate in its importance, and that we should not do.

So said Professor Cohen and so I say to you, Madam Speaker.

Some hon. Members: Hear, hear!

Mr. Clark: You will recall from the long debates in this House that one of the questions of contention relative to the joint committee was that many of us believed that there should have been more experts allowed to testify on these very questions of constitutionality. We sought to do that, as did others. The government insisted upon very stringently limiting the number of constitutional experts who could come before that committee. Thus, the kind of questions you are being asked to consider today, Madam Speaker, are those kinds of questions which were not explored *en profondeur* before the committee. This was as a result of the government deciding to limit the number of expert witnesses whose views on these

matters would be persuasive to yourself, Your Honour, to any parliamentarians, or to any Canadians.

Those who did appear were quite consistent in what they said. They warned of the dangers to our system of allowing the government to proceed in the way it is now trying to proceed—to get the question out of the country before its constitutionality has been decided by the Supreme Court in this country.

The sub judice rule has been raised in this House in a variety of forms before. Some cases are clear and Your Honour ruled on one of them on Friday. But some cases are not so clear. This is one of them, in my judgment. It is brand new. There is obviously no obstacle to Parliament acting to change a law which it chooses to change if that law is within the jurisdiction of this Parliament. That is beyond dispute. But precisely what is in dispute today? What is at issue before the Supreme Court of Canada is whether the matter we are being asked to enact is sufficiently within our jurisdiction to allow us to pass it in a way that the Canadian courts would not strike down if they were given the chance to strike it down.

● (1550)

I repeat, this government has very recently tried to act beyond its jurisdiction on the Senate case. When the Supreme Court became seized of that case, it decided that the government was acting illegally, that it was trying to do something that it should not be allowed to do, and so the Supreme Court stopped it. The government is now stopping the courts from stopping the government because it will not let the question go to the courts.

Some hon. Members: Hear, hear!

Mr. Clark: The principle of the sub judice rule has been to protect the courts; the principle of the sub judice rule has been to uphold the law, including—although this is a new aspect of it—the constitutional law; when one level of government tries to act in a way that is beyond its jurisdiction, it then finds a device by which it can sneak the question out of the country before its constitutionality has been decided.

What is in question here is whether the resolution before the House is within the legal competence of Parliament to pass. That is exactly the question which is now before the Supreme Court of Canada.

Through our long practice in this place and in Parliament, we have established that when there is a conflict between what the courts can do and what Parliament can do, we have acted, in the past, to protect the courts and to protect the law. Authorities on this brand new question—which it falls to Your Honour to decide—have expressed deep concern about the effect on the courts. These are not passing authorities. They are not men on the Clapham omnibus. I believe I have correctly cited that. These are former chief justices of the Supreme Court of British Columbia. These are distinguished legal authorities. These are people who have made a life work of their study of and respect for the courts of the land. They are concerned that there could be damage done to the respect for the legal tradition, respect for the courts of the land, respect for the authority of the Supreme Court of Canada, if this Parliament acts on a matter, the legality of which that court wants to decide before Parliament can consider the question.

My argument to you, Madam Speaker, is that just as the Senate provision should not have been discussed by this Parliament while it was before the Supreme Court of Canada, so should this resolution not be discussed or considered by this Parliament while the Supreme Court of Canada is seized of this resolution. I want to protect the Canadian way of doing things.

Some hon. Members: Hear, hear!

Mr. Clark: We have argued here before about federalism and the damage this measure does to the Canadian partnership. We have argued, too, about the damage that closure does to the Canadian way of parliamentary debate. What we are arguing now is that there is another institution being menaced by the proposal this government is bringing forward, and that is the Supreme Court of Canada. I respectfully submit that it is important for you, Madam Speaker, to decide a complex question—a question which you would probably not to have to face but, nonetheless, a complex question—as to whether this Parliament is being asked to act in a way that damages the Supreme Court of Canada and abandons the Canadian way.

In my submission, that is what we are being asked to do and that is wrong. I hope you find, Madam Speaker, that the proposal put before the House of Commons by the Government of Canada—that we should ignore and consequently endanger respect for the Supreme Court of Canada—should be put down, and that this debate should be stopped until the Supreme Court has had the right to decide. We have all sorts of other matters to discuss. We would like to talk about inflation. We would like to talk about energy policy. We would like to talk about housing.

Some hon. Members: Hear, hear!

Mr. Clark: There is not a lack of will in this House to deal with the real issues which are facing Canadians, but the government controls the agenda of the House. The government has been pushing forward a bill which we have argued, in the past, was not high on the priorities of individual Canadians who face high rates of inflation and unemployment in the country today. We have argued that in the past, but our argument now is that there is another dimension to what the government is doing. That other dimension is that if it persists in its action, then it will damage, perhaps very deeply, another institution of this country, the Supreme Court of Canada. We do not want that court avoided. We do not want that court damaged.

I make my case and appeal to Your Honour to make a decision which will respect the practices of Parliament, respect the Canadian way and protect the right of the Supreme Court of Canada to discuss a question which should be before it, rather than allow this government to rush that question out of

our country before our highest court can decide on its constitutionality.

Some hon. Members: Hear, hear!

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, the Right Hon. Leader of the Opposition (Mr. Clark) both on Friday and again this afternoon, has spoken on a point of order. I propose to offer a few comments on the point of order. In other words, I do not choose to comment on the merits of asking Parliament to wait until the Supreme Court has made a decision. I do not choose to comment on the greater importance of other legislation. Rather, I propose to direct my remarks specifically to the point of order raised by the Right Hon. Leader of the Opposition.

I thought he stated that point of order succinctly and clearly in a sentence uttered not many minutes before he concluded his remarks. Referring to the constitutional proposal which is before this House, he asked this question: Is it within the legal competence of Parliament to pass it? I believe I am doing full justice to the Right Hon. Leader of the Opposition when I say that that is the point.

During the course of his remarks he referred to constitutional items as well, but certainly I think it is fair to sum up the case which has been made to Your Honour by saying that he wants you to rule the proposed resolution out of order on legal and constitutional grounds. Madam Speaker, I am sure you have been pouring over the literature in the last few days. You must be completely aware of citations which tell you that that is precisely what Your Honour must not do. For example, I refer to Beauchesne's fifth edition, pages 38 and 39, Citation 117, paragraph 6:

> The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

In other words, there is no question about the right of the Right Hon. Leader of the Opposition to raise questions regarding the law and the Constitution, but it is clear that Your Honour must not rule on legal or constitutional questions. That same dictum is found at page 79 of Beauchesne's fifth edition, Citation 240, which reads as follows:

> The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

Your Honour will be aware that this issue has been raised in the House of Commons a good many times. If I were to dig out all of the rulings from the Chair on the question, I would take up a lot more time than I want to take. I have chosen a couple within reasonably recent times.

● (1600)

On Friday, October 25, 1963, Mr. Speaker Macnaughton had before him a question of the law and the Constitution and he gave a ruling which begins on page 488 of the *Journals* for the day. Having quoted quite a bit by way of preliminary remarks, he said:

> In other words this limits the powers and responsibilities of the Speaker to deciding on questions of order, not questions of law. This is further confirmed in Citation 69(3) of Beauchesne's fourth edition, at page 59: "Standing Order 12 being restrictive should be given the strictest literal interpretation—"

Then he quotes from a ruling made by Mr. Speaker Wallbridge on June 25, 1864. None of us was here then! He brings it up to date by saying:

> Lastly, I should like to refer to a more recent ruling made by Mr. Speaker Lemieux, reported in *Hansard* for June 4, 1925, page 3875:—

These are pretty important words and I shall be quoting them again as Mr. Speaker Lamoureux used them:

> "The Parliament of Canada is supreme, and if it should pass any act which is ultra vires, the courts would decide the validity of such act. It is not for the Speaker to declare—although he presides over the highest court in the land—as to whether any proposed legislation is ultra vires"—

We have before us proposed legislation. The ruling is clear that Mr. Speaker does not rule as to whether or not proposed legislation is ultra vires. Mr. Speaker went on to say:

> For these reasons, and in view of the citations to which I have just referred my honourable friend and which I have brought to the attention of the House, I cannot agree with the validity of the point of order raised by my honourable friend.

That was said by Mr. Speaker Macnaughton on October 25, 1963. A little later, on Tuesday, July 8, 1969, Mr. Speaker Lamoureux had a point that was raised by a good friend of all of us, the former member for Peace River, Mr. Baldwin. Mr. Speaker went through all of the precedents and citations, and finally he said:

> In other words, this limits the powers and responsibilities of the Speaker to deciding on questions of order, not questions of law.

Remember that what the Leader of the Opposition is asking you to decide, Madam Speaker, is that it is not within the legal competence of Parliament to pass the resolution that is before us.

Then he goes on to apologize to the hon. member for Peace River for going back almost as far as the hon. member had gone in his argument. Still quoting the former Speaker, he says:

> "The Parliament of Canada is supreme, and if it should pass any act which is ultra vires, the courts would decide the validity of such act. It is not for the Speaker to declare—although he presides over the highest court in the land—as to whether any proposed legislation is ultra vires"—

I submit, Madam Speaker, that there is the utmost of common sense in that proposition. If this Parliament were to be run by the Chair on the basis of the Chair's decision that certain matters were not legal or certain matters were not constitutional, that would certainly inhibit to a considerable extent the rights and privileges of this Parliament as the highest court in the land.

So, Madam Speaker, I defend on the basis of the citations the right of the Right Hon. Leader of the Opposition to raise this matter as a point of order. But I suggest to Your Honour that the citations make it clear that you cannot rule on a point of law, on a constitutional issue. That is the position in which you will find yourself, not only from citations but from the precedents that are on the books from many learned Speakers.

I move on to a second point that was raised by the Right Hon. Leader of the Opposition. I have in mind that portion of his speech where he dealt with the sub judice convention.

Incidentally, while he was talking, I was reading the books that I have in front of me, Beauchesne and May. He referred particularly to the fact that we must not say things in this House that are prejudicial to the courts. I do not find that phrase anywhere in the literature that I have before me. The restriction is that the House must not say things or debate things in a way that would be prejudicial to the proceedings of the court or prejudicial to the parties before the court.

As a matter of fact, the citations relating to sub judice state that there are some exceptions to the rule that matters in the courts must not be dealt with here because, in the final analysis, Parliament is supreme. Parliament has the right to legislate as it will. The courts can rule on the legislation afterwards, but the right of the House to legislate as it will is not to be restricted by some doctrine of sub judice.

Let me read the main citations. On page 118 of Beauchesne, Citation 335 is brief and clear. It reads as follows:

Members are expected to refrain from discussing matters that are before the courts or tribunals which are courts of record.

Let us pay close attention to this:

The purpose of this sub judice convention is to protect the parties in a case awaiting or undergoing trial and persons who stand to be affected by the outcome of a judicial inquiry. It is a voluntary restraint imposed by the House upon itself in the interest of justice and fair play.

Citation 336(1) reads as follows:

The sub judice convention has been applied consistently in criminal cases.

Then there are other references and it continues:

(2) The precedents in criminal cases are consistent in preventing reference to court cases before a judgment is rendered; however, the convention ceases to apply after the judgment is given . . . Nevertheless, the convention is applied again when an appeal is launched.

Citation 337(1) reads:

No settled practice has been developed in relation to civil cases, as the convention has been applied in some cases but not in others.

As I say, I have read more in Beauchesne, and I have read a good deal in May, the nineteenth edition, and the rationale for the sub judice convention is well spelled out. It is not that we lose our rights to legislate as we see fit, but we must not do things here that would prejudice proceedings in the court or prejudice the position of either party to a dispute in the court. If we carry that to the conclusion that we must not discuss the Constitution because it is in the courts, that in my view goes way beyond any of the language that is to be found on the sub judice convention.

In particular, I chide the Right Hon. Leader of the Opposition for saying so often that the sub judice convention is one that keeps us from doing anything prejudicial to the courts. I do not find that phrase in any of the literature available to me.

Point of Order—Mr. Clark

• (1610)

I have referred to May so let me pick up one or two things here. In May's nineteenth edition, at page 333 there appears the following:

By a resolution of the House matters awaiting or under adjudication in a criminal court or a court martial, and matters set down for trial or otherwise brought before a civil court may not be referred to in any debate or question; though the House has more recently resolved to allow reference to be made to matters awaiting or under jurisdiction in all civil courts, subject to the discretion of the Chair, provided that there is no real and substantial danger of prejudice to the proceedings.

That is the phrase which keeps coming back.

If the subject matter of the question is found to be, or becomes, sub judice after notice of the question has been given, the member is asked to withdraw it, or the Speaker may direct it to be removed from the notice paper or refuse to allow it to be asked if it is on the Order Paper.

As I say, all of this deals with the courts as dealing with issues between parties. In all fairness, we say that if an issue between parties is in the courts, we should not prejudice the proceedings or the position of either one. Like many members of this House, I have no training in law school, but it seems to me that these things are simple and very clear.

I then refer to page 368 of May's nineteenth edition where some of this language is repeated. I quote:

Subject to the discretion of the Chair, reference may be made to matters awaiting or under adjudication in the civil courts in so far as they relate to certain ministerial decisions or concern certain issues of national importance.

Surely the issue of the Constitution is one of national importance and that is excepted from the list of things that the Speaker of the British House must not allow to be discussed.

The general rule applies to motions for leave to bring in bills, but the House has expressly resolved that in cases other than motions for leave to bring in bills, the rule is subject to the right of the House to legislate on any matter.

It seems to me that is the doctrine. The Leader of the Opposition has all the right in the world to raise this as a point of order and all the right in the world to plead with the government to leave the matter. However, to put it on the basis of its being sub judice is contrary to the citations as I read them. Of course, in asking you to rule that this motion is out of order, he is asking you to make a decision on something that the citations and the precedents enjoin you against doing. The only other sentence I would like to read from May is at page 427:

Matters awaiting the adjudication of a court of law should not be brought forward in debate, subject to the right of the House to legislate on any matter;—

This is the highest court of the land. Can other persons or governments, if you will, stop the proceedings of this highest court in the land by referring the matter to the Supreme Court? I do not see how they can. As I said, Madam Speaker, I am trying to avoid a discussion on the merits of the issue or the substance of it. I am trying not to get into the Constitution debate. I am trying to be helpful to the Chair. It seems to me that you cannot call it sub judice if you are asked to discuss a matter concerning which we wish to legislate in this House. You cannot be expected to rule on a matter that is legal or constitutional in view of the very clear prohibitions against the Speaker doing that.

The third part of what I want to say—and here I say I have had the gall to divide my remarks into three parts—has to do with the reference again today by the Leader of the Opposition to Citation 338(4) of Beauchesne's Fifth Edition, which reads:

> The reference of a bill to the Supreme Court of Canada withdraws that bill temporarily from the jurisdiction of Parliament. If the constitutional situation of human rights is submitted to the Supreme Court, it thereby becomes sub judice and cannot be considered by a committee of the House until the Court has given its decision. The question cannot be before two public bodies at the same time.

That is the citation. The other night I was arguing for something and I was quoting citations as though they were iron-clad. Your Honour may throw that back at me when you get to rule on that point. Incidentally, in going through the book today I find that there is a citation that says we can address the Speaker as "Mr. Speaker," "Sir," or "Your Honour". You, Your Honour, are not a sir, so there are some things in Beauchesne that have to be considered as to their origins!

Citation 338(4), as it is stated right there in the book, had its origin in the *Journals* of April 12, 1948, at page 344. The first thing I did when the issue came up the other day was to send to the Library for the *Journals* of April, 1948.

Miss Jewett: You mean you didn't remember?

Mr. Knowles: My friend the hon. member for New Westminster-Coquitlam (Miss Jewett) says, "didn't you remember?" I have to confess that the matter rang a bell.

Some hon. Members: Oh, oh!

Mr. Knowles: As members will discover in a moment, I was here. The bell that was ringing was not in the belfry, it was a real one. What was before the House at the time was a government motion proposed by Prime Minister Mackenzie King that a joint committee of both Houses of Parliament be set up to consider the question of human rights and fundamental freedoms. That was in 1948, 33 years ago, and it has not got there yet. At any rate, Mr. King presented this motion. A respected friend of ours, the late Right Hon. John Diefenbaker, moved as an amendment to that motion:

> —that in order to assist the committee in its deliberations the government do immediately submit to the Supreme Court of Canada such questions as are necessary to determine to what extent the preservation of the fundamental freedoms of religion, speech, press, assembly and the maintenance of constitutional safeguards of the individual are matters of federal jurisdiction.

There was considerable debate on the procedural admissibility of that amendment. Mr. Speaker Fauteux ruled at that time. Since they are both gone, I can say that John Diefenbaker used to like to say of the Speaker that he was a dentist, and he sometimes pulled some boners.

Some hon. Members: Oh, oh!

Mr. Knowles: That was his humour, not mine. The ruling was as follows:

> This amendment actually proposes that the Supreme Court be asked to consider the same matter that the main motion proposes to refer to a select committee. It seems to me that both those propositions cannot be approved at the same time by the House.

It had nothing to do with a bill or with anybody referring something to the Supreme Court. The issue was that right here on the floor of the House of Commons there was a proposal that the question of human rights and fundamental freedoms be referred to a committee and, by way of amendment, that at the same time it be referred to the Supreme Court of Canada. Mr. Speaker Fauteux ruled it out of order. It is in that context that he says the question cannot be before two public bodies at the same time.

This means that Citation 338(4) in its attempt to abbreviate that long ruling has missed the point. There is nothing in this ruling about a bill. It has to do entirely with the House of Commons itself trying to do two different things with the same subject at the same time. The Speaker of the day said that that could not be done. I suggest, therefore, that to ask you, Madam Speaker, to rule the discussion on the constitutional resolution out of order in this House because some provinces have referred the matter to the Supreme Court is not covered by this citation at all.

● (1620)

I go on just a moment more in this regard to say to hon. members—and if I seem to be doing what we are not supposed to do, forgive me for it—that right after the ruling out of Mr. Diefenbaker's motion, the *Journals* state:

> And the Debate continuing on the main motion;
> Mr. Knowles, seconded by Mr. Jaenicke, moved an amendment thereto:—

I will not read it as it is a bit lengthy. My motions and amendments were much longer in those days than they are now. The gist of my motion was that the committee to which the matter was being referred be given the power to request a reference to the Supreme Court if it wished to do so. What happened to that motion? The Speaker allowed it and the House passed it.

In any case, I conclude now by summarizing the three points I have sought to make. In the first place, I contend that the citations are clear, that Your Honour does not have the authority, the power or the right to rule on a matter which is legal or constitutional. My second point is that the custom regarding sub judice, if it is looked at carefully, does not prevent this highest court of the land from considering or dealing with any matter concerning which it feels it has the right to legislate. My third point is that Citation 338(4) does not cover the case of a request being made to the House of Commons to send the same thing to two places at the same time. That is not the present situation.

I go along with those who have referred to the citations that say that this is the highest court of the land, that our acts can be reviewed by the Supreme Court or by courts up to the Supreme Court and can be thrown out, but the courts do not have the right to tell us what we can do before we start.

I leave the merits and the substance of the subject before us to others, but on the procedural point I hope that what I have said will be helpful to you.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the hon. member for Winnipeg North Centre (Mr. Knowles) has covered the question very well. It would be pretentious on my part if I wanted to add anything at all to the arguments he has raised. He has covered the question very well and I must confess that his rational and intelligent explanation did contrast with the remarks made by the member who spoke before him.

While resorting to his procrastination tactic the Leader of the Official Opposition (Mr. Clark) indicated that his party was serious and wanted the House to make progress in fields other than the constitutional issue. We will have a good opportunity today to test his sincerity. We will be in a position to do that very soon because again I want to confirm what the Minister of State for Finance (Mr. Bussières) said to the Progressive Conservative Party critic, namely, that when motions are called today we have the intention of moving the motion aimed at granting two days of debate to end the discussion on the bill authorizing the government to borrow a certain sum of money.

Since the adoption of that bill has become very urgent we have no alternative other than introducing that motion, and if the Leader of the Official Opposition had been really sincere—and that is why his remarks sound false—we would not have been forced to proceed with that motion today because he would have agreed to let that bill through report stage and third reading without our having to give the notice required under Standing Order 75C. But we will take him at his word today and see to what extent he can be sincere. If we can move that motion today and debate if for a maximum of two hours, as provided in the Standing Orders, we will see if at least we can make progress on a question of procedure since otherwise we cannot get anywhere on the constitutional question.

Therefore, Madam Speaker, I support the representations made to you by the hon. member for Winnipeg North Centre. His explanation really covers the entire matter, and I regret that the Leader of the Official Opposition has essentially tried to do indirectly what we are forbidden to do directly. There is an old legal principle, Madam Speaker, as any graduate in law will tell you—my colleague can ask his fellow member on his left to confirm this—which says that you cannot do indirectly what you are forbidden to do directly.

What the Leader of the Official Opposition did today was nothing but present the same question that he himself submitted last Friday when he asked you, on the basis of so-called precedents, to find that the House could not study the constitutional proposal because it had already been submitted to the Supreme Court. He is now submitting exactly the same question, but since his argument could not be supported by the precedents, or by our rules, traditions, and practices, he is now saying that he is on new ground. Well, Madam Speaker, this is not a very good argument. Moreover, I respectfully submit that this is a way of doing indirectly what you had forbidden him from doing directly. I find it unfortunate that he has wasted one hour of the time of the House today in an attempt to abuse the rules of this House and get around what he had no right to do as your decision already covered this matter. In view of the circumstances—

[*English*]

Mr. Baker (Nepean-Carleton): On a point of order, Madam Speaker.

[*Translation*]

Mr. Pinard: We are already on a point of order.

[*English*]

Madam Speaker: Order please. We are already dealing with a point of order and I cannot entertain two at the same time.

Mr. Baker (Nepean-Carleton): I would ask the hon. member if he would entertain a question.

[*Translation*]

Mr. Pinard: Madam Speaker, I shall close by saying that your ruling of last Friday is another argument that I add to those given by the hon. member for Winnipeg North Centre. As indicated on page 8694 of *Hansard*, you stated the following in giving your ruling, and I quote from the English version of *Hansard*:

[*English*]

Sub judice is a convention which is "a voluntary restraint imposed by the House upon itself in the interests of justice and fair play", as stated in Citation 335 of Beauchesne's fifth edition. I have not been persuaded by the particular argument brought forward by the Leader of the Opposition which he offered in his presentation yesterday, namely that the House cannot debate that motion because the matter has been referred to the Supreme Court of Canada.

Therefore, Madam Speaker, you ruled on this very question, except last Friday you ruled on the basis of citations from Beauchesne and the rules and practices of this House. Today the Leader of the Opposition wants to try his case again. Since he lost it on the basis of practice, the rules and Beauchesne, he says it is now on new ground. I understand what kind of new ground he is talking about. He said, "I want to protect the Canadian way of doing things." If we look at what he did last week and what he is doing this afternoon, we certainly are on new ground, particularly when we see this kind of filibuster.

Madam Speaker: Order, please. I have a pretty good idea of what this point of order is all about. Several citations have been brought before us which I am sure will help me to make a judgment. I want to give notice that I will not be listening to too many interveners as I feel that many citations have been brought forward. When I find there are no new arguments being offered I will cut off debate.

Point of Order—Mr. Clark

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, in respect of the point of order argued so eloquently by the gentleman who has now become the deputy House leader of the government, the hon. member for Winnipeg North Centre (Mr. Knowles), I have to say with respect—

Mr. Knowles: You call that respect?

Mr. Baker (Nepean-Carleton): —that his point of view was narrow indeed. I should like to raise some points in rebuttal and to refer Your Honour to a precedent which has not been referred to in the course of the discussion during this debate. This is a precedent of the Canadian House of Commons on the matter of sub judice.

• (1630)

If I may say so, I think the hon. member for Winnipeg North Centre was wrong—of course, the government House leader was wrong as well to adopt the argument of the hon. member for Winnipeg North Centre—when he said that the Chair will not decide a question of law or stand in the place of the Supreme Court. I listened very carefully to the argument put forward by the Right Hon. Leader of the Opposition (Mr. Clark), and that is not what he said at all. He was not arguing that Your Honour should stand in the place of the Supreme Court of Canada. He was arguing precisely the reverse, that is, that the Supreme Court of Canada is another institution, an institution which ought to be respected by the rules, precedents and practices of the House of Commons. That is the first point, and I think it speaks for itself.

The second matter he argued—and I thought he was becoming a bit of an advocate before a court rather than a parliamentarian in Parliament—was that the court would have the opportunity to deal with the constitutional matter after it had been decided in a foreign country, as put by the Right Hon. Leader of the Opposition. The court would have a chance to deal with it, but that, of course, is wrong. At least it is wrong in so far as the Kirby memorandum is concerned, and I believe it is wrong in so far as the Pitfield memorandum is concerned. It is also apparently wrong in so far as the Department of Justice is concerned because the Department of Justice has given an opinion which I presume it would advance in a court of law. It certainly advanced it to the government and to the Privy Council. The opinion of the Department of Justice is that precisely the opposite is true and that after the foreign country, Great Britain, has dealt with it—Westminster—and it comes back to Ottawa, it is beyond the purview of the courts. That is what the Department of Justice said. If there was any assertion made on the floor of this House, it was the assertion made by the Minister of Justice (Mr. Chrétien) himself to his own colleagues as to the propriety and importance of the sub judice rule. I have to agree that we have to look at each case on its merits, and to the Chair the opinion given by the Department of Justice is an important consideration.

In speaking of the sub judice convention, the hon. member for Winnipeg North Centre referred to two publications on the customs, traditions and precedents of the House. He referred to the sub judice conventions as set forth in Beauchesne and May. I suggest there are other matters on sub judice to consider which ought to give Your Honour pause with respect to the importance of this argument. I am referring to a report of the House of Commons itself. It is the report of the special committee of this House on rights and immunities of members of the Thirtieth Parliament of 1976 to 1977. The committee was composed of some rather distinguished members and former members of this House. One was the former member for Peace River, Mr. Ged Baldwin. Another was Mr. Gordon Fairweather, who is now the chairman of the Canadian Human Rights Commission, and yet another was the hon. member for Winnipeg North Centre himself.

Mr. Nowlan: Oh, no.

Mr. Baker (Nepean-Carleton): The report was unanimous. I think it is important that Your Honour consider this report of the House of Commons. Just to put it in context, the order said in part:

That a Special Committee of the House to consist of Mr. Speaker—

This was a committee chaired by the Speaker.

—and seven other members be appointed to review the rights and immunities of members of the House of Commons, to examine the procedures by which such matters are dealt with by the House and to report on any changes it may be desirable to make.

The committee held a number of meetings on how the rights and immunities of members were affected by the sub judice convention or related directly to that. During the course of those proceedings, the committee received the assistance of Mr. Alistair Fraser, a former distinguished Clerk of this House of Commons, Mr. Phillip Laundy, the director of the research branch of the Parliamentary Library, and Mr. Norman B. Willans, a legal research officer with the Library of Parliament.

The matter with which we are dealing is very important. It is not something we can treat lightly. I will read part of the report because it does demolish some of the things which have been said about where the rule of sub judice applies. Paragraph 3 of the report reads in part as follows:

The freedom of speech accorded to Members of Parliament is a fundamental right without which they would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, and to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents. This basic parliamentary freedom is to some extent limited by the sub judice convention. Under the convention as it has developed over the years members are expected to refrain from discussing matters that are before the courts. No distinction has ever been made in Canada between criminal courts and civil courts for the purpose of applying the convention. It has also had application to certain tribunals other than courts of law. The purpose of the convention is to protect the parties—

Litigants.

—in a case awaiting or undergoing trial—

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Then the report goes on to broaden it even more than that.

Mr. Knowles: Who is on trial?

Mr. Baker (Nepean-Carleton):

—and persons who stand to be affected by the outcome of a judicial inquiry.

If my friend, the hon. member for Winnipeg North Centre, was to be affected by it, then he would have that protection. If the province of Ontario was to be affected by it, it would be entitled to it. If the province of Manitoba and the province of Saskatchewan were to be affected by it, they would be entitled to it.

Mr. Knowles: Who is on trial?

Mr. Baker (Nepean-Carleton): The hon. member for Winnipeg North Centre is interrupting me in an uncharacteristic fashion.

Mr. Knowles: Who is on trial?

Mr. Crosbie: You are on trial.

Mr. Baker (Nepean-Carleton): If the hon. member for Winnipeg North Centre will contain himself, I will get on with the question of who is on trial. Paragraph 3 goes on to say:

It exists to guarantee everyone a fair trial and to prevent any undue influence prejudicing a judicial decision—

It does not say who is on trial. It says "a judicial decision". The Supreme Court of Canada is a judicial body. That stands.

—or a report of a tribunal of inquiry. It is important to emphasize that it is a convention and not a rule. It is a voluntary restraint imposed by the House upon itself in the interest of justice and fair play, but which the House is free to disregard should it so resolve.

There has been no resolution of the House to disregard or stand aside the principles of justice and fair play.

Then the report goes on—and this raises a point for the hon. member for Winnipeg North Centre with respect to who is on trial—in paragraph 4 to say:

A definition of "prejudice" is not easily formulated. An attempt was made by a select committee of the British House of Commons—

It should apply here. If we are going to send our Constitution to Great Britain to be decided, perhaps we can regard some of our decisions in the light of the Parliament to which we are going to send our fundamental documents. It says this:

"In using the word 'prejudice' your committee intend the word to cover possible effect on the members of the court, the jury, witnesses and the parties to any action. The minds of magistrates, assessors, members of a jury and of witnesses might be influenced by reading in the newspapers comment—

And so on.

The research efforts of the Committee have not succeeded in providing a more precise definition. What effect a parliamentary discussion may have on "the court, the jury, the witnesses and the parties to an action" is not easy to determine. One thing that can be stated with certainty is that courts in interpreting statutes have no regard for anything that might have been said in the course of parliamentary debate.

That is with respect to statutes, because they deal with words of precision. We are dealing with conventions in the case of a reference to the Manitoba court. That is the issue. Finally, it says—

Point of Order—Mr. Clark

Madam Speaker: May I interrupt the hon. member to tell him that it would be in his own interest if he could address the particular question we are dealing with here. I know the citation to which the hon. member is referring very well; he is referring to the effect that might have on individuals. He is referring to commentary in Parliament concerning individuals who might be on trial. With respect to such cases I have some citations which say that the House would exercise some discretion, although it is open to the House in some cases to comment on them. I would like the hon. member to refrain from pursuing that line, because it seems to me quite clear that is with reference to civil or criminal cases but perhaps not too germane to the particular situation we are discussing now.

• (1640)

Mr. Baker (Nepean-Carleton): Madam Speaker, with respect—and I will have to point the argument because I want to put it to you—I think the sub judice rule has been almost beyond dispute with respect to criminal cases. The difficulty has always arisen in the interpretation of the rule with respect to civil cases. There have been some civil cases where it was allowed, some where it was not, and in considering the appropriateness of this House proceeding while the issue is before the Supreme Court of Canada, one has to consider what it is. It is a reference put to the Supreme Court as set out by the Right Hon. Leader of the Opposition in a civil proceeding under the reference provisions and rules of practice in the Manitoba Supreme Court. It is a civil proceeding.

Now, I put it to you that there is a party involved; there can be a prejudice involved, and that is the issue of the rule. That is why the report of this Parliament put it precisely this way. I do not think there is any doubt as to the rule. It has always been the practice in this House, and it is the rule, that a matter which is the subject of a judicial inquiry is outside the purview of the House during the proceedings. So the rule is not limited to criminal or civil matters; rather it is wide ranging and includes an inquiry. As the Leader of the Opposition has said, it is new ground and includes a reference to the Supreme Court of Canada on a matter before a provincial court.

The rule evolves, it moves ahead. This is the first time this has been considered in this context. That does not say that this process is not subject to the sub judice rule. In fact, the burden would be on those attesting otherwise, because the object of the rule is to ensure that the interests of the parties are not affected by a proceeding in the Parliament of Canada. That was the essence of the case and that is the burden on the Chair.

It has applied, Madam Speaker, in many civil cases. The report refers to one in 1938, one in 1973 and another in 1966. The reports are replete with them. So I have to say that the sub judice rule is a dynamic thing. It is not narrow, as the member for Winnipeg North Centre and the government House leader seemed to argue; it is a dynamic concept that moves as it is applied.

I can think of no place where it ought to apply more fundamentally, more strongly and firmly than in a matter

dealing with the Constitution of Canada and with the rule of law. What we are really asking the government to do—whether or not they will consider it is something else—is that in observing the rule of law and the concept of sub judice, they are being asked to put off the ultimate decision on this question until the Supreme Court of Canada has ruled, in about three weeks, on the appropriateness of the appeal from Manitoba.

I have read the reasons for the appeal and I submit that it makes good and interesting reading because it covers the customs, traditions and law, all the issues involved. All we are saying is that this country is—at least, I thought it was—a country governed by the rule of law, not by the rule of men, and that it is inappropriate for there to be advanced here something which might remove it from the jurisdiction of the courts.

To put the matter the other way, supposing the memorandum was wrong and after Westminster there was a judgment of the Supreme Court of Canada that went against this resolution. What constitutional position would the country be in? I do not know how that has been explored, but it has been explored by the Minister of Justice and they say we will not even get that far. That is why I commend this report to you.

I will not argue much longer, Madam Speaker. I have done my best to stay on this point, the sub judice rule. I have asked you to consider the new ground that has been presented by the Leader of the Opposition and consider it in light of the importance of the case. It is a case that has split the NDP, it has caused the Parliamentary Secretary to the Secretary of State for External Affairs (Mr. Duclos) to make a speech in this House saying he will vote against his party, and it has caused the member for Edmonton East (Mr. Yurko) to say that he is going to vote against his party. This is the right of every member. But I think it is also the duty of Parliament to ensure that nothing is done here to prejudice legal rights, even when we are breaking new ground. That was the purport of the brilliant argument advanced by the Leader of the Opposition, and I support him. I ask you, Madam Speaker, not to decide the issue on narrow, procedural grounds, as you have been invited to do by the deputy House leader of the government and the member for Winnipeg North Centre.

Madam Speaker: There are no other members of the other parties in the House rising; therefore I will hear one more speaker on the opposition side.

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I will be brief; I do not want to delay the proceedings of the House unduly.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: In dealing with this matter I am going to make reference to some of the arguments put forward, because I submit to you, Madam Speaker, that this question raised by the Leader of the Opposition (Mr. Clark) is indeed new and novel, one that has to be considered by you.

I want to make this observation with respect to the matter before you to underline that particular point. What we have before us today, notwithstanding the statement of precedents and citations by the hon. member for Winnipeg North Centre (Mr. Knowles) that this somehow is a matter of legislation, is something quite different. It is a resolution in which the Minister of Justice (Mr. Chrétien) asks this House to address itself to a proposed bill to be passed by Westminster. Therefore, I want to look at this question from the point of view of finding out precisely what we are dealing with.

I suggest that when we read the precedents and the citations presented to us, we are in fact dealing quite specifically and precisely with our order of the House, a matter completely within the jurisdiction of the Parliament of Canada and not one which calls upon Your Honour to consider and resolve any question of law or of constitutionality, whether it be a legal interpretation or any of the references made by the member for Winnipeg North Centre. What we are talking about now is the appropriateness and propriety of this House dealing with a matter which is before the Supreme Court of Canada. We are creating disorder in this House by proceeding on the resolution of this matter in final form before the Supreme Court of Canada has an opportunity to rule on whether or not what we are doing is in fact legal. That is the very simple fact of the matter.

● (1650)

What is before the Supreme Court of Canada? As I have said, this is a matter of which your Honour can take judicial notice. The matter before the court quite frankly is a reference under the provisions of the Manitoba reference act dealing with whether or not the resolution before us is within the powers of government or Parliament to deal with.

To put it another way, the statement has been made that in this resolution we are dealing with matters which in fact infringe on provincial jurisdiction and provincial rights. Does Parliament have the right, in terms of this resolution, to beg the Parliament of the United Kingdom to proceed with legislation, based on the premise of a resolution for which there is no legal justification, no justification in the rules of the House or under existing law with respect to the ability and power of the Parliament of Canada? This is the question facing the Supreme Court of Canada.

I do not want to deal with the consequences of what might happen if the British Parliament acts on this resolution. It constitutes a message. It is not a bill. It is not a piece of legislation which raises the taxes or in fact changes the specific laws of Canada under what we normally call legislation. It is a resolution brought in under a motion.

I never thought I would see the day when the hon. member for Winnipeg North Centre, or the New Democratic Party, would associate themselves with the facilitation of closure in this House. The fact of the matter is that in this particular situation we are looking at a motion. I should like to turn to the citations quoted by the hon. member for Winnipeg North Centre. He referred to Citation 338 of Beauchesne's Parlia-

mentary Rules and Forms, fifth edition, wherein Subsection (3) reads as follows:

> The convention applies to motions, references in debates, questions and supplementary questions, but does not apply to bills.

It applies to motions, and that is with what we are dealing here. We are not dealing with a bill. We are dealing with a motion, a resolution, a unique situation in which the Parliament of Canada, by this joint resolution, addresses itself to the Parliament of the United Kingdom and asks it to take legislative action.

In the press conference which he held last week, the Prime Minister (Mr. Trudeau) indicated that once the matter gets out of the Parliament of the United Kingdom, the Supreme Court of Canada will have no jurisdiction over the matter. The contention of the Prime Minister last week was that we wanted to get this matter through because the Supreme Court of Canada, at that point, will not have the jurisdiction to judge or pass on the constitutionality of a bill or legislation of the Parliament of the United Kingdom. So it is an unusual and unique situation.

We must ask ourselves what is the role of the Supreme Court of Canada and what is the role of the House of Commons and Parliament at this point in time. Certainly the role of the House of Commons is to ensure the resolution of the motion we are sending to the United Kingdom in fact is within the jurisdiction of the House of Commons. If a simple resolution was brought forward—perhaps for the purposes of illustration this is an extreme example—to abolish the Senate or to abolish the provinces, in both cases Your Honour would give some serious consideration, if the matter was attacked in the courts, as to whether or not it should be postponed until the courts determine the constitutionality of either of those particular resolutions.

I should like to quote no less an authority than Mr. Justice Huband of the Court of Appeal of Manitoba who addressed himself to the question of the reference we are now discussing. During the course of his judgment, he said:

> It would be unthinkable if Her Majesty acted upon a request of the provincial legislatures to assent to provincial legislation purporting to limit the scope of powers conferred upon the federal government under the British North America Act. The Queen would not heed such a request, and if by chance assent were granted, the courts would deem it an error, and would rule such legislation ultra vires in spite of Her Majesty's assent. The converse is also true. If Her Majesty acted upon the request of the federal authority to assent to federal legislation purporting to limit the legislative powers enjoyed by the provinces, such legislation would be struck down.

This is part and parcel of the decision of Mr. Justice Huband of the Court of Appeal of Manitoba. The matter has now been received, the notice of appeal has been received, and the order has been made in the Supreme Court of Canada with respect to the hearing of this appeal. This was not done unilaterally; this was a consent order which the Attorney General of Canada, who is sitting across the aisle this afternoon, concurred in and consented to. The government agreed to this appeal proceeding. Also it agreed to the terms of the appeal, the date on which it will be heard, the participants and the intervenors, the dates of filings of facta. Every aspect of this matter has been concurred in; the order was with the concurrence of the Attorney General of Canada.

So where do we find ourselves? We find ourselves in a situation which has been referred by Professor Cohen—

Mr. McGrath: A government expert.

Mr. Hnatyshyn: As the hon. member for St. John's East (Mr. McGrath) points out, Professor Cohen was an expert presented on behalf of the federal government's position. In the course of his evidence before the parliamentary committee with respect to the whole matter—

Madam Speaker: I apologize for interrupting the hon. member, but I must put the subject matter of the questions to be debated this evening.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Laval (Mr. Roy)—Income Tax—Inquiry whether decisions concerning Canadians working abroad will be respected; the hon. member for Hamilton-Wentworth (Mr. Scott)—Health and Safety—Measures to eliminate hazard of infant crib deaths; the hon. member for Saskatoon West (Mr. Hnatyshyn)—Grain—Compensation to farmers for embargo on shipments to Russia.

* * *

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT—PROPRIETY OF PARLIAMENTARY CONSIDERATION OF RESOLUTION

The House resumed consideration of the point or order of Mr. Clark.

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I gather we are not having private members' hour today.

Madam Speaker: No.

Mr. Chrétien: You are just buying time.

Mr. Hnatyshyn: It allows me to carry on without breaking my train of thought. I would not want to think up new and more cogent arguments over the supper time, because what I am about to say now will be devastating to the position of the government House leader.

With reference to the whole question of proceeding before the Supreme Court of Canada has had an opportunity to adjudicate on the process of what were we are doing in this resolution, Professor Cohen said:

> That would be very, very unwise to do, very unwise of Parliament to say: we stop talking about a particular subject because it is before the Court of Appeal of Manitoba or Newfoundland or Quebec because of the way it can be abused.
>
> However, when the matter is before the Supreme Court of Canada that is a different kettle of fish. There I am not so sure that I would want to see a serious public debate about an issue of this kind while the case is pending before the Supreme Court—

This is a very important and telling argument out of the mouth of an expert brought forward by the Government of Canada whose representative in the House, the government House leader, is arguing that we should proceed with this resolution, notwithstanding the fact that the Supreme Court of Canada is dealing with the constitutionality of the process on a resolution which admittedly moves in areas of acknowledged provincial jurisdiction. Certainly that is not the question before Madam Speaker. The question is whether or not we should be proceeding in this House while the very issues we are discussing are being decided by the Supreme Court of Canada.

● (1700)

The question on the process which is being carried out by the government, with its mere majority and not by unanimous consent, is of serious consequence to the future of our country. We in the official opposition have opposed this measure and we make no apology about that.

We can look back to an analogous situation in 1978 when the government had a constitution package called Bill C-60. That was a bill before the House. It was an actual bill as opposed to a resolution. It was a bill which dealt with matters totally and exclusively within the jurisdiction of the federal government. In that bill there was no attempt made, at least on the face of it, to interfere with the rights of the provinces. If we look back to the precedents with respect to that bill, we will see that the government respected the convention which had been established. The government respected the expert witnesses who were brought forward before the committee and who made reference to the Supreme Court of Canada with respect to amendments to the Senate of Canada.

I would like to point out, Madam Speaker, that while the matter was referred to the Supreme Court of Canada, the consideration by Parliament of amendments to our Constitution was then suspended. That was the proper way to deal with the matter. It was the proper convention and an appropriate decision on the part of the government. But the opposite is happening now, notwithstanding the fact that this matter is coming up within the month to be determined by the Supreme Court of Canada. The government is proceeding before determining whether the process it is using is, in fact, valid and within its jurisdiction.

The first point I wanted to make to you, Madam Speaker, is to reinforce the point that we are not talking here about a bill. We are talking about a motion. If we are to use Beauchesne as a guide to what the traditions of Parliament are with respect to this matter, then let us read Beauchesne very carefully. Let us make sure that we understand that we are not talking about legislation in the strict and literal sense of the word. We are talking about a resolution which will lead to an address to Her Majesty the Queen and to the British Parliament. It asks these parties to take some steps in the name of Canada and its provinces.

In this particular instance I suggest to Your Honour that there has never been, and should not be, any question as to whether the Supreme Court of Canada is about to adjudicate whether or not what we are doing is proper and legal and we should proceed. I agree with those members on both sides of the House who have said that Parliament, and the Supreme Court of Canada representing the judiciary, are separate on the division of powers. There is a separate role to play where the courts have the constitutional ability to determine whether or not the process going on in the House of Commons is valid and constitutional. The House of Commons should defer to the court until it is able to make a decision on the whole process which is taking place in the House of Commons.

I wanted to make that point because I think it is quite important to understand that we are not talking about a bill here. The hon. member for Winnipeg North Centre raised points to the effect that Parliament has a right to pass bills and that we should not be constrained with respect to court actions which are taken. He said that somehow we can proceed with legislation and bills before the House, which is very much different from what we are facing today. What we are facing today is a resolution, not a bill. The court is considering what is happening in the House of Commons and whether or not what we are doing is within our competence. That is a very different proposition from the one pointed out by the New Democratic Party House leader in his defence of the government.

I also want to reinforce that point by giving a different interpretation to you, Madam Speaker, with respect to the reference made by the hon. member for Winnipeg North Centre. He referred to events which took place on April 12, 1948, as entered in the *Journals* of this House. You will recall, Madam Speaker, that was with respect to a reference of a bill to the Supreme Court of Canada, withdrawing that bill temporarily from the jurisdiction of Parliament. In that context the Speaker at that time was looking not at a bill but at a resolution, or motion, to establish a special committee, as the hon. member pointed out.

The decision that was rendered at that time was that a question cannot be before two public bodies at the same time. I suggest that is a very interesting, analogous situation, but it does not have the same weight with respect to the issue now before us. I have a quite different interpretation of the decision reached at that time from that of the hon. member for Winnipeg North Centre. The reason my interpretation differs is that in that instance what was attempted was to look at ways in which the House can protect civil liberties and human rights, and at the same time ask the court to make an adjudication with respect to the ability of the House of Commons to deal with that issue. The Speaker at that time was

saying that if the matter is before the court then it would be inappropriate for the House to deal with it. I think those circumstances are very supportive of the question raised by the Right Hon. Leader of the Opposition in his outstanding presentation to you this afternoon, Madam Speaker.

I submit that this is a situation which we in Parliament must look at, not only from the point of view of our own rules of procedure, since we are a political body, but also from the point of view that what we are doing will allow us to proceed under the rule of law. I say that with all seriousness at this point of time in our history. If we do not operate under the rule of law we will have legal anarchy in our country.

Another point I wish to develop briefly for the Chair's consideration is that you must be cognizant of the expert advice which was given to the members of the committee, not only by those witnesses brought forward by the government but also by those who were brought forward by the opposition parties, witnesses who were acknowledged experts in their field. The point they make is a very interesting one, particularly since they exposed a unanimous point of view.

If we proceed with this resolution and it goes to the Parliament in the United Kingdom, if in its wisdom that body passes the package which it has been requested to pass, and if in its wisdom the Supreme Court of Canada determines that the process was not within the competence of the Parliament of Canada, then we would have a situation of legal anarchy. There would be legal chaos in our country and the rule of law would be prejudiced. When the Right Hon. Leader of the Opposition refers to the fact that by proceeding we attack the judicial system and the Supreme Court of Canada, he is quite right. What we do by our action is put the Supreme Court of Canada in an impossible situation.

The argument put forward in the Kirby memorandum, and in the Prime Minister's own words in his press conference last week, is that the Supreme Court of Canada is not seized with an interpretation of the jurisdiction of the legislation because it is a statute of the United Kingdom. So what happens is that we get the United Kingdom passing a bill which says, "We wash our hands of any further responsibility on constitutional matters and, incidentally, here is your charter of rights, here is your amending formula, here is your bill, your Canada Act. Au revoir, goodbye, and good luck, Canada". That is the end of it. They have no further legislative powers. If the Supreme Court of Canada finds that we, in effect, had no jurisdiction to make that resolution, what would happen to our judicial system? What would happen to the Supreme Court of Canada?

● (1710)

An hon. Member: It's a prejudice to all Canadians, every Canadian.

Mr. Hnatyshyn: Every Canadian would be subject to the abuse that has been perpetrated upon them because of the fact that we moved against a convention which should be observed by the House of Commons and our Parliament, that we should not move until such time as the Supreme Court of Canada has decided the question.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: The rationale of the government is mystifying because its action is a complete reversal of what it is suggesting in its package. What the government is saying is that henceforth matters with respect to the Constitution, as defined in the constitutional package, will be outside the purview of Parliament. In other words, the courts will be responsible for interpreting the package, and legislators will not be able to take steps, collectively or individually, that would go against the principles contained in the constitutional package. But now, when we are talking about the whole process and whether the courts should adjudicate at this point in time, the reverse argument is used by the government. It says that it is a political question; the courts have no role in this process. The government cannot have it both ways. The House of Commons cannot have it both ways. We must decide whether the rules are consistent, whether the courts have the right and the ability to adjudicate not only upon the constitutionality of laws, but also the processes within Parliament. Nobody disputes that. No one in this House would stand in his place and deny that the court has a recognized and fundamental role to play. Under our Constitution, under the British parliamentary tradition, in any democratic system, the court must have the ability to adjudicate upon what is happening within the House.

How can the government House leader, in all seriousness, argue, before the courts of this land have the chance to say that what we are doing is proper, that the courts should not be referred to before we take the next step on this process? I make no apology for it. If the courts say it is within the jurisdiction of the House of Commons to proceed, that is fine. We have had the courts speak on this matter. We may not agree with the decision which has been taken by the government and the way in which it has moved, but at least the courts have spoken on this matter.

What is the situation if the courts find against this matter, and we have already acted and cannot undo what we have done? I do not subscribe to the position taken by the Minister of Justice. When he was asked about this very matter, he said there would be absolutely no purpose in having this matter go to the Supreme Court of Canada. We should move on it; it is a political issue. The Minister of Justice said at that time, in response to a question, "I do not want this question to go to the Supreme Court of Canada because the courts are unreliable". Unreliable!

Some hon. Members: Shame, shame!

Mr. Hnatyshyn: I would have expected the Attorney General and Minister of Justice of this country to have shown a far higher regard for the judicial process. The Minister of Justice is a Shawinigan lawyer. He is the best kind of lawyer: he is a country lawyer. He knows of the value of an independent judiciary in a properly democratic country. The fact is that

what we are doing here is taking steps which cause me to have serious concern for what we will have perpetrated on the people of our country.

It is not a matter of interpreting laws and whether we should answer a constitutional question one way or the other. It is a process which you must address yourself to, Madam Speaker. Should you, as Speaker, rule that the House may proceed with the completion of this particular resolution before the court has adjudicated upon the process? If that happens, we may all be standing in different parts of this country in years to come. If the court does hold as I have indicated, we will be asking ourselves, "How do we recover from the position we have put the people of Canada in? How do we recover as far as the courts are concerned?" That is the matter that should be considered by Your Honour, and I very strongly support the submission and the excellent presentation made by the Leader of the Opposition.

Some hon. Members: Hear, hear!

Madam Speaker: I would like to rule immediately on this important point of order, but precisely because of the importance of the arguments brought forward and the very numerous references and citations that I will be called upon to reconcile, I will take the matter under advisement and rule on this point of order later.

I have some questions of privilege and I will call first the one that was deferred yesterday by the hon. member for Durham-Northumberland (Mr. Lawrence).

* * *

PRIVILEGE

MR. LAWRENCE—ALLEGED MISLEADING ANSWER GIVEN BY MR. KAPLAN

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, on Friday, the last sitting day of the House, on coming to my office I found certain press comments. As a result, I gave you written notice of what I considered to be a breach of my privileges as a member of the House.

Because it does summarize the matter, and since this is a very serious point of privilege, as far as I am concerned in any event, may I merely for the attention of the House read the letter that I sent to you on March 27:

Madam Speaker:

It has just now come to my notice, upon reading the Canadian Press wire story in *The Globe and Mail* of today's date, that I have what I believe to be a question of privilege, and I give you notice that I wish to raise it today, this being the earliest possible moment.

You will remember that in the House yesterday, after the oral question period, I asked the Solicitor General two questions relating to security occurrences of approximately 20 to 25 years ago. On both occasions, the Solicitor General refused to answer my questions on the grounds that it would not be in the public interest, and that traditionally the Solicitor General has made no public comment on such matters.

I am therefore more than surprised, I am disappointed and hurt, and I believe my privileges have been transgressed to just now read in the above mentioned Canadian Press wire story, that the Solicitor General, minutes later, went outside the House and in a press interview answered both questions that earlier he had refused to answer in the House of Commons.

Yours truly.

Some hon. Members: Shame, shame.

Mr. Lawrence: I am aware of Citation 19(2) of Beauchesne, found on page 12, which says:

The failure of a minister of the Crown to answer a question may not be raised as a question of privilege.

I am not arguing that point. I am not arguing that the minister of the Crown involved in this matter did not answer my question. He answered my question. I have no argument at all with a minister if he wants to sit down and do nothing; but in this case, this did not happen. The minister answered my question.

It does not fall under Citation 19(1) either, which I quote:

A dispute arising between two members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

I am not arguing that point. This is not a disputation between the minister and myself as to an allegation of fact.

Citation 19(3) says:

Statements made outside the House by a member may not be used as the base for a question of privilege.

I am not arguing that the statements made outside the House by the Solicitor General (Mr. Kaplan) constitute my question of privilege. My question of privilege is simply this. In answer to a question in this House, Madam Speaker, the minister misled me and he misled you; he misled all members of this House. I think it directly pertains to my privilege as a member of this House because he was answering my question.

● (1720)

I would just bring to your attention the question that I asked in the House. I asked if he, as Solicitor General would establish the identities of the British interrogators of Mr. Gouzenko. One of two questions that I asked was whether the Solicitor General had established the identity of the British interrogators of Mr. Gouzenko? In his answer the Solicitor General said to me, to you and to this House that he refused to answer that question and he implicitly referred to his answer to my first question, and I quote:

—it is not the practice or policy of the Solicitor General to comment on such allegations, and I have no intention of doing so.

"I have no intention of doing so." Then the minister has the gall and the nerve, I suggest to you, to breach my privileges in this House by going outside the House and, in a press interview with a number of members of the press gallery, give the very answer that I requested him to give in this House and which he said he had no intention of giving.

I cannot find a more blatant, blunt attempt to mislead me. I know I can get into trouble if I say that the minister intentionally did that so I will not say that, but I will point out to you that less than 12 minutes elapsed between the time the minister said in the House that he had no intention of answering

that question and the time he gave the answer to the press outside the House. I do not say that he intentionally did that.

Mr. Nielsen: How could it be anything else?

Mr. Lawrence: I am not agreeing with anonymous voices that come over the PA system asking whether it could be anything else. I say it was a breach of the privileges in this House, if not a breach of common courtesy and etiquette to all members of the House.

That, simply, is my question of privilege. I believe that the Solicitor General misled this House, misled you and misled me by an answer which he completely contradicted a few minutes later outside in the corridors of this House.

There is no question now in my mind concerning the information that he gave to the press outside this House, because since Friday morning his comments have appeared in direct quotations in a number of other press stories. I shall not repeat them to you as I do not want intentionally to hold up proceedings in this House.

I bring to you now, Madam Speaker, what I sincerely and honestly believe to be a very serious breach of my privileges as a member of this House resulting from the actions and comments in this House of the Solicitor General. If you are prepared to find that a prima facie case exists, I have prepared a notice of motion in the usual form for reference of that matter to a committee.

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I should like to begin by thanking you for deferring consideration of this question of privilege until I could be present in the House. I was watching the proceedings on television the other day when my hon. friend rose to begin his question of privilege. I prepared to rush into the House but I saw, after one or two seconds, that you decided to defer it.

Like my hon. friend, I do not want to prolong the matter or to appear to be engaging in any dilatory tactics. I would simply observe that I do not believe a valid question of privilege has been made out. Beauchesne's fifth edition is quite clear on this. I draw your attention to Citations 363(1), 19(2) and (3) and 264 without even quoting them, since they have been quoted so often in this debate.

I would simply say that the question that the hon. member for Durham-Northumberland (Mr. Lawrence) asked me contained a great many allegations that I did not want to comment on and which I still have not commented upon. I did not reply to the part of the question, only a small part, which touched on the identity of British interrogators.

I have not received a full answer to the question whether Mr. Gouzenko had been interrogated by other British interrogators. I do not know the full answer to that question; I have not got to the bottom of it. I knew, though, that he was interrogated by one in particular, whom I identified in reply to a specific question outside the House. If the hon. member for Durham-Northumberland had asked that very specific question in the House instead of the long song and dance that constituted his question, I would have given him the straight and direct answer to it.

As I understand the rules of this House, I am not obliged to do that. If I were to respond to every allegation that he laid and every question that he asked me, I would have needed all of the question period to do so and he knows that perfectly well.

In conclusion, I do not think that a valid question of privilege has been raised or, from the point of view of gentlemanly practice in this House, that I was in default in any way.

* * *

BUSINESS OF THE HOUSE

Mr. Baker (Nepean-Carleton): Madam Speaker, I rise on a point of order regarding something I have discussed with the government House leader. It is with respect to what he said in the middle of his statement on the sub judice question which is now before you. It relates to House business.

I confess that I did not hear quite what he said as well as I might have, so I wonder what his intention is. What did he say with respect to the borrowing authority bill and his intentions, I believe on motions, with respect to that matter? Could he repeat that for me please?

Mr. Pinard: Madam Speaker, as I said to my colleague in the hall a few minutes ago, and I am glad to repeat it here, if we were to reach motions, that is, even before orders of the day, before six o'clock, then the Minister of State for Finance will move the motion to allocate two days to conclude the debate on report stage and third reading stage on the borrowing authority bill. If he cannot move it before six o'clock, then we will see about it later.

Mr. Baker (Nepean-Carleton): Madam Speaker, I want to thank the President of the Privy Council for clarifying that question. I have an additional question.

The motion in the name of the Minister of State for Finance says that he gives notice of his intention to move a motion at the next sitting of the House to allocate one sitting day to each of the stages of the bill. There are two stages left, the report stage amendment and third reading stage. Can the government House leader tell me what his intention is with respect to calling the report stage and third reading stage of this bill? Does he intend to call it tomorrow and the next day and the next day? I think it would be helpful if we knew what the government's intentions were with respect to the other business that he refers to.

[*Translation*]

Mr. Pinard: Madam Speaker, it has not been decided yet when the two-day debate to be granted under the motion is going to take place. Still, in view of the urgency of the matter, we shall act quickly. As for the suggestion of the hon. member to proceed with one or two days this week, we shall certainly take it into consideration. As soon as a decision has been

made, probably some time tomorrow morning before the question period, I shall be pleased to advise him accordingly.

* * *

[*English*]

PRIVILEGE

MR. LAWRENCE—ALLEGED MISLEADING ANSWER GIVEN BY MR. KAPLAN—RULING BY MADAM SPEAKER

Madam Speaker: I should like to go back to the new question of privilege raised by the hon. member for Durham-Northumberland (Mr. Lawrence). He took great care to tell me what citations did not apply and he read Citation 19 from Beauchesne. There is another citation which I should like to put before hon. members in response to that question of privilege, namely, Citation 264 of Beauchesne, on page 87, which reads as follows:

The option of a minister to make a statement either in the House or outside it may be the subject of comment, but is not the subject of a question of privilege.

● (1730)

I remind hon. members of the ruling by Mr. Speaker Lamoureux on February 28, 1972, where he said:

—suggestions that statements not made in the House were made outside the House, or that information not given to members in reply to questions was supplied to the media or in some other way given outside the House. There is a long line of learned rulings, going back many years, indicating that this is more a grievance than a breach of privilege—

Therefore, I think I am on solid and traditional ground in ruling that the hon. member might have a grievance, that he might be hurt and disappointed by the fact that the question was not answered in the way he would have wished, but that the matter of privilege does not cover that kind of situation.

I have notice of another question of privilege.

Some hon. Members: Oh, oh!

Madam Speaker: Yes, I have others. I will call them in the order in which I have received them.

MR. FRETZ—ALLEGED UNSATISFACTORY ANSWER FROM MINISTER OF NATIONAL DEFENCE

Mr. Girve Fretz (Erie): Madam Speaker, my question of privilege flows from answers which the Minister of National Defence (Mr. Lamontagne) gave me in this House on Friday as a result of questions I posed to him. The answers were misleading and contradictory. I would like to read in part the questions and answers.

It concerns recent press reports that pressure from the Quebec Liberal caucus has caused bidding to be reopened on the contracts for the F-18 fighter—

I asked the minister if those allegations were correct. He replied:

The bidding has been going normally. Nothing has been changed on the international principle of the bidding . . . As far as I am concerned, nothing either illegal or erroneous has been done.

My next question was:

—if the minister alleges that the bids have not been reopened, what is the reason for the delays which constitute a loss of work for Canadian plants?

The minister replied:

—I would suggest that the hon. member ask McDonnell Douglas about the delays if any.

We have a confession by the chairman of the Quebec Liberal caucus. It was confirmed on Thursday that the Quebec Liberal caucus pressed the McDonnell Douglas firm to reopen bidding on the contracts months after the competition had closed, giving a Quebec firm a chance to bid late. McDonnell Douglas reopened bidding in February to consider what it called a late unsolicited bid from Canadair Limited of Montreal. In the original bidding period last year, Canadair had gone after only one of four contracts because it was busy with other work.

The chairman of the Quebec Liberal caucus said that his group met with the directors of Canadair a month and a half ago to force them to reconsider and submit bids on all the contracts. He stated that Canadair did not have any choice. The firms affected are in Ontario, Manitoba and New Brunswick. Sources close to the situation say that two Ontario firms would have won the contracts if the federal government had accepted McDonnell Douglas' first recommendation.

Madam Speaker: Order, please. The hon. member is well aware that if he is not satisfied with an answer received from a minister in the House, that does not constitute the basis of a question of privilege. The hon. member has been speaking now for a few minutes and has not yet stated what the question of privilege is. I would ask him to do that very promptly because my suspicion is that he does not have a question of privilege. I cannot deduce that from what he has said. He is debating the matter of the question of privilege, but he is not exposing or debating the privilege itself.

Since there are several other members who have given me notice of questions of privilege, I would ask the hon. member to be brief. In any event, he may have a long series of arguments to put forward. I cannot force him to be brief. I can ask him to come to the point very quickly.

Mr. Fretz: Madam Speaker, my question of privilege is that the minister said that the bidding has been going normally. My question of privilege is that it is not going normally. If bidding has been reopened as a result of pressure from the Liberal caucus—

Madam Speaker: Order, please. That is obviously a difference of opinion between the minister and the hon. member. It is debate. The hon. member has to tell me why he feels he has a question of privilege, not to debate anything pertaining to the specific question asked during the question period or any of the answers which were given. That does not constitute a question of privilege.

Mr. Fretz: Madam Speaker, the answer the minister gave me was that things were going normally. As we can see, they

have not been going normally. That affects me as a member. What about the plants in my riding which are affected as a result of something that is going on here? That affects my privileges as a member.

Madam Speaker: Order, please. The hon. member may feel that things are not going normally and that he has arguments to support that. The minister might have arguments to support exactly the contrary. This is obviously debate. Up until now the hon. member has not proved to me that he has a question of privilege. Unless he stops debating the question immediately, I will have to rule that he does not have a question of privilege.

Mr. Fretz: Madam Speaker, what I would like to do is move that this go to a committee. May I move that motion? I move, seconded by the hon. member—

Madam Speaker: Order, please. The motion would only be in order once I had decided there was a prima facie case of privilege. Up until now the hon. member has not proved to me that there is a prima facie case of privilege. Therefore, since the hon. member does not have any further arguments to produce in support of his question of privilege, I have to rule that the hon. member for Erie (Mr. Fretz) does not have a question of privilege.

Mr. Nielsen: On a point of order, Madam Speaker. I do not quarrel with the ruling at all, but it has been a long-standing practice in this House that notwithstanding the correctness of what you have just stated, you allow a member raising a question of privilege to say "if the Chair finds that I have a question of privilege, it would be my intention to move the following motion". It may be something quite acceptable. That is a long-standing practice, Madam Speaker, and the hon. member should have been allowed to do that.

Madam Speaker: Hon. members may sometimes offer a motion before I rule, but the hon. member for Yukon (Mr. Nielsen) said "if". That was a very big if in light of the exchange that just took place between the Chair and the hon. member for Erie. I did not think it necessary to read the motion because I had already found there was not a question of privilege.

MR. McKNIGHT—USE OF INITIALS MP BY SENATOR

Mr. Bill McKnight (Kindersley-Lloydminster): As you will recall, Madam Speaker, I gave you notice of my question of privilege by letter on Friday last and again today. As I said today, the matter affects the ability and the capacity of all members of this House to respond and to discharge their official duties for which they have been elected by the unauthorized and unfairly misleading use of the initials MP, which are commonly accepted and traditionally used to designate members elected to the House of Commons, by individuals other than those elected to this House.

That being said, I will carry on hopefully to present to you several instances regarding the use of the initials MP. I should like you to keep in mind that I will be referring to the initials MP, not the written words Member of Parliament, as those words, through usage, common acceptance by the people of Canada and, indeed, common acceptance by members of this House, reflect that we are members of the House of Commons.

• (1740)

I am fully aware, as are all members of this House, that our Parliament is made up of two Houses; the House of Commons in which we serve, and the Senate. I am not attempting in any manner to present any argument which would suggest members of the Senate are not members of the Parliament of Canada. I am attempting to point out to you what the initials MP have become over the past years to represent to the people.

Let me point out to you that I have a copy of a letter—and I believe other members of my caucus have received similar letters—from the hon. Senator H. A. Olson, where at the bottom in which, under his signature he includes MP. If you will allow me to continue, Madam Speaker, I would remind you that on March 26 last you asked my colleague, the hon. member for Calgary West (Mr. Hawkes), a question. He was referring to another matter concerning members of the House, and then you said:

> If people believe he is a member of the House of Commons, that is nothing upon which I can act. But does that hon. member indicate anywhere that he is a member of the House of Commons?

I should like briefly to give you some outlines of how the initials MP have been accepted in Canadian usage and by the Canadian electorate of Canada, and draw attention to the fact that a member of the other place, in this case Senator Bud Olson, in using the initials MP is signifying in the minds of the electorate of Canada that he is a member of the House of Commons. We all know he is not. Let me refer to the Canadian Almanac—

Madam Speaker: Order, please. If the hon. member is speaking exclusively of members of the other House who allegedly have used those initials to indicate they were members of Parliament, then that question should be raised in the other House. There is no way this Speaker can reprimand a member of the other House or correct a situation or an action taken by him. In order that we do things here properly, we must concern ourselves with the business of our own House and not that of the other House.

I know the initials MP have traditionally been used to designate members who sit in the House of Commons. The hon. member has pointed out rightly that Parliament means the House of Commons, the Senate and the Queen. I do not know in what sense the hon. member from the other place might have used those initials, but I am sure this question must not be dealt with in this House but in the other place.

Mr. McKnight: Madam Speaker, I do not intend, far from it, to enter into debate with the Chair. I know that you exercise your authority to protect the privileges of the members of the House of Commons, those who have been elected to serve constituents across this land. Unless people know and

understand, and I am talking of the electorate of Canada, what the designation MP is, and if those initials are being usurped, and I think I am using that word properly, then it is your duty to protect the rights and privileges of those of us who serve in this House.

Going beyond that point, I would return to the Canadian Parliamentary Guide for 1980. At the back of the guide I find the personal index. On looking at several names, I find that the members who serve in this House have the initials MP after their names, and Senator Olson's name from the other place is designated as "Hon. Horace A. Olson, PC".

Madam Speaker: Order, please. The hon. member will probably be bringing up all sorts of indications of how those initials have been used in the past. This refers to usage and has nothing to do with the Standing Orders of this House. I can understand the hon. member being concerned about this matter, but all matters are not to be solved in this House. There are other places where questions of that nature can be brought forward and discussed properly. It is not for me to determine that the initials MP will be solely applicable to members sitting in this House. Many members, and other people outside this House, would perhaps argue that the meaning could be more general and that other Members of Parliament might be able to call themselves Members of Parliament, perhaps without using the initials. Even if they did use the initials, it would have to do with usage. This is not a matter for me to determine. I would plead with the hon. member to refrain from raising this now. I cannot hear this question as it does not deal with members of this House. I would not want to rule on it.

Hon. Erik Nielsen (Yukon): Madam Speaker, without again in any way questioning the decision you have made, may I urge you, Madam Chairman, to refer to page 36—

Mr. Knowles: Madam Speaker.

Mr. Nielsen: What did I say?

Mr. Knowles: You said "Madam Chairman".

Mr. Nielsen: I am very sorry. I did not realize that. Madam Speaker, I would urge you to consider page 36 of Beauchesne's, Citation 111 which states:

The Speaker of the House of Commons is the representative of the House itself in its powers, proceedings and dignity. His functions—

I should state "his or her" functions. The citation continues:

—fall into two main categories. On the one hand, he is the spokesman or representative of the House in its relations with the Crown, the Senate and other authorities and persons outside Parliament.

That is as far as I need go with that citation. Might I suggest that you reconsider the question and how you have directed yourself in dealing with the matter raised by the hon. member, and perhaps confer with your counterpart in the Senate with a view to determining whether a member of the other place has the right to use letters which by right belong and have always belonged to members of this place. It is just as illogical to assume they have that kind of right as it is for members of this place to assume they can call themselves senators, perish the thought.

You might wish, Madam Speaker, to take that citation under consideration and perhaps discuss the matter with your counterpart in the Senate with a view to stopping a very undesirable practice. I received the same kind of letter from the senator concerned. I might say, it is the only instance of which I know when an individual senator has used those letters.

Madam Speaker: I am thankful to the hon. member for pointing out this particular citation, but he did not quote it to its end. I read:

On the other hand, he—

It should read "he or she". We will have to change Beauchesne. It continues:

—presides over the debates of the House of Commons and enforces the observance of all rules for preserving order in its proceedings.

That is what I have to do. When I see there is no rule I can apply to a particular situation, it is not for me to invent or write a new rule in order to resolve a situation. I am sure hon. members will understand that all I can do is apply the rules as they are written in our Standing Orders, and there is none which pertains to this particular circumstance.

• (1750)

I contend, and I stand to be corrected because I am not now applying the rules, that hon. members are quite capable of walking to the other place themselves and discussing this with senators or deciding between themselves who will be entitled to put the initials MP after their names.

I have notice of another question of privilege.

Mr. Knowles: Madam Speaker, I rise on a point of order. Would not the simplest way to solve this problem be to abolish the Senate?

Mr. Gauthier: Question.

Mr. Knowles: Agreed.

Madam Speaker: I have notice of another question of privilege in the name of the hon. member for York-Peel (Mr. Stevens).

MR. STEVENS—ALLEGED LACK OF IMPARTIALITY OF MINISTER OF JUSTICE AND ATTORNEY GENERAL OF CANADA IN CARRYING OUT HIS DUTIES

Hon. Sinclair Stevens (York-Peel): Madam Speaker, as you know from the letter I delivered to your office before one o'clock I wish to raise a question of privilege which, if you should find a prima facie case in my favour, would lead to my moving the following motion:

That the increasing tendency of the Minister of Justice and Attorney General of Canada to act in a manner incompatible with the separate requirements and traditions of each of his two portfolios, and the continued inability of the House to obtain independent legal advice from the Attorney General in keeping with the proper constitutional place of that officer of the Crown, as set out in the Department of Justice Act and in particular Section 5 thereof, be referred to the Standing Committee on Privileges and Elections.

Having read that proposed motion into the record, I would like to emphasize that my question of privilege centres on the obligation of the Attorney General of Canada to provide independent, impartial legal advice to this House and to every member of this House with respect to certain issues which may arise from time to time which the House considers.

My argument will take us through various authoritative sources. I intend to refer Your Honour to various provisions in the Department of Justice Act itself, but I will begin by summarizing the main thrust of what I hope will satisfy Your Honour that I have a prima facie case.

I will start by saying that one of the duties of the Attorney General is to provide legal advice to the House of Commons in a non-partisan fashion, even if such advice should prove embarrassing to the government itself. That is in part the crux of what we will be arguing.

The Attorney General of Canada is a unique officer of the Crown. We find that in defining the duties of the Attorney General of Canada Section 5 of the act itself draws attention to the fact that the Attorney General of Canada shall:

(a) be entrusted with the powers and charged with the duties that belong to the office of the attorney general of England by law or usage, so far as those powers and duties are applicable to Canada, and also with the powers and duties that, by the laws of the several provinces, belonged to the office of attorney general of each province up to the time when the British North America Act, 1867, came into effect, so far as those laws under the provisions of the said Act are to be administered and carried into effect by the Government of Canada;

I read that section into the record because I feel that I can make a case that our Attorney General of Canada has so compromised his position in his partisan endorsation of the government's constitutional resolution that is before us that he no longer can freely advise members of this House concerning our legal position in dealing with that resolution.

I say that because I will be reading into the record what certain supreme court and court of appeal justices have already said concerning the possible illegality of what we in this House are being asked to do. When we face the reality of a government having brought in a resolution which is being contested from various quarters of the land and which has already been before the Court of Appeal in Manitoba where two justices have indicated in their judgments that there is considerable doubt as to its legality I suggest it is absolutely essential that we have an Attorney General in the House—who, after all, is responsible to this House, and I emphasize that—who does not compromise his impartiality and remains in a neutral role which would allow us to call on him for specific legal advice on the legality of what we have before us.

Madam Speaker: Order, please. I had some grave reservations when I saw the text of the written notice which the hon. member sent to me with respect to his question of privilege. I felt that the way it was written came very close to what I am now sure he is doing. I think he is reflecting upon the conduct of another member, and I want to read to him from Erskine May at page 428. I refer to the paragraph entitled "Reflections on the Sovereign, Etc.". It says:

Unless the discussion is based upon a substantive motion, drawn in proper terms, reflections must not be cast in debate upon the conduct of—

A number of people, including members of either House of Parliament.

Nor may opprobrious reflections be cast in debate on—

The people referred to.

The hon. member is reflecting on the conduct of the minister and on the way he has carried out his duties, and I am afraid I can only hear him under a substantive motion in which he clearly charges the hon. minister with whatever he feels has been done improperly.

I cannot judge whether a minister or a member has properly carried out his duties. Therefore, there is no point in discussing that in the House unless the hon. member wants to make a substantive motion, and then he can give us notice of that.

Mr. Stevens: Madam Speaker, certainly over the dinner break I will read the citation in Erskine May to which I have referred, but I suggest that if you hear me out on the main thrust of what I am raising as a question of privilege, you will agree that the office of Attorney General of Canada is in truth a very unique office, especially in relation to this House of Commons. Madam Speaker, this is not a reflection on a member, as you say. It is a question as to whether the person filling the office of Attorney General of Canada can, because of certain other extenuating circumstances, continue to perform his function as Attorney General of Canada as the House of Commons may from time to time require.

In order to substantiate my case I will have to refer Your Honour to some of the precedents which are available concerning the role of the attorney general in England. I will be reading into the record some very important statements which have been made by previous attorneys general in Canada as to the nature of their role—

Madam Speaker: Order. It being six o'clock I do now leave the chair until 8 p.m.

At 6 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. Stevens: Madam Speaker, during the dinner break I had an opportunity to refer to the quotation on page 428 of the nineteenth edition of Erskine May to which you referred earlier and I would like to have the subprivilege of being able to comment concerning your dilemma as you outlined it to the House just prior to dinner. On reflection, Madam Speaker, I felt you were really saying that if I was saying something that was a reflection on a Member of Parliament or, in this case, a minister of the Crown, I could only speak to that through a substantive motion. I felt that then brought me to the dilemma of how to put the substantive motion before you, because if we refer to the general heading "Matters Requiring Immediate

Intervention of the House," Erskine May, in dealing with the bringing forward of a question of privilege, points out that before a substantive motion on a question of privilege is moved, the member must first make a prima facie case.

So, Madam Speaker, I am caught in what is colloquially called a Catch-22 situation. However, I think I have some help for you because I was able to find precedents which, I think, will show clearly my approach is quite in order, and if you will permit me to make what, I believe, is a prima facie case, I would then move my substantive motion.

Madam Speaker: I want to interrupt the hon. member because I, too, during the break had a chance to look at this question and I also looked at the blues and the motion that the hon. member would propose if I found a prima facie case of privilege. Looking at that motion and the notice of the question of privilege as submitted by the hon. member, I find that whatever he wants to say about the minister does cast a reflection on his conduct in quite a vague manner, he has not given the reason for which such reflection should be made, and his own motion says that the Minister of Justice and Attorney General of Canada (Mr. Chrétien) acted in a manner incompatible with the separate requirements and traditions of each of his two portfolios.

It seems to me that what the hon. member is saying in this motion leads to questioning the ethics of the minister in one or both his functions. The hon. member should be very precise in order to allow me to judge very soon whether this should be considered as a question of privilege or a motion under Standing Order 35, in which case the hon. member would have no trouble in giving the House notice of his substantive motion. If he wants me to advise him on how to get his motion before the House, I can tell him that he must simply give notice of that motion, following which it is debatable and the House may vote on it. This question of privilege requires a different kind of procedure.

So I would like the hon. member to be very precise because I will not allow these kinds of aspersions to be made on different members of the House. If he has a distinct charge to make, he can make it under his substantive motion. If he has a question of privilege that he is not satisfied with an answer or with something the minister has said, that is a different question and I can hear him.

Mr. Stevens: Madam Speaker, I will try to satisfy you on all counts, and in saying that, I hope that you will be reasonably patient with me because I am dealing with a subject which perhaps has never before been raised in this form in the House. As I see the thrust of your comments, you are in effect saying that I should clarify whether I have made or intend to make a reflection on a minister of the Crown, and in that connection I would draw you attention to the fact that even if I were to make a reflection on a minister of the Crown—which I think I can satisfy you I will not be doing in the sense that it is an unparliamentary reflection—I would point out that only last Friday, March 27, you accepted two motions that I think could easily have been regarded as reflections on ministers of the Crown. I refer to proceedings under Standing Order 43 where the hon. member for Cariboo-Chilcotin (Mr. Greenaway), as reported on page 8639 of *Hansard,* said:

> Madam Speaker, yesterday in the Standing Committee on Indian Affairs and Northern Development members of this House were subjected to a litany of examples of the complete and utter abrogation of the government's obligations to the Cree and Inuit under the James Bay and Northern Quebec Agreement. Given the devastating effect that this abrogation has had on the health of the Cree, and specifically in light of the fact that tuberculosis is rampant in at least one Cree village, I move, seconded by the hon. member for Prince George-Bulkley Valley (Mr. McCuish):
>
> That the Minister of National Health and Welfare admit her residual responsibility for natives as outlined in Chapter 955 of the Indian health regulations under the Indian Act, and not withdraw health and social services to the Cree as is presently scheduled for March 31, 1981, until all commitments under the James Bay and Northern Quebec Agreement are fulfilled by both governments involved.

Madam Speaker: Order, please. That was a substantive motion on which, had the House given its unanimous consent, it would have voted upon, and that is what I am telling the hon. member. If he has a charge to make against a minister, he can do it under a substantive motion.

Mr. Stevens: Well, Madam Speaker, my dilemma—

Some hon. Members: Oh, oh!

Mr. Stevens: I was referring you to the procedure which I understand, partly from Erskine May, I have to follow before I can put my substantive motion. Under my question of privilege, as I understand the references in Erskine May appearing on page 345 and others, I have to satisfy you of my prima facie case prior to—

Madam Speaker: Order, please. I am sure the hon. member is not as confused as it appears. There are two things: if the hon. member wants to raise a question of privilege, then he has to satisfy me that there is a prima facie case. Now, I am telling the hon. member that from what I know of what he is about to do, he is about to cast a reflection upon the conduct of a minister, and because I have some doubts about that, I am asking the hon. member to be very specific now about what he wants to bring before the House. If it is a grievance, or if he wants to express an opinion about the conduct of a minister, he can do it under a substantive motion. The member does not have to explain to the Chair his substantive motion before he gives notice of it. He simply gives notice of it; then it will be debated and we can hear the hon. member on the subject of his substantive motion. What I am saying is that a substantive motion can be debated and voted upon, but a question of privilege is different and must be dealt with in a different manner.

● (2010)

Mr. Stevens: Madam Speaker, my question of privilege affects every member of the House including myself. The question of privilege upon which I am attempting to make my prima facie case centres on the rather unique job which our Minister of Justice (Mr. Chrétien), who in turn is also the Attorney General of Canada, must perform. Because of the

way the Department of Justice Act is worded, it is a job which puts an extremely heavy onus upon the Attorney General of Canada to perform his function in a neutral manner in various capacities. One of those capacities happens to be his role to supply legal advice to the House of Commons.

The reason this is so significant is that when we refer to the various comments made by previous attorneys general, either in Canada or in the United Kingdom, we find that this duty or role of trying to be neutral and to give an independent, unchallengable advice to Parliament is a very, very important function.

For example, I refer to the functions of the attorney general of the United Kingdom. As I read into the record earlier, Section 5 of the Department of Justice Act makes the precedents of the United Kingdom applicable to the role of the Attorney General in Canada. I should like to refer to an article which was written by the Right Honourable Silkin, Q.C., MP, Attorney General for England. On page 154 of his article, he spoke about the English counterpart of the Attorney General of Canada. Mr. Silkin stated:

> As an officer of the House of Commons, the Attorney General is often asked and customarily undertakes to give legal advice to Parliament, and in that capacity to take part in debates and to attend before committees of the House. In giving legal advice he owes a special duty to the House, separate and apart from his duty to the Crown, and in these matters he occupies a different position from an ordinary minister of the Crown.

I am attempting to outline what the Department of Justice Act sets out are certain duties of the Minister of Justice, but in Section 5 it incorporates all the duties and obligations which fall on an attorney general, in this case the Attorney General of Canada. Specifically it refers to the precedents which exist in the United Kingdom.

We are in a situation where Parliament should feel free to call on the Attorney General of Canada for advice on what is relevant concerning parliamentary activities. For example, those activities touch on various matters of procedure. Mr. Silkin specifically said that they touch on the duty to the House, that is, the duty of the Attorney General of Canada to the House does not extend beyond the giving of legal advice in relation to the Constitution of and conduct of proceedings in the House, the conduct and discipline of members, and the effect of proposed legislation.

The problem before us is that in question period today, the Right Hon. Leader of the Opposition (Mr. Clark) put certain questions to the Attorney General of Canada as to what was his attitude with regard to the legal status of the constitutional resolution before the House and which may be debated later this week or some time during April. The Attorney General said that essentially it was for this House of Commons to legislate and for the courts to adjudicate. In that answer, I felt, was confirmation of the notice I have given. My notice was based partly on what I had read about what the Attorney General of Canada did and said in the United Kingdom.

As I read what he did and said in the United Kingdom, I felt that he could no longer be held out as an impartial person who could be called upon to advise us on our legal rights as members of the House. In short, he seemed to take the role of an advocate in the United Kingdom, an advocate of the resolution he was hoping would be passed by this House and subsequently by Westminster. If that is so, we must think of the consequence.

As we read the various judgments which have already been rendered in the court of appeal of Manitoba, we can see the significance of what perhaps the Attorney General of Canada has done. For example, I draw Your Honour's attention to the opening sentence—this is not buried in the judgment—of Mr. Justice O'Sullivan in Winnipeg who stated that in this constitutional case, the submission of the Attorney General of Canada ends up in the proposition that a political party, if it forms the majority of both Houses of the Canadian Parliament, has the power to amend the Constitution of our country as it pleases.

Surely it is a question of privilege to be able to call the Attorney General of Canada before the appropriate committee to find out if his feeling is that any party having the majority of both Houses of the Canadian Parliament has the power to amend the Constitution of our country as it pleases. I say this remembering that the Attorney General of Canada, in effect, is an officer of the House of Commons. Among his functions, he is expected to advise us on the legal implications of whatever we are being asked to do.

I could go on to cite what Mr. Justice O'Sullivan mentioned as to what he feels may well be the illegal grounds which we are being asked to accept. He stated that by a non-legal convention the British Parliament is bound constitutionally, but not legally, to amend the Canadian Constitution in whatever way both Houses of the Canadian Parliament concur in requesting. I could mention the various instances where Mr. Justice O'Sullivan quoted the Attorney General of Canada as taking certain positions with respect to the question which may be before us later this week or during the month of April. I would like to put it succinctly, Madam Speaker. It is as simple as this. I, as a sitting Member of Parliament, and other Members of Parliament who have read the various judgments which have been rendered in the Manitoba Court of Appeal, are being told that it may be that the resolution we are being asked to pass is, in effect, illegal. We are told that we in this House are being asked to do something which invades or somehow detracts from the sovereignty of provinces and which is beyond our jurisdiction.

● (2020)

Surely it behooves every member of this House now that this matter, only within this week, has been referred to the Supreme Court of Canada and will be finally adjudicated starting on April 28, to seek out our own legal advice as to whether we are possibly doing something illegal if we continue not only to consider but eventually to pass the constitutional resolution the government has asked us to deal with. I say this because, as I indicated before, Madam Speaker, you will recall that prior to his trip to the United Kingdom the Attorney General of Canada, in a release which bore his name, put out a

rebuttal of the Kershaw position in the United Kingdom, a decision of a committee on the Westminster House. When you read that item, Madam Speaker, you can see clearly that the so-called rebuttal is a stout defence of the government's or the Crown's position on this question. It is not a matter of a neutral Attorney General keeping his impartiality. He is an Attorney General who is indicating that he is more like the prosecutor or the advocate. He is the person advancing the case. That is why I feel I do have a prima facie case of privilege.

As far as the minister is concerned on this matter of whether or not I am unduly reflecting on the minister, I would point out that if I am reflecting on the minister, much worse language has been held to be parliamentary previously, much worse language touching on ministers. In that connnection, at page 12387 of *Hansard* for April 1, 1976, there was an exchange in this House in which the then member for Lévis stated:

> Mr. Speaker, we have the worst President of the Privy Council we have ever had.

That president of the privy council is no longer in this House, Madam Speaker. The former member for Lévis then rose and said:

> Mr. Speaker, I rise on a point of order.

He then changed his point of order into a question of privilege. He wanted to challenge that wording, and the Acting Speaker said:

> The hon. member probably did not like the words of the hon. member who has the floor but there is nothing unparliamentary in what he said.

To use the words of the then Acting Speaker, if there is nothing unparliamentary in saying that the president of the privy council was the worst that they had ever had, surely when we read my words we will see that they are extremely timid. To say that I am reflecting unduly on the minister and that you cannot hear me out, Madam Speaker, I think would be odd.

There is another case dealing with the subject that I have referred to. It appears extensively in *Hansard*, again in 1976. As far as this case is concerned, I can remember it well. I see certain members in this House, my colleague the hon. member for Nepean-Carleton (Mr. Baker), my colleague the hon. member for Yukon (Mr. Nielsen) and the hon. member who now represents Lincoln (Mr. Mackasey)—I have forgotten the riding he represented at that time—

Mr. Comtois: Verdun.

Mr. Stevens: They all spoke on this case. At that time, as the sitting member for York-Simcoe, I was challenged for making a statement about members of the cabinet in general and indicating that they may have been involved in certain illegal activities and yet, in spite of being so involved, carrying on in power. There is a lengthy discussion in *Hansard* concerning what is a reflection on a minister. The arguments begin at page 11950 of *Hansard* for Friday, March 19, 1976. The ruling of Mr. Speaker Jerome is given on March 22, 1976, wherein he stated:

> In reply to a question of privilege raised by the President of the Privy Council (Mr. Sharp), I indicated I would want some time to deliberate on the matter. The question arises from certain remarks made in the course of debate on Thursday evening of last week.

These were remarks made by myself, Madam Speaker.

> The basic rule of the House with respect to the procedure and practice in this regard can be found in Citation 140 of Beauchesne's. It is probably familiar to all hon. members, and it reads as follows:
>
> "The rule relating to personal reflections occurring in debate may be stated thus, namely: that it is doubly disorderly for any member, in speaking, to digress from the question before the House and to attack any other member by means of opprobrious language applied to his person and character or to his conduct, either in general, or on some particular occasion, intending to bring him into ridicule, contempt, or hatred with his fellow-members, or to create ill blood in the House."

With all due respect, I would like to say, in case there is any doubt, that my statement, and certainly the form of my proposed motion, if you find I have a prima facie case, would do none of those things that Mr. Speaker Jerome indicated. He did refer to the same Standing Order 35 that you have referred to, Your Honour. He then went on to deal with the question of this word "illegal", and finally he asked that I withdraw the word. I then said I would withdraw the word "illegal" and put in its place "improperly" or "wrongfully". As a result, I then stated: what administration at a senior level of government in Canada, other than this administration, would allow cabinet ministers who have acted improperly or wrongfully to carry on in their posts? At the conclusion of the question of privilege, as reported at page 12001 of *Hansard*, Mr. Speaker said the following:

> MR. SPEAKER: Order, please. I should like to thank the hon. member for York-Simcoe for his very important intervention and simply conclude the matter by indicating that, in the opinion of the Chair, in any event, whatever offensive language was used in the hon. member's intervention has now been rectified.

Some hon. Members: Shame.

Mr. Stevens: Madam Speaker, in short, changing from the word "illegal" to the words "improperly" or "wrongfully" was sufficient, as far as Mr. Speaker Jerome was concerned, to satisfy him that I was not unduly reflecting on the minister who happened to be the president of the Privy Council at that time.

The present Attorney-General has demonstrated his lack of impartiality by, first, publication of the role of the United Kingdom in the amendment of the Canadian Constitution which presents the government's view on constitutional amendment. Second, he has demonstrated his lack of impartiality by his recent trip to the United Kingdom in that he argued the government's position. I could refer to the various newspaper articles which followed his trip to the United Kingdom. The various quotations which are attributed to the Attorney-General include one which appeared in *The Globe and Mail* on March 26, wherein he is reported to have stated:

> Of course, we can't do this with the agreement of all the provinces . . . But if they don't agree, the people of Canada can throw us out.

The minister is reported to have said the move is "a gamble—but that is democracy." He went on to say:

The British parliament is not "a rubber stamp," the text quickly added, but Westminster "understands that its role is to give legal effect . . . to the wishes of Canadians as expressed by a sovereign sister Parliament."

I could read into the record various other quotes which I think would show very definitively that the Attorney General, certainly when he was in England, spoke not like a neutral attorney general and not like a person who was, in effect, going to England saying that there are arguments on this side and there are arguments on that side. In short, unlike the attorney general of England—who, incidentally, is not even a member of their cabinet, because the office is put in that type of relationship to the government of the day—our own attorney general of Canada when in England was advocating the government's case.

● (2030)

My dilemma now—

An hon. Member: Shocking!

Mr. Stevens: My dilemma is: how can we members of this House turn now to that same Attorney General of Canada and say, "Do you feel that the resolution that the government has put before us is of such a nature that those judges in Winnipeg are perhaps right, and there are illegal aspects to what we are being asked to do?"

Some hon. Members: Hear, hear!

Mr. Stevens: In the March 25 edition of the Ottawa *Citizen*, the Attorney General is quoted more definitively. He states:

Chrétien is in London today for a four-day visit in which he will put the federal government's case for patriation to British authorities.

As I have indicated, the act empowering our Minister of Justice as an ex-officio attorney general of Canada makes it clear that he must observe the precedents and the traditions, in other words, the rule of law which exists in England concerning the role of the attorney general.

An hon. Member: We are not in England.

Mr. Stevens: As I have often indicated, one of those very clear roles, is to operate as an officer of the House of Commons to give us impartial and free legal advice. I have referred to one article concerning the role of the attorney general in England. I would like to refer briefly to another article. This is the Cambridge Law Journal of 1969. It is from the office of the attorney general, written by the Right Hon. Sir Elwyn Jones, attorney general, in England. In that article, at page 50, Mr. Jones states:

—but the basic requirement of our constitution is that however much of a political animal he may be when he is dealing with political matters—

He is referring to the attorney general.

—must not allow political considerations to affect his actions in those matters in which he is to act in an impartial and even quasi-judicial way.

I notice that the hon. members on the government side are becoming a little more aroused as we go along. But perhaps—

An hon. Member: Sounds like Gilbert and Sullivan!

Mr. Stevens: Perhaps they will note what one of their former colleagues said in 1978 concerning the role of the Attorney General of Canada. I am referring to the then minister of justice, now the Hon. Ron Basford—

Mr. Crosbie: Gone to his reward.

Mr. Stevens: —who, speaking in this House on March 17, 1978, at page 3881 stated:

The first principle, in my view, is that there must be excluded any consideration based upon narrow, partisan views, or based upon the political consequences to me or to others.

Some hon. Members: Hear, hear.

Mr. Stevens: Here was a former attorney general of Canada, who happened to be serving under the partisan Prime Minister of Canada (Mr. Trudeau) at that time, who was stating what he felt was the proper role for an attorney general in Canada. He went on to say:

In arriving at a decision on such a sensitive issue as this, the Attorney General is entitled to seek information and advice from others but in no way is he directed by his colleagues in the government or by parliament itself. That is not to say that the Attorney General is not accountable to Parliament for his decisions, which he obviously is.

The then attorney general went on to say, as reported at page 3882 of *Hansard:*

—the Attorney General should ensure . . . as a member of this House, he has responsibilities toward the rights, privileges, traditions and immunities so necessary for the proper functioning of Parliament;

That is the heart of my question of privilege. We have evidence before us, in the press, in what has been tabled in this House, in statements made in this House by the Attorney General of Canada as recently as today, which indicate that the present Attorney General of Canada is no longer an impartial officer of this House who is available to give us the legal advice that I would suggest we will need before we can proceed to consider the constitutional resolution before us.

An hon. Member: Completely compromised.

Mr. Crosbie: Completely partisan.

Mr. Stevens: I touch on those references because I hope it will bring the thrust of what I am saying into focus. Even more to the point, I would suggest that Parliament is being forced to act in a manner which has been declared illegal and unconstitutional by at least two justices in the province of Manitoba. Parliament should be able to ask the advice of the attorney general on the issue; but because he has compromised his position, he is no longer fit to render that advice. As he is unable to fulfil his responsibility to Parliament, the Attorney General should be requested to resign.

Some hon. Members: Hear, hear!

Mr. Stevens: If I remind the House of some of the statements which have been made by Mr. Justice O'Sullivan as to the nature of the resolution before us, surely every member of this House of Commons will say that, rather than press on, we should secure proper legal advice. In his judgment, Mr. Justice O'Sullivan has made statements like this:

In my opinion it would be unconstitutional and illegal for her federal ministers, or for her federal parliamentarians, to give her advice in matters for which they are not responsible under our Constitution.

Mr. Justice O'Sullivan was referring to the advice that, in effect, this resolution would be coming to Her Majesty in the right of Canada.

Madam Speaker: I am afraid the hon. member is going into the point of order which was put forward by the Right Hon. Leader of the Opposition (Mr. Clark) on which I said that I would rule later. I would ask him not to refer to the matter which was raised by the Right Hon. Leader of the Opposition but, if he can, to conclude his argumentation for his question of privilege.

Mr. Stevens: Madam Speaker, I am well aware of your earlier ruling today concerning the point of order raised by the Right Hon. Leader of the Opposition; but I am just giving illustrations of the type of point on which we members of Parliament should normally call upon our attorney general to advise us, because here we have a situation where two judges in the Manitoba court of appeal have made certain statements. That entire appeal is now before the Supreme Court of Canada. As we want to know what course to follow in this House, I think it is relevant that we know what the Supreme Court of Canada may subsequently hold, should we continue with our course of action of considering the constitutional resolution, dealing with it and even passing it.

● (2040)

For example, at another point, Mr. Justice O'Sullivan stated, "It is constitutionally incompetent and illegal—."

Madam Speaker: Order, please. The hon. member is discussing the point of order brought up by the Right Hon. Leader of the Opposition. We cannot discuss it anymore. It is under advisement and I shall rule on it later. Those examples should not be referred to, first of all, because the question is under advisement, and, second, I thought the hon. member had a new question of privilege which I am trying to understand. It would be helpful if he kept to that question of privilege so that I may rule upon it.

Mr. Stevens: Madam Speaker, if I may, I should like to have taken as read the various references I might have read into the record concerning the judgments in the Manitoba Court of Appeal. I indicated to you in my letter that my position is that I believe the Attorney General has compromised his position. I would sum up simply by saying that if you—

Some hon. Members: Hear, hear!

Mr. Stevens: Madam Speaker, I did not realize I was so popular with members of the government!

Mr. Chénier: Stick to banking.

Mr. Stevens: If I am that popular, I can always continue.

An hon. Member: No, sum up.

Mr. Stevens: I know that some of my colleagues want to speak on the—

An hon. Member: On the Constitution.

Mr. Stevens: —the question of privilege that I have raised. If I may, I should like to once again emphasize that if you feel I have a question of privilege and if you feel that I have made a case that the Attorney General of Canada who should have this impartial neutrality—

Mr. Nielsen: He is so impartial, he is not even here.

Mr. Stevens: —I could read to you various quotations from Professor Edwards in a booklet he prepared for the McDonald commission setting out the clear role of the Attorney General in Canada and how he has this rather unique role as adviser to Parliament. I could read those sections into the record, but I know we want to get on with the business of the House. In summary, if you find that I have a prima facie case, I would propose to move:

That the increasing tendency of the Minister of Justice and Attorney General of Canada to act in a manner incompatible with the separate requirements and traditions of each of his two portfolios, and the continued inability of the House to obtain independent legal advice from the Attorney General in keeping with the proper constitutional place of that officer of the Crown, as set out in the Department of Justice Act and in particular Section 5 thereof, be referred to the Standing Committee on Privileges and Elections.

Madam Speaker: As I understand the grievance of the hon. member—

Mr. Nielsen: Not a grievance.

Madam Speaker: —the question of privilege which the hon. member has just exposed, he feels that the legal advice on the resolution of the Constitution given by the Minister of Justice and Attorney General of Canada was not impartial. Whether it was or was not—

Mr. Crosbie: Madam Speaker, I have a point of order.

An hon. Member: Oh, come on.

Some hon. Members: Oh, oh!

Mr. Crosbie: I do not take my orders from the hon. gentlemen opposite.

Mr. Nielsen: He has a right to be heard.

Mr. Crosbie: Before you make a ruling, I have a submission to make on the same point. This is a very important point and a very important subject dealing with the competence of the Attorney General of Canada. I have some further evidence

that I should like to present to Your Honour before you make your ruling.

An hon. Member: Where did you get it, South Africa?

Madam Speaker: I take that representation very seriously but, as I said before, when the first speaker does not convince me that there is a prima facie case of privilege, I have the tendency not to listen to a second one.

Mr. Crosbie: Maybe I would be more persuasive, Madam Speaker.

An hon. Member: Impossible!

Some hon. Members: Order, order.

Madam Speaker: I do not doubt that the hon. member could be—

Mr. Crosbie: I wonder, Madam Speaker, could you give me a try?

Some hon. Members: Order, order.

Madam Speaker: Order, please. I wonder whether that advice was partial or impartial, surely the hon. member for York-Peel does not expect the Chair to adjudicate that. That is not a matter on which the Chair can make any kind of pronouncement at all.

He also contends that the rebuttal which was tabled in the House by the minister, the Kershaw report, was one-sided. That might be, but am I to judge that document? I will not even say whether it is normal or not that a minister of the Crown, wanting to defend the position of the government, is quite legitimately capable of expressing an opinion in this House.

When and if we discuss the resolution, I am sure the hon. member will be able to give his own opinion about the Kershaw report. That is normal debate in the House of Commons and, therefore, I do not think the fact that that document, in the opinion of the hon. member, is one-sided, constitutes a reason for me to see a prima facie case of privilege.

He says that his words are mild compared to other words, when I cautioned him not to cast any kind of reflection on members of the House, and he quoted some other words which were not judged unparliamentary but he was speaking in terms of unparliamentary language. He says his words were rather mild.

I want to remind the hon. member that he can express opinions in this House, even very strongly, so long as he does so in parliamentary language. Opinions may be expressed, but if the hon. member wants the House to judge the action or the conduct of a minister in the House, the only way he can achieve that is by bringing forward a motion on which the House will pronounce itself. If the hon. member wants the House to judge what the hon. Minister of Justice has done in regard to advice he has given concerning the resolution on the Constitution, he would have to do it in another way.

The hon. member quoted the requirements of the office of the attorney general in the United Kingdom. He quoted some documents from the United Kingdom describing what the requirements of the attorney general are. I believe that the quotations referred to legal advice which the attorney general would give about a prosecution. If he were giving advice about a prosecution, he would have to be impartial and conform with all the requirements which the hon. member referred to in this document.

This is really not grounds for a question of privilege, and I did not find, in the argumentation brought forward by the hon. member, which he made very carefully and to which I listened very carefully, that there is a question of privilege in this particular case.

I have another question of privilege in the name of the hon. member for Peterborough (Mr. Domm).

MR. DOMM—ALLEGED MISREPRESENTATION OF FACTS BY EXECUTIVE DIRECTOR OF METRIC COMMISSION OF CANADA

Mr. Bill Domm (Peterborough): Madam Speaker, I delivered to your office this morning before the hour of one o'clock, two letters on two questions of privilege which I wish to bring up. I will bring up one now dealing with the matter of the executive director of the Metric Commission of Canada.

Some hon. Members: Hear, hear!

• (2050)

Mr. Domm: If you should find that I have a prima facie case, I should like to move:

That the actions of the executive director of the Metric Commission, Mr. P. C. Boire, have obstructed me in the discharge of my responsibilities and that his actions be referred to the Standing Committee on Privileges and Elections.

I will endeavour to show you this evening, in as few words as possible, how the executive director has clearly overstepped the mark of propriety. He has hampered me in my ability as a Member of Parliament to function in a responsible manner. He has attempted to create an atmosphere of fear and thus created a climate of mistrust. This situation has made it very difficult for me as a Member of Parliament to pursue my responsibilities, not only to this House, but to my constituents. I cannot point out as a member of the opposition exactly what we are getting into through this dictatorial attitude of harassment on the part of the executive director of the Metric Commission.

I will be quoting from Beauchesne, Erskine May and other precedents to indicate to you why the situation deserves reference to the privileges and elections committee. If I had been the first to raise this matter of harassment, I would have some reservations about doing so when we are dealing with something as important as the Constitution of Canada. However, in the Friday, January 23, edition of the Ottawa *Citizen,* it was pointed out that the Professional Institute of Public Servants laid a charge of harassment against the executive director of the Metric Commission. At the time I passed over this, waiting for a decision to be made through the proper channels, which I

am sure are being followed. I then found the same thing was happening to me as a Member of Parliament in the carrying out of my responsibilities and presenting the other side of this forced march to metric being experienced in Canada.

Before quoting from Beauchesne, I wish to place on the record and for your consideration exactly what happened in the last 30 days which causes me to appeal to the Chair for consideration in reviewing this matter.

I was invited to appear on the Jack Webster show in British Columbia on February 10. I was asked questions by phone-in listeners and was interviewed by the MC. I dealt with the matter of the Metric Commission and its attitude with regard to the implementation in the retail food sector. It was not enough that I appeared on that show to answer questions and to present evidence, but on returning here—

Madam Speaker: Order. I would like the hon. member to state his questions of privilege. Up until now he has been debating. He is probably not very happy with the application by the Metric Commission. That is a matter for debate in the House, not a question of privilege. The hon. member will have to indicate to me very soon where his question of privilege lies.

Mr. Domm: The prima facie case I wish to make deals with this 33-page document put out to discredit a Member of Parliament by the executive director of Metric Canada. It is the method by which this document has been entered into the records to which I take objection. I feel it is a discredit to the executive director, endangers my position, hampers my ability and discredits a Member of Parliament. If that is not a question of privilege, then I beg you to bear with me as I point out some of the concerns.

It is the responsibility of a Member of Parliament to interpret matters as he or she sees them. It is not the responsibility of a senior bureaucrat to throw harassment in the face of debate. I object to the way in which this was done.

The executive director of the Metric Commission, who comes under the Department of Industry, Trade and Commerce, produced a 33-page transcript, purchased a tape from the Jack Webster show at a cost of $425, called in the staff of the Metric Commission to a closed meeting, to which I was not invited or of which I was not advised, and reviewed with them false statements and facts with regard to the implementation of metric. He brainwashed those people in the Metric Commission with regard to what is going on and discredited a Member of Parliament with regard to his duties and responsibilities to interpret legislation and regulations.

I wish to read into the record from the statement of the Professional Institute of Public Servants, which appeared in the January 23 edition of the Ottawa *Citizen*, in support of my prima facie case of privilege affecting my responsibilities as a member of Parliament. It not only affects every member of this House but it affects also the civil service through union action by their leaders because of intimidation and harassment by the executive director of the Metric Commission.

Madam Speaker: Order, please. The hon. member need not read these quotations unless he is talking about something related to the proceedings in the House. A question of privilege does not cover the kind of grievance the hon. member is now airing before the House—definitely not. There is nothing to indicate a question of privilege in anything the hon. member has said up until now. I will now not allow him to quote at length from documents he has not yet identified. The Chair is unable to know what document he is talking about or indeed what documents appear to be a harassment and impede him in his function as a Member of Parliament. The hon. member must relate to what constitutes a question of privilege. A question of privilege cannot be used to air differences of opinions or grievances about the way the government conducts its business. There are other occasions to to do that through other proceedings in the House. A question of privilege is not one of them.

Mr. Domm: I will move on and refer the Chair to Erskine May, page 147, where the following is stated:

> Acts tending indirectly to obstruct members in the discharge of their duty.
>
> Conduct not amounting to a direct attempt to influence a Member in the discharge of his duties, but having a tendency to impair his independence in the future performance of his duty, will also be treated as a breach of privilege.
>
> —Molestation of Members on Account of Their Conduct in Parliament—It is a breach of privilege to molest any member of either House on account of his conduct in Parliament.

Madam Speaker: Order. Has the hon. member been molested or prevented in any way? The hon. member has to make that argument, otherwise it takes ten or 15 minutes before we know whether there is a foundation for a question of privilege. Hon. members must go directly to the core of the matter. I know these quotations from Erskine May and I can refer to them when making a judgment on a question of privilege. They need not be read into the record at this particular time.

● (2100)

Mr. Domm: With all due respect, Madam Speaker, it says in here at page 147:

> Sending insulting letters to members in reference to their conduct in Parliament or letters reflecting on their conduct as such members—

If that is in fact an obstruction of a member's duties, then I must ask the Speaker of the House whether she will not consider these points prior to referring specifically to the statements that have been made. I am trying to give some of the background and reasoning. I would go to page 13, Citation 22 of Beauchesne, which states:

> The power of the House to enforce its rules extends not only to Members and others admitted within the precincts of Parliament, but also to members of the general public who may interfere with the orderly conduct of parliamentary business.

I would like to inject here another passage from the proceedings in a case of "Breach of Privilege and Contempts" at page 148:

> "Written imputations, as affecting a Member of Parliament, may amount to breach of privilege, without, perhaps, being libels at common law" (b), but to constitute a breach of privilege of libel upon a member must concern the character or conduct of the member in that capacity—

Madam Speaker: Would the hon. member tell us what edition he is reading from because we cannot find the references to which he is referring?

Mr. Domm: It is in respect of "Breaches of Privilege and Contempts" at page 148 of Beauchesne. It is in that part dealing with "Complaints Against Strangers Founded Upon Documents." It is at page 159 and is "Proceedings in Case of Contempt."

Madam Speaker: I thought the hon. member was reading from Erskine May. He is now suggesting he is quoting from Beauchesne. If it is Erskine May, which I think it is because the pages given to me do not relate at all to Beauchesne, will he tell us what edition, because even there it is difficult for us to find.

Mr. Domm: I apologize, Madam Speaker. I am referring to pages 147, 148 and 159 of Erskine May, nineteenth edition.

Madam Speaker: It is edition eighteen, not nineteen.

Mr. Domm: At page 159 it states:

When complaint is made of something published in a newspaper or book, a copy of the newspaper or book, and when complaint is made of a letter sent to a member, the original of the letter said to have been written, must be delivered in at the table—

I am presenting that now as evidence and I will give you examples from this article, letter or document which clearly reflect a question of privilege and a move of harassment against a Member of Parliament.

In this particular document entitled "Bill Domm/Jack Webster Interview February 10, 1981" printed by the Metric Commission of Canada comprising 33 pages I will refer to four instances which I consider clear and simple harassment, misrepresentation of the facts by the executive director of the Metric Commission in an effort to discredit disparagingly the remarks of a Member of Parliament made in the performance of his duty as a Member of Parliament.

On the Jack Webster show I made this statement and it is quoted in here according to the executive director:

He went into a creative study for one year in which they would look at the implementations of metric and the ratifications of it. The net result of that study was that we weren't ready to proceed.

That was my statement. The Metric Commission responded to that statement by saying:

They indicate that the majority of Canadians understand metric units and the desirability of the objectives, and accept the use of the International System of Units in their daily lives.

That is not true. There are ample indications that he is misleading the people and is refuting a statement I made that is fact based on a test centre in Peterborough. There are ample surveys to indicate that my information is true while his is not, and this is an effort to discredit a Member of Parliament.

It is not bad enough that he takes this upon himself in his capacity as a senior bureaucrat, discrediting a Member of Parliament, the seriousness of this is that he does it behind closed doors with civil servants who have already charged him with harassment, as I referred to earlier in my remarks, namely, the Professional Institute of the Public Service. The staff is angry with him, Members of Parliament are angry with him and he is clearly and simply harassing us in our responsibility as we try to interpret what this Metric Commission is doing.

The second area in which he has clearly and plainly harassed a Member of Parliament is to be found in these words:

—whereas in Peterborough all but three (67 out of 70) stores converted back to selling by the pound.

In other words, he is saying there are three stores in Peterborough which are still using metric. That is not true.

These are the facts. In my riding of Peterborough I do not know of one store that does not show the price per pound of the food they sell, and I invite and challenge the Metric Commission and its executive director to inform me of the names of those three stores which do not print on the wall the price per pound of every pound or ounce of meat or goods they sell.

At page 8 of this same document it proceeds to harass and discredit, a Member of Parliament throwing a disparaging light on him. We find this statement made by the Metric Commission to this closed group:

—Statute Law (Metric Conversion) Amendment Act, 1976 . . . was debated in Parliament over a period of nine months,

That is what it says in answer to my statement that metric is being forced on the people of Canada through order in council. My answer to that was that:

This is a particularly gratuitous example of the MCC distorting the statutory and regulatory basis for enforced conversion.

It gives the impression that Parliament debated the bill exclusively for nine months—

That is not true.

At page 9 of this same document we find another statement. I might add that the Metric Commission engaged a lawyer at $250 a day for seven days to come up with these brilliant answers. The Metric Commission says that a Dominion Stores' survey in Peterborough in January, 1980, showed that some negative attitudes prevailed. A Steinberg survey in Sherbrooke revealed a different position. In a way, the Metric Commission said, it would appear that the surveys and stores' interpretation of the results may have reflected the attitudes of the stores at that time rather than the customers' attitudes.

● (2110)

The truth of the matter is that the Metric Commission of Canada has also been particularly keen on maintaining that scale conversion is a program which will be instituted in close co-operation with the retail food industry, the very sector it condemns in this attempt to mitigate the adverse results of the Dominion and Steinberg surveys.

On the same page, page 9, the Metric Commission says:

Of the top thousand . . . manufacturing companies in that country, more than 60 per cent are converting to the metric system.

That is, 60 per cent of the major companies in Canada are converting to metric. The truthful answer to that is that 60 per cent of the top 1,000 companies in the United States are not converting completely to metric. A report of February 6, 1981, said that American industry is not exactly rushing to convert to the metric system. In fact, only half of the industrial buyers surveyed reported any of their dollars going toward metrication. One respondent, according to an industrial publication, summed it up as follows:

There is no need for metrication for products made and sold in the United States. This is being shoved down the throats of most Americans.

Those are the facts in the United States. In addition to that, the metric commission in the United States has advised the U.S. Congress that it should not proceed with metric in the retail food sector for at least ten years and maybe never. That is the fact, not the propaganda being spread by the executive director of the Canadian Metric Commission.

On page 18 of this same report which I am tabling in the House, the Metric Commission says:

Perhaps a look at a Buick Skylark, and Oldsmobile Omega, a Chevrolet Citation or Chevette, and their owner manuals will help to convince you that there may be some value in boning up or catching up on metric units.

That is not true. That is misleading. I drive a Buick, a General Motors product. It is a 1980 model, and I can tell on the speedometer how many miles an hour I am going down the highway. I defy the Metric Commission to move into General Motors at Oshawa and tell them that they cannot put miles per hour on speedometers the way it will try to tell the retail merchants in Canada when this act comes into place. That is clearly misleading.

Some hon. Members: Hear, hear!

Mr. Domm: In my performance as a Member of Parliament, I do not need to be told to bone up or catch up on metric implementation. I defy the executive director, Mr. Boire, of the Metric Commission, to take a trip to Peterborough and to ask the retail merchants there if they are overwhelmingly in support and ready to accept forced metric in the retail food stores. They are not. This document is a waste of taxpayers' money, as is the $45 million which has been spent by the Metric Commission.

To give further examples of harassment by the executive director of the Metric Commission in this report behind closed doors I would like to refer this House to page 21 of this document. I have copies available for any hon. member in this House and I would be pleased to supply them. I said the following on the Jack Webster show:

—what Peterborough has done they have gone back to imperial 100 per cent.

What does the Metric Commission do with its $250 a day lawyer who has studied this matter in great detail? He said:

MCC has been advised that there are still three stores in Peterborough which continue to sell by the kilogram.

The reason they sell in kilograms is that they cannot afford to buy imperial weigh scales because they were forced to buy metric weigh scales. They have to use them because they cannot afford $4,000 to buy imperial weigh scales. That is why they are still doing it.

Madam Speaker: Order. The hon. member realizes that he is debating now. He was doing very well in trying to convince me that he had a prima facie case when finally he identified the document and began to say what in the document constituted a breach of his privilege and in what way his reputation or his ability to function as a Member of Parliament had been affected by that document. If he could keep to that type of argument and not debate the fundamental question of metric conversion, which is a matter for debate in the House, and if he can continue to make that distinction, I will be able to listen to him, although I am inclined to look at his question of privilege in the light of the document. I have not seen it yet, but I will see it later on. Perhaps he could try to conclude. I think that would be helpful to the House.

Mr. Domm: Madam Speaker, I apologize for getting carried away in the heat of the moment. Going back to page 21, being very specific and reading word for word, the Metric Commission said:

MCC has been advised that there are still three stores in Peterborough which continue to sell by the kilogram.

My answer to that is that, to my knowledge, only one store in Peterborough continues to weigh in kilograms, but the fact is that not one store in the city of Peterborough displays signs in metric. There might be small print so that they can figure out the weigh scale, but in merchandising and on the signs on the wall they definitely use imperial measuring units.

On page 22 of this document of harassment, I said the following on the Jack Webster show:

More on the idea now of trying to develop some industrial strategy that will bring about some jobs.

The Metric Commission says this:

Metric conversion is an industrial strategy that is helping to create new jobs and to maintain those Canadians now have.

It has never created one productive job. It has never done one thing which could not be done in imperial weights and measures with less cost to government. My answer is that the Metric Commission of Canada has been at pains in other parts of this document to point out that theirs is only an advisory and a co-ordinating function which relies heavily on volunteers from industry. Nowhere does it say itself, nor is it said anywhere on its behalf, that it is involved in promulgating an industrial strategy. If the commission is in fact involved in such an operation, I suggest that a review of its mandate is in order. In addition, I defy the Metric Commission to produce a single job, apart from its own, which has been created as a result of metric conversion.

I hope Your Honour will refer this to the Standing Committee on Privileges and Elections. I would like to read a letter Mr. Boire sent me as a Member of Parliament after I had sent him two letters asking for a copy of the videotape he purchased for some $425 from the Jack Webster show. That show normally does not supply these tapes. I tried to get one and

could not. I did not have $425, but obviously the Metric Commission does.

An hon. Member: The taxpayers do.

Mr. Domm: The taxpayers do. After I had sent two letters to the Metric Commission and a message by courrier service to Mr. Boire personally, he sent the tape over for my observation. He also sent the document I have in my hand. This 33-page document has travelled coast to coast. I had a conversation today with the people who attended the meeting in Vancouver this past weekend, the retail trades sector of the Metric Commission, I was in conversation with a member of the voluntary group of this working retail trade sector of the Metric Commission. Just tonight I learned, as best I can recall, that he was advised by the Metric Commission that I had a poor researcher and that the information I was spreading across Canada about this forced march to metric in the retail food sector was improperly researched and inaccurately accounted. If this is travelling to Vancouver, then in my opinion it is clearly and simply a question of privilege. Can a senior bureaucrat in the Department of Industry, Trade and Commerce go about his function, with the bureaucracy he has around him and with a $6.5 million annual budget, discrediting a Member of Parliament?

Let me read the letter he wrote to me. It reads as follows:

I regret that I was not able to respond to your request of 1981-02-07 before now. Since your original request was received, the MCC Information staff members have been preparing a detailed commentary on your remarks in order to assist you—

This is the executive director of the Metric Commission telling me that he is going to assist me in being as factual as possible in my future interviews across Canada. As Speaker of this House, you must give serious consideration to my question of privilege.

● (2120)

There is a prepared brief, and I am tabling it for your information, entitled, "Public Service Union Requests Probe of Harassment by the Executive Director of the Metric Commission." Harassment of the professional institute. I will just read one paragraph:

Boire organizes an annual two day staff meeting at the RA Centre. Consists of officers from the four directorates and admin. services—includes CO's. information officers and admin. officer (A.S.). About 40 attend. There is simultaneous translation, free booze one evening. Simultaneous translation alone cost $2,000 though none of the staff asked for it. Boire organizes and orchestrates the whole show, although he states that staff do it. Boire picks the venue, the date, the subject matter to be discussed.

It must be obvious to everyone here that we have the professional institute laying a charge of harassment. We have clearly and precisely demonstrated tonight that I have been harassed in my area of responsibility as I scrutinized the Metric Commission and the regulations through statements made on the Jack Webster show. It is obvious to this House that precedents have been set for consideration of a privilege where written documents have clearly shown that a member's function has been curtailed or hampered, and the executive director of the Metric Commission is clearly and simply creating an atmosphere of distrust in Members of Parliament through his actions. It is bad enough that we have to fight these things by appealing to the compassion of the Chair, but it is really sad that Industry, Trade and Commerce will set up a bureaucracy and spend between $6 and $8 million a year to expound on the virtues of metric, and then spend X-thousands of dollars to discredit a Member of Parliament as he tries to delve into the justification for forced metric conversion in the retail food sector.

I really feel that if the opportunity were given to each Member of Parliament to properly represent his constituents in the various areas of Canada, whether in the agricultural, business or industrial communities, I think we would be better off if we did not have a Metric Commission. If we have to have one, it could be on a voluntary basis, truly representative of the people's concerns as they march toward forced implementation of metric conversion in the retail food sector.

I do not wish to debate at this time the pros and cons of metric conversion. I am debating the privileges of a Member of Parliament, and I appeal to the Chair to refer this matter to the Standing Committee on Privileges and Elections so that I can debate this subject there and present far greater evidence than I have tonight. I could have read the whole 33 pages, but I thought seven of the items in question would be enough so that you would graciously rule there is a prima facie case of privilege and you would refer it to the committee as quickly as possible.

So I would like to move that the actions of the executive director of the Metric Commission, Mr. P. C. Boire, which actions have obstructed me in the discharge of my responsibility, be referred to the committee so that we can show the facts of the case in more detail.

Madam Speaker: The hon. member has quoted extensively from a document which I am sure would be very helpful if he would leave it with me. I will want to look at his argument in light of that document, and I will take his question of privilege under advisement.

Now, we have a second question of privilege from the hon. member for Peterborough (Mr. Domm).

MR. DOMM—RELOCATION OF PARKS CANADA OFFICE—ALLEGED MISREPRESENTATION OF FACTS BY MINISTER OF THE ENVIRONMENT

Mr. Bill Domm (Peterborough): Madam Speaker, I am sure this will take far less time because it is far easier to get to the point on this question of privilege because your rulings have led me to where I am tonight after almost one year of frustration in trying to deal with statements in this House by the Minister of the Environment (Mr. Roberts) and his parliamentary secretary. If you will bear with me, I will go back to the statement that was made in this House by the hon. member for Burin-St. George's (Mr. Simmons), which caused you to rule later on a question of privilege, that if I wished to pursue this matter of the Parks Canada move from Peterbor-

ough back to Cornwall, I had ample opportunity to do that. On page 1014 of *Hansard* of May 13, 1980, Madam Speaker, you said:

The hon. member, if he is still not satisfied with the explanation that he has received, might, for instance, put a notice of motion on the order paper . . . There are also procedures to obtain those documents, under certain conditions, of course. But if those conditions are met and the minister is capable of tabling those documents, I suppose that they could be obtained through the normal procedure.

I followed all your recommendations, starting first on May 12, 1980, when the hon. member for Burin-St. George's said:

—it was the administration of which he was a part—

"He" being myself when we were in government:

—which deferred the move for ten whole months—ten painful months for the people of Canada?

That was the first statement by the hon. member for Burin-St. George's that I challenged through a question of privilege in this House. On May 13, 1980, at page 1012, the hon. member for Burin-St. George's said:

The hon. member quotes me correctly. It is my understanding based on information that was given to me—I was not here at the time as hon. members are aware.

● (2130)

Also the hon. member for Burin-St. George's said:

I am saying to the hon. member for Peterborough that he did quote me correctly. The hon. member reads *Hansard* well. The statements which I made last night were made on the basis of information with which I have been supplied. I would be pleased to make that information available to the hon. member and, in so far as I know at this moment in time, the information is correct. It was given to me by senior departmental officials—

That is the key, Madam Speaker. He continued:

—and until I have been shown otherwise I will stand by that information.

I questioned that information, and Madam Speaker's ruling was that I had a course open to me—I could ask for the production of documents. I did that, and then on November 25, 1980, as reported at page 5081 of *Hansard,* the hon. member for Burin-St. George's said:

—I made no commitment to him.

Madam Speaker: Order, please. I am just warning the hon. member that he might talk himself out of a question of privilege. A question of privilege and the facts relating to it must be brought to the attention of the House on the earliest possible occasion. The hon. member is referring to matters which took place on May 12, 1980, and on May 13, 1980, which is a long time ago. If the hon. member has been aggrieved by any of these occurrences, he should have brought them before the House much earlier.

If he continues to go back into history, he will have talked himself out of his question of privilege. I urge him to come closer to the event which aggrieves him so that I can understand his question of privilege.

Mr. Domm: Madam Speaker, I will bring you right up to February, 1981. I need to give the background information in order to give the facts on the question of privilege.

Madam Speaker: No, no. The hon. member should state now, quite clearly, his question of privilege, to what particular circumstances he attaches it and then, if he wants, in the course of his argument he can make some other references to earlier events. Then perhaps I could entertain it. But just now he must come directly to the question of privilege.

Mr. Domm: If Madam Speaker feels I have a prima facie question of privilege, I would move that this Parliament has been misled by the Minister of the Environment (Mr. Roberts) in the production of documents under Order No. 27 of November 20, 1980, at which time at your suggestion I called for the production of papers which were offered to me by the hon. member for Burin-St. George's to prove his point. At your suggestion, I called for the production of papers because he volunteered those, if required.

I called for the production of papers. Finally the Minister of the Environment answered that call this year. I feel I have a question of privilege because in the production of the documents to substantiate the statements of the hon. member for Burin-St. George's, they produced the speech of the hon. member for Burin-St. George's but no confirmation of any senior official or no direction from any of the deputy assistants of the Department of the Environment. It was just a copy of his speech in the late show debate. I feel this House was misled when they produced documents which were not what was called for and what they were committed to produce.

I refer to page 178, the fourth paragraph of Citation 212 of Beauchesne's fourth edition wherein it reads:

The addition of particulars to a return, not specified in the order of the House of Commons, has been ruled by Mr. Speaker to be an irregularity.

When they produced a document to substantiate the claim that it was the Conservative government of the day which deferred the move of Parks Canada, when in reality it was the present government which deferred the move, they produce a false document. The document does not give any substantiating evidence whatsoever to the fact that it was the Conservative government which deferred the move of Parks Canada.

I have the announcement of the Conservative government which clearly indicated that the hon. member for Peterborough announced, on behalf of the then minister responsible for Parks Canada, the hon. member for Vancouver South (Mr. Fraser), that the Ontario regional office of Parks Canada would be moved to Peterborough during the summer of 1980.

For the hon. member for Burin-St. George's to say that it was our government which deferred the move and that it was their government which took action is truly false. The Minister of the Environment undertook to produce a document to substantiate that, but it in no way substantiates it.

Order No. 27 reads as follows:

That an Order of the House do issue for a copy of all correspondence, notes, transcripts and all other communications exchanged between the Parliamentary Secretary to the Minister of the Environment and senior departmental officials cited by the Parliamentary Secretary in the House on May 13, 1980—

The wrong document was produced. It is not the right information; it does not substantiate the statement. Your

Honour suggested guidelines for members of the opposition to follow, that if they have an argument following a question in the House, they should bring up the matter in the late show debate, which I did. Your Honour suggested also that if members have a question in the late show debate and do not get satisfaction, they should call for the production of documents, which I did. The government produced documents which have no relationship whatsoever to the facts they are committed to produce. There was a commitment to the House on November 20, 1980. After several months, they produced the speech in the late night debate of the hon. member for Burin-St. George's. The Minister of the Environment abrogated his responsibilities. He was prepared to take the instructions of the House and produce the documents as requested by the hon. member for Peterborough. So, a year and a half later hundreds of hours have been wasted on this subject. There is a clear indication in *Hansard*; it has been falsely documented for a year by members of the government that it was our government, when it was in power, that deferred the move. This is a gross error; it needs to be corrected.

I ask, on a question of privilege, for this entire matter to be referred to the Standing Committee on Privileges and Elections, so that we can again open the door on the whole issue of the Parks Canada move which I have claimed from the beginning is crass, political pork-barrelling. It should never have occurred. It is another Eldorado Nuclear; it is a de Havilland Dash-8; it is a shame, it is a disgrace, and it is a clear question of privilege.

Some hon. Members: Hear, hear.

Mr. Fraser: I rise on the same question of privilege.

Madam Speaker: Later, later. Well, I want to speak on that now. I think that is precisely what the hon. member is doing; he is opening up the whole debate to which he is referring. From what I can see, the documents were produced on February 6, 1980, which is quite a while ago. Questions of privilege should be raised at the earliest possible opportunity. The reason for that is: if there is a question of privilege, the House could not function without having dealt with it. The hon. member has waited since November 6 until now, so I think in that itself there is some indication that there was not a real question of privilege.

The question of privilege which he described flows from a return to an order of the House which called for all correspondence, notes, transcripts and other communications. Documents were tabled, as was requested in that order, but the hon. member is not satisfied with the documents he received. It is not for me to judge whether or not the documentation given to the hon. member is complete. If the hon. member has proof that the documentation is not complete, and that there are other documents which have been voluntarily withheld by the minister in this particular case, he should have invoked that and given me an indication of the documents which have not been tabled; but he has not done this. I feel that the hon. member does not have a prima facie case of privilege.

• (2140)

Mr. Fraser: Madam Speaker, on the same question of privilege.

Madam Speaker: It must be made quite clear that the hon. member has risen twice now saying that he wanted to speak on the question of privilege. If he wants to rise on a point of order, that is quite in order. I must warn him that he must not comment on the question of privilege which has just been raised.

Mr. Fraser: I say this with the greatest respect, Madam Speaker. My point of order is that the hon. member made it very clear that in answer to the production of documents, he did not receive any documents—

Some hon. Members: That is not true!

Madam Speaker: Order, please. The hon. member did say that he received a document. He did not indicate to me that he knew of other documents which had been withheld. There is no question of privilege there. The hon. member did not indicate that he felt that some documents had been withheld voluntarily by the minister and that he had been frustrated in his desire to obtain all the documents that exist with respect to this particular issue. The question of privilege has been dealt with, it is over. I cannot come back to these arguments.

The hon. member for Cambridge (Mr. Speyer) has a question of privilege as well.

MR. SPEYER—TEXTILE AND CLOTHING BOARD INQUIRY—QUESTION PRE-EMPTED BY GOVERNMENT MEMBER

Mr. Chris Speyer (Cambridge): Madam Speaker, my question of privilege deals with a set of circumstances which culminated in question period today. I would like to ask for your patience so that I may outline the importance of the question of privilege which I wish to bring to your attention.

On August 31, 1979, pursuant to section 19 of the Textile and Clothing Board Act, Madam Speaker, the Textile and Clothing Board embarked upon an inquiry which was tabled in this House on June 30, 1980. That dealt with the inquiry regarding the effects of imports on the textile and clothing producers in Canada and upon employment in that industry.

There have been many questions raised in this House with respect to this issue, the latest being a question on February 24 put by the hon. member for Kingston and the Islands (Miss MacDonald). Recently there have been motions moved under Standing Order 43 with respect to this matter. The importance of it is highlighted in one of the recommendations in the report. That recommendation is that in the first instance the government should announce its decision no later than March 31, 1981, with respect to the recommendations of this report. Obviously, we are now at March 30, and I now wish to pose certain questions concerning the recommendations of the Board of Textile and Clothing inquiry.

This morning I learned that the Minister of Industry, Trade and Commerce (Mr. Gray) would not be in the House today. There are 500,000 Canadians who are employed either directly or indirectly in the textile and clothing industry. Over 2,500 of them are employed in my riding. As a result of this, I phoned the minister's office and made his assistant, Mr. Kerr, aware of the fact that I was going to pose a question with respect to when the government's position with respect to the report would be made available to the people of Canada. Second, I was going to ask a question with respect to the government's position on this important matter. As a result of that, I specifically told Mr. Kerr of the minister's office exactly what my questions would be. I asked him to notify the acting minister, so that he would not be caught unawares. I see many ministers in the House tonight. I say that I wanted to honour a tradition in this House, it being that you should give notice to a minister, who is an acting minister, so that he may be made aware of the nature of the inquiries you intend to pose.

This afternoon it transpired that when I tried to be recognized—and you know from your list, Madam Speaker, that I tried both on Friday and today—I was pre-empted in my question by the hon. member for Sherbrooke (Mr. Pelletier) who asked precisely the question that I was about to ask and of which I had given notice to the minister.

Some hon. Members: Shame!

Mr. Speyer: As I said, there are certain traditions that are honoured in order that this House functions. There are certain confidentialities that ought to have been honoured. My assertion to you, Madam Speaker, and the basis upon which I bring my question of privilege, is that my statement to Mr. Kerr this afternoon stating precisely what my questions to the minister would be, was repeated to the hon. member for Sherbrooke, whereupon he pre-empted me, although I had notified the government of the questions I would be posing this afternoon.

I say to you, Madam Speaker, if we do call members "honourable members", where is the honour when a minister or a member of his staff advises another member of the government where he can pre-empt the person who gave notice? Is there no shame on the other side when notice of a question is given and someone asks another member to ask the question, thereby pre-empting us? In my respectful submission there is an implied breach of confidence, Your Honour. There is a breach of tradition. I suggest to you that if you find a prima facie case on this important matter, I will put forward the appropriate motion.

Some hon. Members: Hear, hear!

Madam Speaker: I have referred to my list for this afternoon, because I was wondering if, in fact, the hon. member had not asked a question. I see that his name has not been crossed out on my list. I distinctly remember that I put his name on the list quite early in the question period and then he left the House. I came to him and I looked—

Mr. Speyer: That was after.

Madam Speaker: I looked at the hon. member's seat, since his turn had come, according to my list, and he was not in the House. After that it was too late. I had gone on to other hon. members. That is why he was not recognized. At any rate, that is not important. I am just giving the hon. member an explanation because I did wonder whether he did have a chance to ask a question this afternoon. I can see from my list that he did not. I try to go from one side of the House to the other during the question period. At any rate, I cannot see where there is a question of privilege that I can judge. If a minister or other member tipped off another member about a question that the hon. member for Cambridge thought he would ask, it is not a matter that the Chair can rule upon. I do not know ahead of time what the question will be. The hon. member will have noted that I recognized a Liberal member at about the same point I usually do. That member happened to be the hon. member for Sherbrooke (Mr. Pelletier). I remember that quite distinctly.

There is no question of privilege in the hon. member's question this evening.

The hon. member for Leeds-Grenville (Mr. Cossitt).

* * *

POINT OF ORDER

MR. COSSITT—UNPARLIAMENTARY REMARK BY AN HON. MEMBER

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I would like to raise a point of order. This is the first opportunity I have had to do so since the matter occurred last Friday. In doing so I would like to refer to page 8711 of *Hansard* for March 27, 1981. At that time I raised the point that a member of this House had referred to the hon. member for Nepean-Carleton (Mr. Baker) as a "simple-minded hypocrite." At that time I said that this was unparliamentary language and the Chair agreed that it was, indeed, unparliamentary language. I then said further:

> I am asking for clarification from the Chair. Would Madam Speaker be prepared to consult *Hansard* to see whether those words were picked up? If they were, Madam Speaker would have to hear my point of order. Is Madam Speaker prepared to do that?
>
> MADAM SPEAKER: Yes, I am prepared to do that.

● (2150)

When I consult *Hansard*, page 8709, for last Friday, I find the words:

> AN HON. MEMBER: You are a simple-minded hypocrite.

This interrupted the remarks by the hon. member for Nepean-Carleton. Therefore, I obviously contend that unparliamentary language was used at that time. I drew the attention of the House to the fact that it was a very honourable remark from this end of the Chamber. I am sure that it was very honourable to *Hansard* because they have recorded it.

An hon. Member: A member of the NDP made it.

Mr. Cossitt: It was made, of course, by the New Democratic Party benchers to my left. In particular, I would like to refer, as I did at that time, to the hon. member for Skeena (Mr. Fulton), who made that remark, as was apparent to all of us. It may be contended that because *Hansard* reported that it was said by an hon. member, without specifically identifying the hon. member for Skeena, it is really irrelevant because we are all hon. members. I am therefore sure that the hon. member for Skeena—who is not in the House at the moment—being an hon. member, would want to acknowledge that indeed he had said this, and would want to withdraw the unparliamentary remark he made.

Mr. Nielsen: First thing tomorrow morning.

Mr. Cossitt: I would therefore suggest that tomorrow, if the hon. member for Skeena is in the House—or the day after, or as soon as he is here—he should have the opportunity to withdraw his unparliamentary remark which you, Madam Speaker, ruled as unparliamentary. To illustrate my point, of course, I would like to refer to the *Hansard* of July 8, 1961. At that time, Mr. Johnson, an hon. member from the riding of Chambly-Rouville in the province of Quebec, said to Lionel Chevrier:

> Tell the truth, do not be a hypocrite.

At that time, the deputy speaker in the Chair replied:

> I have heard a term which is certainly not parliamentary.

Then Mr. Chevrier proceeded to draw attention to the fact that he had used a similar expression on a previous day, and had been forced to withdraw it as it was indeed unparliamentary. Therefore, Mr. Johnson had to withdraw his remark. The fact that it might be contended that the hon. member for Skeena was not in his own seat at the time this remark was made would be irrelevant according to the ruling of the Speaker of the day, because the hon. member who made the remark said:

> Mr. Speaker, I should return to my seat, because I am not now at my regular desk.

Then he returned to his seat and retracted the remark. Therefore, it is my contention, Madam Speaker—

Madam Speaker: Order, please. While the hon. member was making his point of order, I was reading *Hansard* in order to see what was said on Friday. Yes, the hon. member is right. I said that I would be prepared to look at *Hansard* to see whether those words had been spoken. I see from the *Hansard* I have in my hand that those words had been spoken. They had not come to the ear of the Speaker. Since some hon. members insisted that they had been spoken, I said that I would look at *Hansard*. I now read *Hansard* and find that the words are not reported in *Hansard* under any particular hon. member's name.

Therefore, I am afraid that if it is not in *Hansard*—I did say that I would look at the blues. The blues do not report these words. Therefore, I am at a loss. I do not think I called on anyone to withdraw an expression which does not appear in *Hansard* and which has not been heard by the Chair.

As for the term "hypocrite," I understand it is listed as both unparliamentary and parliamentary language. Hon. members will understand that that puts the Chair in a very difficult position. I would say that it is not a very appropriate expression in the House, but since it was pronounced by no one, at this point, I cannot call on anyone to withdraw it.

Mr. Cossitt: With all due respect to the Chair, Madam Speaker, I must contend that the words were used, and they appear on page 8709 of *Hansard*. We in this end of the chamber have identified the hon. member for Skeena as having said them. I would therefore think that this matter should be held until such time as he has the opportunity to either deny that he said them, or to admit—as an hon. member would—that he did indeed say them. Then at that time, I think, it would be up to the Chair to decide whether he should be asked to withdraw the words, or whatever the case may be. It is very clear that it is an unparliamentary expression. It is very clear to all of us here that the hon. member for Skeena made those remarks. I think that he should at least have the opportunity, before the Chair makes a ruling, to say whether or not he is prepared to acknowledge that he made those remarks, if he did. If he is an hon. member and does—and I am sure he does acknowledge that—then I would think we should have a ruling from the Chair.

Madam Speaker: Yes, I now see that on page 8709 of *Hansard,* at the bottom of the page, it says that an hon. member said:

> You are a simple-minded hypocrite.

The hon. member must understand what kind of a predicament I am in. Whom can I ask to withdraw these words? The hon. member—

Some hon. Members: Skeena!

Madam Speaker: Yes, well, that is the hon. member's contention, but I cannot ascertain it because I did not hear those words. They are not identified in *Hansard*. Therefore, it is impossible for me to ask an hon. member, any hon. member who is not identified to withdraw his words. I can ask no one, so I cannot do that. The hon. member cannot ask the Chair to do that.

As for the expression "hypocrite", if it is on both lists, then that puts me in a position where I guess I have to determine whether it is unparliamentary, and I would say that it is; but since there is no identified hon. member, to my knowledge, who has pronounced those words, I guess the matter is closed.

Mr. Cossitt: I have a second point of order. Before proceeding to it, I would like to acknowledge the statement you have made and ask if you would be prepared to wait until the hon. member for Skeena is here so that he can tell the House whether, as an hon. member, he did or did not make those remarks.

Point of Order—Mr. Cossitt

MR. COSSITT—USE OF UNPARLIAMENTARY WORDS DURING DEBATES

Mr. Tom Cossitt (Leeds-Grenville): I would like to proceed to my second point of order, if that is in order. It goes back again to last Friday, on the same page, page 8711 of *Hansard*, where the Chair is reported as having said that in order to declare words unparliamentary—and that is roughly paraphrasing your statement—they must have occurred during the course of a debate. It is my contention that the publication is that for something to occur in the course of a debate—and the rule is that it is only unparliamentary when it occurs in the course of a debate—during questions of privilege, during motions under Standing Order 43, or during points of order, we are in a position to use unparliamentary language because, technically speaking, those matters are not debates. It is my contention that in Beauchesne's rules, the word "debates" is meant to be broadly interpreted; otherwise, for example, I could look across the floor at this time and say that the President of the Privy Council (Mr. Pinard) is a liar, and I would be called to order; yet I am speaking on a point of order. Therefore, according to your ruling on Friday, I would be able to do it and nobody could say anything about it.

Therefore, I am asking clarification from the Chair as to whether an hon. member is saying unparliamentary words if he utters them during an actual debate rather than during a question of privilege, during a point of order or during motions under Standing Order 43 and other types of matters which are not actually debates in this House.

Now I see it is ten o'clock, Madam Speaker. If it is ten o'clock, I would prefer to finish this tomorrow.

Madam Speaker: I think we should finish it today, if hon. members will allow me not to see the clock. It is not quite ten o'clock.

Mr. Cossitt: Maybe I could finish my point, then.

Madam Speaker: I think I can explain to the hon. member—order, please. The hon. member for Leeds-Grenville.

Mr. Cossitt: Well, I was simply saying that I would prefer to finish tomorrow as it is ten o'clock, rather than prolonging the other proceedings which are to start now. As I understand it, at ten o'clock you must proceed to other business, unless there is unanimous consent to do otherwise. Therefore, unless I am totally blind, I see it is ten o'clock and I would ask permission to continue this matter tomorrow.

● (2200)

Madam Speaker: Order, please. I have already ruled on that question so I do not think we need to pursue it tomorrow. What I said in the course of debate, and when I say "in the course of debate" I mean debate in the largest sense, was that in order that they be declared unparliamentary, words must have been said in the course of debate. I must have heard them and they must be recorded in *Hansard*.

I must tell the hon. member that I hear a lot of things whispered around here during the course of debate, but they are not all recorded in *Hansard*. Some of them might be quite unparliamentary, but they must have an official character so that they can be declared unparliamentary.

I cannot identify the hon. member who allegedly uttered those unparliamentary words, and therefore the question is obviously closed.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

INCOME TAX—INQUIRY WHETHER DECISIONS CONCERNING CANADIANS WORKING ABROAD WILL BE RESPECTED

Mr. Marcel Roy (Laval): Mr. Speaker, last March 26 I asked the Minister of National Revenue if Canadian citizens living in Quebec enjoy the same advantages as the other Canadians as far as the export market is concerned. My purpose in taking the floor tonight is to ask the Quebec government authorities whether Quebecers are considered to be on an equal footing with other Canadians when it comes to taxation or international trade expansion, or whether Canadians residing in the province of Quebec are considered as second-class citizens on the international market.

I also asked the minister if after two and a half years now more than 2,000 Quebecers and Quebec firms are being penalized because the Lévesque-Parizeau government refuses to acknowledge following a written guideline that those firms or those 2,000 Quebec citizens who went to work abroad were granted non-resident status. Only Quebecers find themselves in that situation, particularly when we consider the importance for Canada to develop its manufactured products export trade, not only on the traditional American market but also on other markets abroad.

● (2205)

The Canadian government has set up a new structure, namely, a special committee which was to look into the possibility of creating a national trading corporation precisely to direct all our talented people, engineers, workers in small and medium-size businesses, toward export markets. The Canadian Government granted non-resident status to all Canadians who for two and a half years now have enjoyed the benefits extended through that written guideline. But unlike Ontario and all the other provinces Quebec has refused to acknowledge the non-resident status granted by Canada. The objective was to develop export markets because the Government of Canada, like the other provinces, is aware that $1

billion worth of manufactured products mean 40,000 jobs in Canada.

The Quebec government refuses to acknowledge the written guidelines. So, Mr. Speaker, during the period allotted to me, I want to ask the Lévesque-Parizeau government to acknowledge a written directive which is an important component of an economic program, if Quebecers are to be considered as full-fledged Canadian citizens. Mr. Speaker, I refer to several articles that have been published during the conference held last week which was sponsored by the Chamber of Commerce, and I wish to point out the speech made by Mr. Marcel Sicard, president of the large firm Tecsult as well as chairman of the board of the Ahuntsic Cegep, who said about the attitude of the Lévesque-Parizeau government that it reminds him of the slogan about physical fitness: Go play outside, to which one would add: Now let's lock the door.

I have in hand an item published in the newspaper *La Presse* of March 16 and signed by Roger Blais, who specifically mentions, and I quote:

Since I am one of the victims—

The 2,000 victims to whom I referred when I put my question to the Minister of National Revenue (Mr. Rompkey). He went on to write:

—would you allow me to make some personal comments?

To leave one's country and everything is not easy; it is merely logical that the sacrifices and constraints should be compensated by some advantages which are mainly financial benefits in the form of tax exemptions granted by the Ottawa and Quebec governments.

Approvals for such purposes were officially confirmed to me by both governments in 1978; I went abroad with those duly signed assurances and I returned to Canada in 1980.

To this day, the Government of Canada has met its previous obligations to Quebecers as well as to other Canadian taxpayers. Conversely, after almost three years since its original decision, the Quebec government fails to meet its obligations to its taxpayers and is claiming back taxes from them, while charging with incompetence those responsible.

Mr. Speaker, it is my duty to sensitize my colleagues in the House of Commons, as deputy chairman of a special committee of a national trading corporation. We wish to develop the export market because we are aware of the fact that it is an important aspect of the Canadian economy. It seems to me that when the Lévesque-Parizeau government refuses to acknowledge a commitment, a written guideline, it is committing a glaring injustice toward the firms and the citizens involved, who now have to reimburse an amount of $10,000. As a member of the House of Commons, representing a Quebec riding, this is the question I ask on behalf of all families who now have to reimburse the total amount of $20 million because of false representations, in view of the written guidelines issued at that time. How can anyone believe the many solemn promises now being made during the present electoral campaign in Quebec, especially when we know that we cannot even trust the written commitments made by the Lévesque-Parizeau government?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): Mr. Speaker, I thank the hon. member for his question and I support him when he denounces the attitude of the Quebec government in refusing to remedy an unfair situation, to say the least.

Indeed, Mr. Speaker, a recently published report reveals that the Quebec revenue department has revoked the non-resident status of some 2,000 Quebecers working in Saudi Arabia or other countries for Canadian employers; we cannot remain indifferent to this matter; quite the contrary, for we know and recognize that several of those Quebecers or Canadians made personal sacrifices and even accepted to run the risk of increased costs by accepting work outside Canada. We must recognize that those Quebecers like other Canadians will face serious financial problems if they do not obtain special tax relief in view of the circumstances.

Very briefly, Mr. Speaker, I should like to say what the Minister of National Revenue (Mr. Rompkey) and the Government of Canada have done to correct the situation and thus maintain the competitive position of Canada in the international labour market. Indeed, as it became obvious after recent court decisions that Canadian taxpayers working abroad temporarily, without any intention of cutting their ties with Canada, are not residents for tax purposes unless they work outside of Canada for more than two years, the federal Department of National Revenue took the position that when a Canadian is away from Canada for a period of at least two years he will be considered as a resident for tax purposes. However, as several taxpayers had made commitments prior to this new interpretation, in order to be fair, it was decided not to apply the new rules to those Canadians who left the country before the new policy was announced, that is before July 24, 1979. In addition, the new policy will not apply to anyone who has to leave Canada to complete a contract that is under way and must be completed.

So that Canada will remain competitive in the international labour market, the Government of Canada passed recently a new measure relating to the Income Tax Act, according to which in the 1980 taxation year and in subsequent years, the employees of taxable Canadian corporations who have been working overseas in designated countries for more than six months will be partially tax exempt in Canada. That provision will apply to those persons working on building, equipment, agricultural and engineering projects related to resource development—and exploration projects or to other prescribed activities in most developing countries as well as in other countries.

● (2210)

[*English*]

HEALTH AND SAFETY—MEASURES TO ELIMINATE HAZARD OF INFANT CRIB DEATHS

Mr. Geoff Scott (Hamilton-Wentworth): Mr. Speaker, a week ago today, as reported at page 8496 of *Hansard*, I

addressed questions to the Minister of Consumer and Corporate Affairs (Mr. Ouellet) concerning the continued sale of these popular colonial-style infant cribs. I pointed out that even the manufacturers admit that the tall corner posts are hazardous. There has already been one tragic incident in Canada when a little girl was accidentally strangled with her pyjamas in Peace River, and there have been 14 similar deaths involving these colonial-style cribs in the United States.

Some manufacturers, however, are unwilling to modify the design of these corner posts on their own for fear of competitive disadvantage. Several manufacturers have asked Mr. Jim Black, head of the Consumer Affairs Department product safety branch, to press for government intervention to compel all crib manufacturers to withdraw these cribs from the market, pending some modification of the design.

In the meantime, many spring catalogues carry advertisements of these colonial-style cribs in the absence of an official order by the Government of Canada to eliminate this hazard at once.

• (2215)

When we are dealing with the free marketplace, I and many of my colleagues on this side of the House would argue strenuously for less government regulation, less government intervention and more freedom for crib manufacturers and, indeed, manufacturers of any household product to operate in as truly a free enterprise system as possible. I draw the line, however, when these products can affect the lives and safety of Canadians, particularly our children, the little ones who are powerless to make judgments on what may be a hazardous product and what is not. When it gets to the point where the manufacturers themselves recognize the clear danger present in the current design of these cribs and are requesting a government order to withdraw them from the market before any more tragic deaths occur, then I feel I am justified in asking the Minister of Consumer and Corporate Affairs the kinds of questions I put to him last week.

What progress is his department making under the Hazardous Products Act in connection with these colonial style cribs, and what is behind one of the minister's departmental official's charging that there has been foot dragging on this matter and another being quoted as saying he would "try to do something, but that will be a slow process"?

The minister was unprepared to answer my questions last Monday. He said he would check with his officials on both matters raised. I am sorry the minister left the chamber only a few moments ago. I thought he would want to say personally where his product safety branch stands in connection with the specific issue of the colonial-style cribs.

I am told that Vancouver retailers are taking their responsibilities seriously. Many large chains are voluntarily pulling these cribs off the floors. At least one west coast retailer is offering refunds to customers if they purchased these colonial-style cribs prior to May 1. That may be happening elsewhere in Canada. It is an indication that retailers are sensitive to public pressure and will, when necessary, voluntarily pull hazardous products off the shelves and out of the showrooms. Of course, there will be other retailers who know they have a popular thing going and, in the absence of legislation, will not remove these admittedly dangerous products.

One other thing worries me: there is nothing to prevent manufacturers who may feel compelled to withdraw these products from the domestic market from exporting these cribs to other countries. I would be interested in knowing what latitude the government will allow Canadian manufacturers to export hazardous products if, as, and when the department recognizes that these popular cribs can be dangerous.

The questions raised, however, about the high corner posts on infant cribs, in my view, go to the heart of the ability of the product safety branch to protect the public from obvious hazardous products; obvious, at least, to the manufacturers themselves and obvious, certainly, to Canadians who have experienced tragedy because of these products. I worry about the capacity of the minister's department to deal with urgent situations which arise such as the one we are discussing this evening.

Let me quote one disturbing paragraph in an article in the Ottawa *Citizen* of Monday, March 16, 1981—"Hazardous cribs still widely sold"—in which Dr. Kamlesh Gupta, the consumer department's chief of mechanical and electrical hazards "admitted the department has been dragging it heels on the issue. He said a lack of resources forced the department to rely on slowly evolving crib safety research being conducted in the United States." I would like to know what else Dr. Gupta, Mr. Black and others in the product safety branch are waiting for? On how many other products on the shelves, floors and showrooms of this nation must we Canadian await word from slowly evolving studies in the United States? Do we have to wait for serious injury or death in Canada to have the departments attention drawn to the need to alert and safeguard the consumer?

I realize that it is unfair to ask the minister to deal specifically with anything other than the subject matter of tonight's adjournment debate, but I serve notice that at the earliest appropriate time I will ask the Minister of Consumer and Corporate Affairs to table a list of products that the product safety branch is investigating, and particularly the list of products on which we have been awaiting word from the United States, such as the hazardous colonial style cribs.

Mr. Gary F. McCauley (Parliamentary Secretary to Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, as crib finials—or corner posts, as they are popularly known—of the type involved in the death of the child referred to by the hon. member for Hamilton-Wentworth (Mr. Scott) are not covered by regulations under the Hazardous Products Act, departmental officials have been engaged in a study of such features.

The department first learned of the child's death in July, 1980. The next month the director of the product safety branch advised manufacturers and importers of furniture for juveniles and those who had expressed an interest in product

safety matters—about 1,000 persons in all—of the potential hazard associates with cribs incorporating these design features. Manufactures and importers were asked to examine the design of their products and to eliminate voluntarily those features that could cause problems. A deadline for comments was set for September, 1980. Only three replies were received.

● (2220)

The director then wrote to the heads of 58 companies known to manufacture or import cribs requesting that their cribs be viewed as safety devices and that, voluntarily, they eliminate purely decorative features such as finials and posts that could put a child's life in jeopardy.

From the 27 replies received, it appeared that, in general, the industry was looking for specific guidance from the department. Colonial-style cribs are much in demand so, unless voluntary action is taken across the board, manufacturers who act in good faith could be placed at a marketing disadvantage by those who are less co-operative.

I might also mention that departmental officials have reviewed crib regulations in other countries and have found that finials and posts are only dealt with in a Swedish standard. Authorities in the U.S. are also interested in this subject and the product safety branch has been working with them in their studies.

Since the introduction of regulations on cribs in 1973, all deaths, with the exception of the one referred to, have been associated—and the hon. member should take note of this—with the use of inadequately mentioned cribs manufactured before regulations came into force.

In November of last year, the Department of Consumer and Corporate Affairs launched a major information campaign to alert consumers and retailers of used furniture to the possible hazards in the use of second-hand cribs. The department has also enlisted co-operation from the hotel and motel industry in checking the condition of their cribs to see that they are adequately maintained to ensure protection for young children.

GRAIN—COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, my question tonight arises out of questions that I posed to the Minister of Agriculture (Mr. Whelan) on March 10 in which I asked him once again about the long awaited payment to farmers in Canada on the grain embargo imposed by our government and for which there was a commitment to reimburse farmers for any losses they may have incurred by virtue of the imposition of that grain embargo.

I am pleased to see that the response tonight will be given by the Parliamentary Secretary to the Minister of Transport (Mr. Bockstael) who, I should point out to those watching tonight on television, is from western Canada, the city of Winnipeg, and who has the distinction—as far as I can make out, and I have been giving this a lot of thought—of being one of the few Liberals in western Canada who has not been appointed to the board of directors of Air Canada. Nevertheless, he will, as a western Canadian, understand the very serious concern there is across this country, in the west in particular, with respect to the untoward, unprecedented delay on the part of this government after a commitment was made by the Prime Minister (Mr. Trudeau) in March of 1980 that the compensation would be paid.

I just want to review for you, Mr. Speaker, some of the background of this matter to show precisely that there is a long history on the part of this government of broken promises concerning payment to farmers, particularly in western Canada. Last summer the Minister of Agriculture announced that a statement would be made by August 1 with respect to the amount and time of payment of the compensation. He subsequently gave the matter some further thought and later was reported to have announced that the statement on payments would be made in November of 1980. The Minister of Transport (Mr. Pepin) during the course of that summer promised the payments to the farmers for November, 1980. Senator Argue, the minister responsible for the Canadian Wheat Board, said in October of 1980 they would likely be made early in January, 1981. We go on then to a debate that took place in this House on December 9, 1980, and at page 5549 the Minister of Agriculture is reported to have said the following:

The final report has yet to be submitted, and I hope this will take place within a few days.

It has been a few months since he made that statement, yet we have received no indication as to when Canadian farmers might expect the payment or, indeed, any statement on the part of the government as to the basis upon which the computation will be made.

● (2225)

On February 23, 1981, as reported at page 7550 of *Hansard*, the Prime Minister (Mr. Trudeau) said:

I understand that officials of the various departments involved, in co-operation with the farm groups, are establishing those damages and will be finished their work very soon.

On March 2, 1981, as reported at page 7771 of *Hansard*, the Minister of Agriculture said:

—the recommendation was made to the government this January. It is being considered by the departmental committees at the present time and I hope it will soon come forward to the government.

On March 10, the information we have is that departmental officials had told the Minister of Agriculture that the matter at that time was—and I was so informed in my office—before cabinet. What had happened was that the proposal had never been on the cabinet table prior to that time because the Privy Council office felt that there were details which had to be attended to before cabinet consideration, or there was a possibility that it would have to be considered twice by cabinet. Therefore, it went to the departmental committees for minor alterations.

Finally, on March 10, in response to questions by the hon. member for Lisgar (Mr. Murta) and myself, the Minister of

Agriculture said that he would know the amount soon. In response to a question which I put, he said that the payment would be made no later than the end of March, and that if everything went smoothly it could be possible.

The fact of the matter is that this is a substantial amount of money to which the farmers of Canada are entitled. Saskatchewan economists have found that the amount of money payable to prairie farmers alone should be $117.5 million. It is important for this money to be received now by western farmers and by farmers across Canada to help meet the cash flow problems associated with spring operations.

In conclusion, I say that the responses of the Minister of Agriculture have been unsatisfactory. He tried to explain it by saying that farmers did not want the money to be shown in their incomes for 1980. Of course, the excuse could now be used that they do not want the money to be shown in their incomes for 1981. Do we have to wait until 1984 until we receive any kind of response from the government? When can they expect this money? Western farmers want to know.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, on January 4, 1980, in response to U.S.S.R. military intervention in Afghanistan, the United States announced it was imposing a number of economic sanctions against the U.S.S.R. The United States government met with other major grain exporters to seek their support. Canada in support of the American action agreed to restrict its shipment of grain to the U.S.S.R. to a level which was regarded as normal and traditional.

When the decision of the Canadian government to join in restricting exports of grain to the U.S.S.R. was announced, the prime minister of the day, the Right Hon. Leader of the Opposition (Mr. Clark), announced that Canadian grain producers would be compensated for losses arising out of actions taken by the Canadian and United States governments. Subsequently, the present government made a public commitment, which has been repeated on several occasions, to compensate grain producers for losses in income which can be legitimately attributed to government actions to restrict grain shipments to the U.S.S.R. below normal levels.

By restricting shipments to the U.S.S.R., extra supplies of grain accumulated in the rest of the world and this tended to depress prices. These price-depressing effects were offset by United States' decisions to remove some grain from the market through purchases by the Commodity Credit Corporation and by allowing more grain to enter the farmer reserves program.

Any Canadian losses due to the embargo can be divided into two categories, namely, losses in volume of sales and losses in price. Given the commitment of the government to which I have already referred, an interdepartmental committee was established to examine the basis upon which compensation was to be determined, the amount to be paid, and the method of payment. In addition, a number of other agencies and institutions have made estimates of the losses incurred by Canadian producers, and these estimates have been examined by the committee. The analysis of this issue took longer than we originally thought. Much of the data required for the analysis was not immediately available. As hon. members will appreciate, the problem is an extremely complex one and many other factors affected the market during this period, in addition to the embargo.

● (2230)

This means that the measurement of the impact of the embargo on grain prices was very difficult. The other factors which have influenced world grain markets since the embargo was announced on January 4, 1980, include higher interest rates—which increase the cost of holding grain inventories—early expectations of large grain crops in 1980-81 in the United States and the world, and the appreciation of the United States dollar against other major currencies.

At present, the interdepartmental committee has completed its work and a full report has been prepared. This report has been brought before cabinet by the Minister of Agriculture (Mr. Whelan), and the minister responsible for the Canadian Wheat Board. Cabinet is currently in the process of considering this memorandum and—

The Acting Speaker (Mr. Blaker): The hon. parliamentary secretary will know that I regret having to interrupt him. I have had to do it before and I am sorry, but the rules relating to the adjournment motion are very strict indeed.

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock.

At 10.31 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, March 31, 1981

The House met at 2 p.m.

• (1405)

[*Translation*]

THE PRESIDENT OF THE UNITED STATES

ATTEMPTED ASSASSINATION OF PRESIDENT REAGAN—EXPRESSION OF HOPE FOR SPEEDY RECOVERY

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, yesterday we all experienced a similar feeling of amazement and concern when we heard the news about the attempt made against President Ronald Reagan's life. I believe that all hon. members in this House today express a similar wish for a prompt recovery of the President and the three men who were injured at his side. Some people look upon that lunatic attempt as fresh evidence that unfortunately violence can break out at any moment in our civilized societies. I for one would rather admire the courageous behaviour of the President in this ordeal and equate it with a new proof of the nobility and greatness of the human spirit in the face of adversity.

[*English*]

His eagerness to reassure and comfort others, his concern for those who were wounded with him and his constant sense of humour, even when the extent of his own injury was still unknown, all demonstrate qualities of character which are in the finest traditions of American leadership.

Throughout Canada today among all our people there is profound relief that the attempt on the President's life did not succeed. There is, as well, an outpouring of good wishes for his quick recovery. I am sure all of us would want to express today, to a man who so recently came to this chamber to assert his friendship and respect for Canada, our gratitude that he is well and our hopes that he will soon be fully recovered.

Our thoughts and prayers are with him and Mrs. Reagan today, and with Mr. James Brady, Mr. Timothy McCarthy, Officer Thomas Delahunty and their families. May this awful event unite people throughout the world in a renewed determination to abhor and reject violence in the affairs of mankind.

Some hon. Members: Hear, hear!

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise to associate myself and my party with the words expressed by the Right Hon. Prime Minister (Mr. Trudeau), and on my own behalf and that of my party I want to express our shock and sorrow over the attempted assassination of the President of the United States. We deplore this act of outrage which offends the high standards of civilization and freedom which the American people have established.

As neighbours and as friends, our prayers are with Mrs. Reagan and the families of the other victims. We wish them all a speedy recovery.

I am sure all in this House will recall that on March 11 the President himself remarked in this House on the ability of the American people to unite in adversity. He said at that time, and I quote: "I have found there is a wellspring of spirit and faith in my country which will drive us forward to gain control of our lives."

All of us in the House wish the American people and the American President strength and perseverance in this latest crisis in a nation which has long triumphed over crisis, and long excelled in adversity.

Some hon. Members: Hear, hear!

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, on behalf of my leader, the hon. member for Oshawa (Mr. Broadbent), and on behalf of all my colleagues, I am happy to join with the Right Hon. Prime Minister (Mr. Trudeau) and the Right Hon. Leader of the Opposition (Mr. Clark) in expressing the sentiments they have already conveyed to the House.

Like all Canadians, we were shocked at the news which came to us from Washington yesterday. We deplore violence in our society, and we deeply regret the suffering of the President and of the other three who were wounded yesterday.

We join in expressing our sympathy to all of the families, and we wish the victims an early and speedy recovery.

Some hon. Members: Hear, hear!

ROUTINE PROCEEDINGS

[*English*]

CANADIAN FEDERATION

THIRTY-FIRST ANNIVERSARY OF NEWFOUNDLAND'S UNION WITH CANADA—MOTION UNDER S.O. 43

Hon. John C. Crosbie (St. John's West): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. On March 31, 1949, 32 years ago today, the dominion of Newfoundland joined the Canadian federation as the tenth province. Therefore I move, seconded by the hon. member for Saskatoon West (Mr. Hnatyshyn):

S.O. 43

That this House notes with pride and affirms the concepts and principles of confederation and of the nature of the federal system upheld so firmly and clearly in Newfoundland today.

Some hon. Members: Hear, hear!

Madam Speaker: Does the House give unanimous consent to this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RULING BY SUPREME COURT OF NEWFOUNDLAND ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Hon. James A. McGrath (St. John's East): Madam Speaker, today is the thirty-second anniversary of the dominion of Newfoundland becoming a province of Canada. It is not without coincidence that the Appeal Division of the Supreme Court of Newfoundland at twelve o'clock today brought down a unanimous ruling upholding the position of six provinces on the government's joint constitutional resolution now before the House.

Some hon. Members: Hear, hear!

Mr. McGrath: I quote very briefly from a part of the unanimous judgment of the court.

The framers of the British North America Act decided in their wisdom that Canada should not be in a unitary state, but a federal one.

Some hon. Members: Hear, hear!

Mr. McGrath: The quotation goes on:

● (1410)

Canada, however, could in effect be converted into a unitary state if that act could be amended simply at the request of the Canadian Parliament without the concurrence of the provinces.

I therefore move, with the unanimous consent of the House, seconded by the hon. member for St. John's West (Mr. Crosbie):

That in view of the decision of the Newfoundland Supreme Court upholding the position of the provinces, that the government withdraw forthwith the joint constitutional resolution now before the House, until the Supreme Court of Canada brings down its decision.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

SUGGESTED DELAY IN CONSIDERATION OF CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, I rise, under the provisions of Standing Order 43, on a matter of urgent and pressing necessity. In view of today's unanimous decision of the Newfoundland Supreme Court against the federal process and proposals relating to the constitutional resolution now before the House, and in view of recent remarks on the television program Question Period by the Hon. Robert Stanfield, one of Canada's most serious and highly respected political statesmen, when he said the Trudeau package is a "constitutional *coup d'état*", I move, seconded by the hon. member for Fundy-Royal (Mr. Corbett):

That the government forthwith delay any further consideration of the constitutional resolution until the Supreme Court of Canada, which is now seized of the matter, has had an opportunity to decide whether the rule of law or the Prime Minister's rule shall prevail in this country.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

CANADIAN BROADCASTING CORPORATION

REQUEST FOR SPEEDY INTERVENTION BY GOVERNMENT IN DISPUTE BETWEEN CORPORATION AND JOURNALISTS' UNION—MOTION UNDER S.O. 43

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I rise under the provisions of Standing Order 43 to ask the unanimous consent of the House to move a motion dealing with a most important matter.

Since it is urgent to settle the conflict which has been crippling for too long the French and English news services of the CBC and considering the importance of the election campaign now under way in Quebec, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That the House condemn the uncompromising attitude of the CBC authorities and that the Ministers of Communications and Labour intervene as soon as possible and ask the president of the CBC to resume negotiations and find quickly a solution to that conflict which is depriving Quebecers and other Canadians of essential information.

Madam Speaker: The House has heard the motion of the hon. member. Under the provisions of Standing Order 43, such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

[*English*]

THE MINISTRY

RESPONSIBILITIES OF MINISTER OF FISHERIES AND OCEANS—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, due to the fact that the minister appointed by the Prime Minister (Mr. Trudeau) to be responsible for New Brunswick, the Minister of Fisheries and Oceans (Mr. LeBlanc), in response to a question asked by me yesterday indicated that he did not want to be responsible for that province, I move, seconded by the hon. member for York-Sunbury (Mr. Howie):

That the Prime Minister appoint a new minister to be responsible for New Brunswick and direct the Minister of Fisheries and Oceans to tell the House what he does want to be responsible for, if anything.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*Translation*]

AGRICULTURE

RETURN OF EXPROPRIATED LAND AT MIRABEL AIRPORT TO FORMER OWNERS—MOTION UNDER S.O. 43

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I rise under the provisions of Standing Order 43 to ask the unanimous consent of the House to move a motion on a matter of urgent and pressing necessity.

In view of the fact that many farmers living on expropriated land at Mirabel International Airport are only tenants of the Crown, I move, seconded by the hon. member for Bruce-Grey (Mr. Gurbin):

That the House blame the government for its absurd expropriation policy at Mirabel and propose that the government hand over management of the land in the airport peripheral zone to the expropriated owners.

Madam Speaker: The House has heard the motion of the hon. member. Under the provisions of Standing Order 43, such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

[*English*]

CANADIAN BROADCASTING CORPORATION

STRIKE BY QUEBEC JOURNALISTS' UNION—MOTION UNDER S.O. 43

Mr. John Bosley (Don Valley West): Madam Speaker, I rise under the provisions of Standing Order 43 to move the following motion. Whereas the strike between the CBC and its TV journalists has gone on so long that independent observers increasingly believe there has been a political decision to prolong the strike, a strike which I am glad to see the NDP has finally discovered—

Some hon. Members: Oh, oh!

Mr. Bosley: —therefore, I move, seconded by the hon. member for Edmonton-Strathcona (Mr. Kilgour):

That this House instruct the Minister of Labour to convene an industrial inquiry under Section 196, *et alia*, of Part V of the Labour Code, as it was requested to do on Friday, in order to determine whether the CBC has been acting in good faith and the extent of the Liberal party's involvement in its continuation of the strike.

Madam Speaker: Is there unanimous consent for his motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

CHARITABLE FOUNDATIONS

REVIEW OF STATUS OF RENAISSANCE CANADA—MOTION UNDER S.O. 43

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I rise under the provisions of Standing Order 43. In light of the fact that recent newspaper advertisements taken out by a hate organization known as Renaissance Canada have clearly violated the rules with respect to political activity of charitable organizations, to say nothing of the rules of good taste, and that this organization launched hate campaigns against a number of Canadian politicians over the past six months, I move, seconded by the hon. member for Broadview-Greenwood (Mr. Rae):

That the Minister of National Revenue be instructed to review the propriety of Renaissance Canada having charitable status under the Income Tax Act.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

S.O. 43

BUSINESS OF THE HOUSE

ROLE OF PARLIAMENT OF CANADA—MOTION UNDER S.O. 43

Mr. Jim Peterson (Willowdale): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the unabashed, premeditated and systematic obstruction of the work of the House by the Conservative Party—

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Peterson: The evidence is before us, Madam Speaker.

Some hon. Members: Hear, hear!

Mr. Peterson: Therefore I move, seconded by the hon. member for Guelph (Mr. Schroder):

That this House reiterates the sentiment expressed by the Right Hon. Leader of the Opposition when he stated last June, "Parliament speaks for 23 million Canadians. If the first ministers of the federation cannot make marked progress toward changes which fit the Canada of the 1980s, then the Parliament of the federation may have to assert a stronger role".

Some hon. Members: Hear, hear!

Mr. Clark: They are making marked progress.

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

An hon. Member: Joe said "No".

Mr. Baker (Nepean-Carleton): I said "No". Of course there is no unanimous consent.

Madam Speaker: Order, please.

* * *

AIRPORTS

PROVISION OF GARBAGE TREATMENT FACILITIES—MOTION UNDER S.O. 43

Mr. Charles Mayer (Portage-Marquette): Madam Speaker, many of Canada's international airports do not have adequate facilities for burning or sterilizing garbage from international flights. This deplorable situation unnecessarily exposes the Canadian livestock industry to risks from exotic and dangerous diseases. In fact the Minister of Agriculture (Mr. Whelan) recently warned of precautions against the spread of the dreaded hoof and mouth disease to Canada. Therefore I move, under the provisions of Standing Order 43 and seconded by the hon. member for Kindersley-Lloydminster (Mr. McKnight):

That the government be condemned for allowing this situation to linger and, further, that the government move immediately to construct disposal facilities for proper sterilization of all garbage left in Canada from international flights.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

METRIC CONVERSION

CALL FOR DISBANDMENT OF BOARD—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. The Canadian government notified the people of Canada through *The Canada Gazette* of February 28, 1981, that shortly only metric measurements will be permitted in retail food stores throughout Canada and that persons daring to use imperial after the said date will be liable for fines in the amount of $5,000 and/or imprisonment of up to two years. The Government of Canada is doing this, not by an act of Parliament but by an order in council. Therefore I move, seconded by the hon. member for Lethbridge-Foothills (Mr. Thacker):

That this House orders the government to rescind immediately the said order in council, to fire the chairman and to retire the balance of the metric board.

We are not in a unilateral country.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PARLIAMENT

RIGHTS AND PRINCIPLES—MOTION UNDER S.O. 43

Mr. Garnet M. Bloomfield (London-Middlesex): Madam Speaker, I rise on a matter of urgent and pressing necessity. In view of the historical tradition in British parliamentary democracy that Parliament, as the highest court in the land, is supreme, I move, seconded by the hon. member for Scarborough West (Mr. Weatherhead):

That this House reaffirms its right to discuss any matter it so chooses and that it reaffirms the principle that the courts of the land can only adjudicate those laws duly passed by this Parliament.

Mr. Baker (Nepean-Carleton): It is out of order.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1420)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

RULING BY SUPREME COURT OF NEWFOUNDLAND ON CONSTITUTIONAL RESOLUTION—GOVERNMENT POSITION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is for the Prime Minister, who will know that the Newfoundland Supreme Court today ruled unanimously that the federal government—and I wish to quote from the ruling—"has . . . no authority to request an amendment that would directly alter provisions of the British North America Act affecting federal-provincial relations or the powers, rights or privileges secured by the Constitution of Canada to the provinces without first obtaining provincial consent." Those are words from the unanimous ruling of the Supreme Court of Newfoundland this morning. So the Newfoundland Supreme Court has declared the Prime Minister's constitutional resolution illegal.

Does the Prime Minister intend to continue to force through this Parliament of Canada a resolution which the Supreme Court of Newfoundland has declared illegal?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, naturally, we are somewhat disappointed by the judgment of the Supreme Court of Newfoundland, but it is certainly a very important one. The Right Hon. Leader of the Opposition suggests we should not act because the court decided we were acting illegally. I remind the Right Hon. Leader of the Opposition that he did not reach the contrary decision when the Manitoba Court of Appeal decided we were acting legally. He did not then agree to pass the resolution which is before the House.

These two decisions which are in conflict, and the fact that the Supreme Court of Canada has now decided that it would hear the appeal from Manitoba, and presumably any other appeals which are brought before it on this subject, before the end of April, leads me to remind the House of what some of the judges in the Manitoba case said, including the Chief Justice. They said that as long as the resolution was not out of the House the first question put to the court was hypothetical, indicating that it would prefer to judge not on a hypothetical bill but on a real bill. As a result of that, I wonder if we could not agree to pass the resolution and make sure the Supreme Court of Canada is acting, not on a hypothetical case, but on a real case, and agree to respect the decision of the Supreme Court.

Some hon. Members: Hear, hear!

REQUEST FOR DECISION BY SUPREME COURT BEFORE RESOLUTION SENT TO BRITAIN

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the Prime Minister will recall that the decision of the Manitoba Court of Appeal was three to two. The decision of the Newfoundland Supreme Court was a unanimous decision against the federal government. The Prime Minister will also recall his own Kirby memorandum in which there was cited a judicial opinion by the Department of Justice to the effect that a law passed by the U.K. Parliament to patriate the Constitution with an amending formula and other changes could not be successfully attacked in the Canadian courts. In other words, the legal opinion that the Government of Canada has, which it will not make available to Parliament, is that if it can get this question out of Canada, then the Supreme Court of Canada cannot act on any decision that the British Parliament might take. That is why he is trying to get this question out of the House.

Some hon. Members: Hear, hear!

Mr. Clark: I would like to ask the Prime Minister if the Government of Canada intends to appeal this unanimous decision of the Newfoundland Supreme Court. If so, will the Government of Canada await the decision of the Supreme Court of Canada on its own appeal before it forces this resolution through Canada and tries to export this question, this Canadian question, from our country to another parliament?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I just indicated that we have had one appeal court render in favour of the resolution. There is still a decision to be rendered by the Appeal Court of Quebec. That is why I am taking this matter very seriously.

• (1425)

I repeat the suggestion to the Right Hon. Leader of the Opposition and to other hon. members of this House, keeping in mind the statement of the Chief Justice of Manitoba and other justices' statements that they did not want to rule on a hypothetical case, that we give to them—

An hon. Member: Yeah, refer it to the Supreme Court.

Mr. Trudeau: —a resolution which will obviously be taken into account by the Supreme Court of Canada, not as a hypothetical thing but as a real thing.

The Leader of the Opposition suggests that this party is trying to hasten the resolution over to Britain so that the Supreme Court of Canada will not have a chance to judge on it.

An hon. Member: That's right.

Mr. Trudeau: Well, hon. members over there say, "that's right", and so on. I am prepared to suggest that if we can

agree on some form of time allocation which would not only get the resolution improved, with the amendment dealing with women's rights—which I believe has been pressed from various sides of the House—and an amendment which has been discussed on aboriginal rights—

Some hon. Members: Property!

An hon. Member: Too much of this is tongue in cheek!

Mr. Trudeau: If the hon. members opposite do not want to improve the resolution another way, my offer will still stand; that we get a resolution to the Supreme Court of Canada in return for which the government would certainly undertake not to press the United Kingdom to pass the resolution until it has seen the judgment of the Supreme Court of Canada, and if the—

Some hon. Members: Hear, hear!

Mr. Trudeau: An hon. member says that I have come a long way. Indeed, we were quite certain that the courts would render in our favour, as indeed—

An hon. Member: Can we believe it?

Mr. Trudeau: —one of the appeal courts has done. I am taking cognizance of this new situation, and I am making a very serious offer to the various hon. members of this House that, if the House leaders of three parties can agree on some way in which we can get this resolution out of the House—improved, if possible—get it before the Supreme Court of Canada before Easter, or any time before the Supreme Court of Canada is going to look at the factums, then we will undertake not to press its passage in the United Kingdom until after the Supreme Court of Canada has judged.

If the Supreme Court renders in favour of the resolution, I take it that would settle the matter and we could put an end to this debate which has been going on for several months. Of course, if it renders against us, the government would have to admit that it cannot proceed in the United Kingdom with the resolution in this form.

Some hon. Members: Hear, hear!

DIRECT REFERRAL TO SUPREME COURT

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, that is a very interesting proposal put forward by the Prime Minister, which we would be prepared to consider. I assume that that would mean the withdrawal of the notice of motion that stands now in the name of the President of the Privy Council. I would like that confirmed.

However, my question to the Prime Minister is: since the Prime Minister is now concerned about the legality of the position which he is putting forward, would he consider applying precisely the same standard to this situation which he applied to the situation in respect of the Senate, in the former Bill C-60, when a proposal he made was considered to be unconstitutional, and he then undertook a direct reference to the Supreme Court of Canada to determine the constitutionality of that position before this Parliament acted? We would like to know that what we are doing is legal before we do it.

Some hon. Members: Hear, hear!

• (1430)

Mr. Clark: If the Prime Minister was prepared to do that with respect to the Senate provisions of Bill C-60, will he apply his own standard in this case so that Parliament can be assured, before we act, that what we are doing in this House of Commons and in the other place is legal?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. Leader of the Opposition asks for the assurance that the notice of motion before the House would be withdrawn. Of course we can withdraw that motion, providing the House leaders can agree on some other form of time allocation or agreement to pass the resolution so that it gets to the Supreme Court in time. It does not have to be the motion standing in the name of the House leader of the government, but there would have to be some agreement between members of this House that debate progress and come to a conclusion.

The reason I repeat that, and the reason why I think I should point out to the Leader of the Opposition that it is not the situation with Bill C-60 where debate had not progressed, is that—we are now in the situation where debate has been going on for six months, where the resolution has already in its present form been referred to two courts of appeal, one rendering in favour and one against, and where we have the opinion of the Chief Justice of Manitoba and other judges to the effect that they cannot judge a hypothetical situation. If that is the case—this is not a referral, I would remind hon. members of the House, not a referral by the federal government—it is a case taken by six provinces.

Some hon. Members: Oh, oh!

Mr. Trudeau: I understand that hon. members do not want to let their leader study this proposition, but I know him to be interested in it. I ask that he do study it, that we look at the possibility of getting the bill out since we have invested more than six months in it, that we get the bill out, that it pass both Houses of Parliament in good time for the Supreme Court to consider it.

I repeat, if the Supreme Court should judge against it, we will, of course, not press the United Kingdom to pass it in all stages. The point which has been so laboriously fought for by the Leader of the Opposition will have been proven to be legally right and founded. But if the contrary happens and the Supreme Court, which we all want to see adjudicate on this, decides in favour of the bill, then we will not have to begin this debate ad nauseam again but will merely ask the United Kingdom to continue its passage.

GOVERNMENT'S INTENTION TO PROCEED WITH CONSTITUTIONAL RESOLUTION

Hon. Jake Epp (Provencher): Madam Speaker, my question is for the Right Hon. Prime Minister. In view of the statements he has made today in question period, and in view of the statement that was made by the Minister of Justice today, namely, "That the federal government intends to push ahead with its constitutional package despite a Newfoundland court of appeal decision backing the provinces that oppose it", is the Prime Minister saying now that that position that was put forward by the chief spokesman of the government on the Constitution, namely, that the decision did not change anything in terms of the government's action, has now been repudiated and that the Prime Minister is looking at a new manner in which to proceed?

Right Hon. P. E. Trudeau (Prime Minister): Not at all, Madam Speaker, I think the Minister of Justice was speaking much as I did when I answered the Leader of the Opposition. When we had an appeal court decide in our favour, that did not mean that the opposition threw up its hands and said, "All is finished; we will pass the resolution." They said, "We will continue blocking it." Now that an appeal court has decided against us, we are taking the same attitude as the opposition. We are pursuing our course, except that I just made a serious offer, to the Progressive Conservative Party and the New Democratic Party, to ensure that we can end this debate and then have what hon. members opposite have been asking for, for so long—we can have an adjudication by the Supreme Court of this land. Then we will be able to know whether or not our actions are legal and whether or not it is justified to present this precise measure, not some hypothetical measure as the Manitoba court said, but this precise measure, in the United Kingdom.

EFFECT OF RULING BY SUPREME COURT OF NEWFOUNDLAND

Hon. Jake Epp (Provencher): Madam Speaker, I should like to direct my question to the Minister of Justice. Up to this point in time there has been an argument and debate in this House and across the country on whether the proposition before Parliament had a moral basis. An argument has been made about its legitimacy, whether or not it was legitimate. Now the position has been taken by the Supreme Court of Newfoundland that in fact the proposition, the joint address, is illegal. Therefore I would like to ask the Minister of Justice, not only as the Minister of Justice but also as the Attorney General of Canada, the chief law officer of the Crown, why he persists in his actions to want to move ahead, in view of the fact that an appeal court has now decided that it is illegal? Why does he not fulfil his responsibilities and maintain the rule of law?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, the Prime Minister replied to that question and I gave that answer yesterday. It is a very clear one. We said that the Parliament of Canada and this House are called upon to pass legislation.

When legislation is passed it is up to the court to adjudicate and, of course, Parliament and the different Houses in the provinces accept the rule of law. If we are to take the view that, every time there is a problem that is debated in the courts, we cannot operate our legislatures, we are running the risk of mixing the legislature and the judiciary. The proposition of the Prime Minister is a very simple one: let us finish our work here in which we have invested six months of effort and after that there will be a decision of the Supreme Court.

Of course, the Prime Minister said, and it is the position of the government, that we respect the decision of the courts. But we will finish our duty as Members of Parliament to finish the work that we started in the fall and, of course, we will wait for the decision of the Supreme Court before deciding to press the matter in England—yes or no.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF HONOURABLE DAVID SCOTT THOMSON, MINISTER FOR SCIENCE AND TECHNOLOGY, AUSTRALIA

Madam Speaker: I should like to draw the attention of the House to the presence in the gallery of the Hon. David Scott Thomson, Minister for Science and Technology, of Australia.

Some hon. Members: Hear, hear!

* * *

THE CONSTITUTION

DEADLINE TO MEET SUPREME COURT HEARING

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, in view of the concession that the Prime Minister has made in making the statement that the resolution would not be pressed upon the Parliament of the United Kingdom until there has been a ruling of the Supreme Court, can he indicate by what date a factum would have to be presented to the Supreme Court on behalf of the Government of Canada? Also, can he say whether an early meeting of House leaders might be arranged to see if we could come to some agreement on time, bearing in mind the question I have already put to him?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, on the second part of the question I can assure the hon. member that our House leader would be prepared to meet from three o'clock onwards with the opposite House leaders to try to solve this question of timing.

I cannot say when the Supreme Court would require the factums and the resolution in its final form. Just looking at the calendar I realize that Easter is less than three weeks away and that it is at the end of Easter week that the Supreme Court, the Monday after Easter week, that the Supreme Court will be hearing the pleadings. I would suppose that the latest we could effectively get this measure out of the House would

be on Holy Monday, or Tuesday, at the very latest, that is to say, less than two weeks from now.

TRANSMISSION OF RESOLUTION TO UNITED KINGDOM PARLIAMENT

Hon. Stanley Knowles (Winnipeg North Centre): I wonder if the Prime Minister could be a little more precise about what he means when he says that this matter would not be pressed on the parliament of the United Kingdom. Does that mean it would be sent over there but put on the backburner, or that it would not be sent until the Supreme Court had made its ruling?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I would be happy to empower our House leader to negotiate such things. What I had in mind would be that we would send it over in a very informal and low-key way—

Some hon. Members: Oh, oh!

Mr. Crosbie: Not likely.

An hon. Member: By bicycle.

An hon. Member: By mail.

Mr. Trudeau: —or send it over with fanfare, if this would please leaders of the opposition. Whether they gave it first reading or not seems rather secondary. What I am saying on behalf of the government is that we would not press for its passage. Whatever way the combined opposition wants to interpret these words, I will accept that interpretation.

• (1440)

Mr. Clark: Would you resist its passage?

SUBJECT MATTERS FOR DISCUSSION BY HOUSE LEADERS

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, my further supplementary question has to do with what we can discuss at a House leaders' meeting. I wonder if it could be understood that we could discuss the point which the Prime Minister has just now made concerning when the resolution is sent to Britain, whether it is sent over and left aside or whether it is kept here until after a Supreme Court ruling has been made.

Will we also be able to discuss at a House leaders' meeting arrangements for a further debate that will include the guaranteed right of further amendments, such as amendments entrenching aboriginal rights and improving the position with respect to women?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, as far as our party is concerned, I could give an unequivocal answer yes to both of those questions. The first question is that it could be decided at what state, if any, the resolution would be reaching Britain.

The second would be that we would see it as very important to improve that resolution, at least with those amendments upon which all parties seem to be agreed, namely, the one concerning equality of men and women, and the other providing for an improvement, perhaps, on the amending formula with regard to aboriginal rights. I am not sure whether there is agreement on that. I think there is on a text between the New Democratic Party and our party. I am not sure where the Conservative Party stands on that.

My answer is yes, for a very simple reason, that all parties in this House believe we should have our Constitution, that it should have an amending formula, and all parties believe that our Constitution should have a charter of rights. The hon. member for Provencher has made that quite clear on behalf of his party. The leader of the New Democratic Party has said that he thought it was the best charter in the world. But we want this content. We did not know, we did not agree, if we could proceed legally the way we are. What I am proposing is that we obtain a judgment from the highest court in the land as to whether we are or whether we are not proceeding legally. If we are, then I suggest that settles the matter and the United Kingdom will act expeditiously.

That is the proposal I am making to the Leader of the Opposition and to the Leader of the New Democratic Party.

Some hon. Members: Hear, hear!

REQUEST FOR WITHDRAWAL OF CONSTITUTIONAL RESOLUTION AND REFERRAL TO SUPREME COURT

Hon. James A. McGrath (St. John's East): Madam Speaker, I would like to direct a supplementary question to the Right Hon. Prime Minister. In so doing, I cannot help but make the comment how sad it is to see the Dean of the House, the hon. member for Winnipeg North Centre, having to stand up on behalf of his party and swallow himself whole.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Some hon. Members: Shame!

Mr. Clark: Cosgrove is awake.

Madam Speaker: Order, please.

Mr. McGrath: If there is any shame, it is on that side of the House.

Some hon. Members: Hear, hear!

Mr. McGrath: In view of the fact that the Prime Minister cites part of the judgment of the Chief Justice of Manitoba in stating that he had only a hypothetical question in front of him, and the Prime Minister takes that as an enjoinder to us to get on and pass the resolution so it can get to the court—but I say to the Prime Minister, surely if he wants to eliminate the hypothesis—

Mr. Lalonde: Ask the question.

Mr. McGrath: —from this question, why does the Right Hon. Prime Minister not do the honourable thing and withdraw the resolution from the House and refer it to the Supreme Court of Canada?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): For the very simple reason, Madam Speaker, that I am trying to get before the Supreme Court of Canada a resolution which would be improved in the way that the House leader of the New Democratic Party has suggested; that I believe the lady from Kingston—

Mr. Clark: The hon. member from Kingston.

Mr. Trudeau: —has suggested, and that we have suggested, namely, that we put these things in the resolution. Then we will have before the Supreme Court of Canada the kind of charter which everybody says is a very good one. All that will have to be determined then is the legality of it. As the Minister of Justice has said many times, this is the way the House always proceeds.

Mr. Clark: Except on Bill C-60.

Mr. Trudeau: It adopts bills. The hon. member constantly refers to Bill C-60. There was a disagreement on Bill C-60.

Some hon. Members: Oh, oh!

Mr. Trudeau: Members of the opposition did not agree with the substance of Bill C-60. But they have told us repeatedly—

Miss MacDonald: The committee report on C-60 was unanimous.

Mr. Trudeau: —and I wonder whether they were giving us the truth or not—that the people of Canada wanted a charter, that the people of Canada wanted their Constitution.

Mr. Clark: What about the amending formula?

Mr. Trudeau: That was not the position on Bill C-60. They never took that position that I can remember. That is why we are saying—

An hon. Member: What about the referendum?

Mr. Trudeau: The hon. member is talking about the referendum. I am beginning to wonder if they think the courts should impose an amending formula on us or not.

Mr. Baker (Nepean-Carleton): They could not do it anyway.

Mr. Trudeau: If that is not their position, Madam Speaker, surely all they are asking the courts to do is to do what the court of Manitoba and the court of Newfoundland have done, and that is decide whether this particular resolution is intra vires or ultra vires. That is what has to be decided.

Some hon. Members: Oh, oh!

Mr. Trudeau: I can understand that some hon. members do not like this kind of a suggestion. They have been arguing for days and weeks that the Supreme Court should decide. I am putting a proposal before them that will permit the Supreme Court to decide. If the Supreme Court decides against us, then obviously the resolution will not be sent to Great Britain. Isn't that what the Leader of the Opposition has been looking for?

Some hon. Members: Hear, hear!

Mr. McGrath: Madam Speaker, the Prime Minister seems to be changing his position with each answer.

Some hon. Members: Hear, hear!

Mr. McGrath: Consequently, we will have to examine very carefully what in fact he has said.

I want to remind the Prime Minister, in putting this supplementary question to him, that when the government took its responsibility and referred Bill C-60 to the Supreme Court of Canada, the Supreme Court stated that the process was ultra vires, that the federal government could not unilaterally change the Senate.

Now the Supreme Court of Newfoundland is saying the same thing, that the process involved in the resolution before the House is illegal and ultra vires because it changes the federation—

Some hon. Members: Hear, hear!

Mr. McGrath: By refusing to refer it to the courts, the Prime Minister is asking me and the members of this House to be—

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. The hon. member has the floor only to ask a question.

Mr. McGrath: Madam Speaker, I want to ask the Prime Minister whether he will reconsider what he has said because he is asking the House, in the face of the unanimous decision by the Supreme Court of Newfoundland, to pass something which is, in fact, illegal. That is the point.

Some hon. Members: Hear, hear!

Mr. McGrath: Therefore, I ask the Prime Minister if he will do on this—

An hon. Member: Who are you?

An hon. Member: The Supreme Court of Newfoundland said it.

An hon. Member: Oh, oh!

Mr. McGrath: —I am not saying it, it is the Supreme Court—

Madam Speaker: Order, please. If the hon. member does not go directly to his question, I will have to recognize another questioner.

Mr. McGrath: Madam Speaker, I merely want to ask the Right Hon. Prime Minister why does he have this double standard. Why does he not do on this resolution what he did on Bill C-60, namely, withdraw the resolution from Parliament and refer it to the Supreme Court of Canada? That is simply what he has to do.

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the opposition seems to have only one fallback position, and it is Bill C-60. I remind the hon. member that Bill C-60 was referred to the Supreme Court, not to know whether the federal government was acting against some constitution or convention; the case was were we acting within the authority of Section 91(1) of the British North America Act.

An hon. Member: That is the Constitution.

Mr. McGrath: It is the same process.

Mr. Trudeau: We have a section of our present Constitution—

Mr. McGrath: You have gone outside Section 91 on this.

• (1450)

Mr. Trudeau: Does the hon. member want an answer?

Some hon. Members: Oh, oh!

Mr. Trudeau: We were asking the courts whether, within our present Constitution, Section 91(1), the federal government could do certain things. Now there is no section of the Constitution, as hon. members know, and no written document, which says how the Constitution of Canada can be amended. It is a different situation from that in respect of Bill C-60. The hon. member keeps repeating that what we are doing is illegal. I repeat to him: why did he not conclude it was legal when Manitoba rendered in our favour, and what will he do if Quebec renders in our favour? Will it suddenly become legal, or will it still remain illegal because—

An hon. Member: Send it to the Supreme Court.

Mr. Trudeau: That is precisely the offer we are putting before this House.

Some hon. Members: Oh, oh!

Mr. Trudeau: The hon. member says we should withdraw and send it to the court. I ask hon. members whether they are interested in determining the legality of this action, or in delay? If they want more delay, then they are certainly taking the right course. If they want a decision on legality, then the course I am suggesting is the only one for sure.

Some hon. Members: Hear, hear!

PORTS

DEVELOPMENT OF ROBERTS BANK, B.C., SUPERPORT—ENVIRONMENTAL OBJECTIONS

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, while the Prime Minister thinks a little more deeply about the pickle he is in, I should like to direct a question to the Minister of the Environment.

In March, 1979, the Environmental Assessment and Review Panel studying the proposed expansion of the Roberts Bank superport in Delta, British Columbia, reported to the cabinet and recommended against a major expansion of the Roberts Bank superport being proposed by the National Harbours Board, an expansion which would increase the area of that port by some five times. Cabinet opposition was confirmed by the fact that the Minister for the Environment at that time supported the recommendations of the Environmental Assessment and Review Panel for a much smaller scale of development at Roberts Bank.

Madam Speaker: Order, please. First of all the question is rather long and, secondly, may we have a bit of silence in the House?

Mr. Siddon: Thank you, Madam Speaker. Has the minister chosen to bypass the findings of the EARP in 1979, has he given his formal consent, together with the Minister of Fisheries and Oceans, for the project of expansion at Roberts Bank on a scale approaching that which was originally envisaged and which includes a massive turning basin and at least three additional pads, therefore disregarding the recommendations of EARP?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, the hon. member's question, as you say, was rather long and rather complicated. I can say to him that we do not have environmental objections to the project proceeding as planned. It has been a little bit of time since I have reviewed this issue and, if the hon. member would like, I would be happy to respond to him at greater length in a letter.

ANNOUNCEMENT OF DREDGING CONTRACT

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, my question is rather timely and I believe the Minister of Transport will confirm this. Will he confirm that his department will announce Treasury Board approval of a contract for dredging at Roberts Bank to develop this much larger project, a contract in the amount of some $35 million to a foreign-owned dredging company, to use Dutch dredging equipment, and that the contract will be announced within the next three or four days, a contract giving this foreign dredging consortium special concessions regarding duty exemptions? If that is so, so much for the environmental review process. Will the Minister of Transport confirm that such a decision will be announced shortly?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, that is exactly it; such a decision will be announced. I think the decision will come forward on April 4. I cannot see why my hon. friend has already made a conclusion on a decision that has not yet been announced.

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FISHERIES

REGULATIONS FOR 1981 SALMON FISHING SEASON ON WEST COAST

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, I direct my question to the Minister of Fisheries and Oceans.

In two weeks the B.C. west coast salmon fishery season will open, and it will open in total confusion unless the minister can elaborate on some of the announcements which have been made in the press regarding the regulations for the 1981 fishing season. When will the minister state definitively what regulations will be in effect for the 1981 fishing season, and will he now state if the regulations announced through press release will actually be proclaimed?

The fishermen want to know now what regulations the fisheries officials will be enforcing during the 1981 fishing season. They want to know now how many girdies they will have to take off their fishing vessels, and what kind of equipment they will have to put on the ends of their lines.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the last reference allows me to think the hon. member's question deals mainly with the troller fleet. In that regard the policy was announced quite a few months ago. There is, this very day, a meeting with Pacific gillnetters along the Fraser area where there is a problem. We are hoping to find some accommodation following the consultation which is going on between my department and the fishermen involved.

REPORTED DELAY IN PROCLAIMING REGULATIONS

Mr. Ted Miller (Nanaimo-Alberni): I thank the minister for that answer, Madam Speaker, but some of these regulations were proclaimed by press release only, as far back as October. They have not as yet been put into regulations and the fishermen have not been able to get any information from the minister's department regarding the kind of gear they are going to be able to use and what will happen to the Fraser River gillnet fishery. I would ask the minister whether the delay in proclaiming those regulations, or suggested regulations, may not be connected to some agreement that may be under discussion presently with the United States in respect of the west coast troll fishery and, particularly, does it have any effect on the interception of Canadian chinook bound for the Fraser River at Point Roberts.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, it is quite traditional for policy to be announced and, from that, detailed regulations discussed with fishermen's groups, and then proclaimed by order in council. I have no information that there is undue delay. I will check into this and give the hon. member the information. As of this morning, when I had a lengthy meeting with Pacific coast senior officials, this did not emerge as an issue.

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INDIAN AFFAIRS

JAMES BAY AGREEMENT—MANNER OF IMPLEMENTATION

Mr. Keith Penner (Cochrane-Superior): Madam Speaker, my question is directed to the Minister of Indian Affairs and Northern Development.

This morning the minister was delivered a strongly-worded statement by the Standing Committee on Indian Affairs and Northern Development concerning the unacceptable manner in which the James Bay and Northern Quebec Agreement has been and continues to be implemented. What is generally regarded as a very good agreement has been soured, in part by bureaucratic bungling, lack of funding, and endless haggling over the interpretation of the various sections of this agreement. Will the minister now tell the House whether he will press his colleagues in cabinet, his officials, and also the government of Quebec, to honour this agreement in its spirit, and to cease and desist from the narrow and legalistic approach which has been followed heretofore?

Finally, Madam Speaker, I would like to know whether the minister will agree to arrange a visit to the Cree and Inuit communities in northern Quebec in order that he may learn at first hand just how serious the situation there actually is?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, I did meet this morning with the hon. member, the chairman of the committee, and various opposition Members of Parliament who are members of that committee. As the hon. member knows, I informed him and the committee that I have discussed this matter with the Minister of Justice. We are of the same view that, although the legal advice we have obtained is that the agreement has stood up in the courts, is very valid, and has not been breached in a legal context at all, we would be prepared to review the agreement, as the hon. member puts it, in terms of its spirit and good intent, aside from a strictly legal interpretation. That review by the Minister of Justice and our department is under way.

● (1500)

Second, as the hon. member knows, I have already agreed with the committee, despite the fact that I have been doing a great deal of travelling, that I should see this particular area, and I have agreed to go up there with some of my officials and advisers within the next ten days to two weeks.

Oral Questions

CANADIAN ARMED FORCES

RESIGNATIONS OF GENERAL PARADIS AND OTHER HIGH RANKING OFFICERS

Hon. Allan B. McKinnon (Victoria): Madam Speaker, my question is directed to the Minister of National Defence. He is well aware that there has been another resignation of a senior officer, Lieutenant-General Paradis, from the Canadian Armed Forces. Can the minister explain why General Paradis, whose ability, knowledge, forthrightness and dedication to the forces were well known, decided to resign some three years before his normal retirement date?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, the retirement of General Paradis prior to his retirement date is just normal. It was the choice of General Paradis to take that step.

I know General Paradis very well. I have talked with him, and his retirement is according to his own choice and nothing else.

Mr. McKinnon: Madam Speaker, in the last year we have seen the early and, I submit, the arranged retirements of Lieutenant-General MacKenzie, the commander of Air Command, Major-General St. Aubin, and Admiral Martin, the commander of the Maritime Command, Pacific. The commander of Maritime Command was transferred out of his command in less than a year, and now General Paradis is resigning, having been made an offer he could not possibly accept.

Can the minister explain why he is getting rid of so many of his most capable officers?

Mr. Lamontagne: Madam Speaker, as the hon. member must know, because he is a former defence minister, our Armed Forces have a very elaborate and very good retirement plan. That gives many high-ranking generals the advantage of retiring ahead of time when they feel they have other work to do. I think they have a great advantage. All these retirements ahead of time have been taken as a matter of choice. No one has been forced to retire.

As far as General Paradis is concerned, I regret that he is leaving because he is a very able man.

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McDONALD ROYAL COMMISSION

EXTENSION OF MANDATE

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is addressed to the Solicitor General. As the minister knows, the mandate of the McDonald commission expires today, almost four years after its organization, and after the expenditure of $10 million. Last October when the minister gave the commission its March 31 deadline he told the House, "This is the final date being established now. It is a sufficient time for the commission to complete matters that should be completed".

Will the minister now confirm that the McDonald commission has asked for yet another extension of its mandate, and will he tell the House how much longer the people of Canada will have to continue funding this commission, which is the longest running judicial road show in Canada's history?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, indeed today is the last day provided in the existing order in council, but a little over a week ago the McDonald commission was in touch with the government indicating that it required a few more weeks to complete its work. An order in council is in the course of preparation today. It will extend the mandate of the McDonald commission, at its request, to Friday, May 15.

Mr. Robinson (Burnaby): Madam Speaker, it is interesting to note the order in council has not yet been prepared, so the commission legally dies at the end of today.

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ROYAL CANADIAN MOUNTED POLICE

QUERY RESPECTING LEGISLATION AND COLLECTIVE BARGAINING RIGHTS

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my supplementary question relates to promised legislation with respect to the RCMP. The minister has been promising regularly since last April that he would proceed as a top priority with long overdue revisions to the RCMP Act arising from the Marin report. In May of last year he admitted that the present procedures were unfair to members of the force.

When will the minister stop playing games with members of the RCMP and bring forward this long overdue legislation and, in particular, when will he, as urged by the Association of Seventeen Divisions, grant collective bargaining rights on pay and working conditions to members of the RCMP, the only police force in Canada whose members are denied the freedom of association contained in the government's charter of rights?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, the RCMP do not have the right to collective bargaining, but there is a very effective system in effect for dealing with industrial relations within the force, with which I am quite familiar after a year on the job. I think that system is effective and satisfactory to the overwhelming majority of members of the force.

So far as the death today of the McDonald commission is concerned, I want to comfort the hon. member by reassuring him that an order in council went to cabinet this morning, but it has not yet been signed by His Excellency. I think that during the course of the afternoon it will be signed by or on behalf of the Governor General.

As to the third question which was enclosed in that supplementary question about the RCMP Act, I am glad to be able

to inform the House that amendments to the RCMP Act will be brought forward soon.

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POINT OF ORDER

MR. CLARK—THE CONSTITUTION—APPEAL TO SUPREME COURT—PROPRIETY OF PARLIAMENTARY CONSIDERATION OF RESOLUTION—RULING BY MADAM SPEAKER

Madam Speaker: The Right Hon. Leader of the Opposition (Mr. Clark) raised a point of order on Friday which he continued yesterday. It relates to the fact that the Supreme Court of Canada is seized with more or less the same point that the House is discussing as contained in the joint resolution on the Constitution. The matter was very ably argued by all hon. members and by the right hon. member, who took part quite at length in the debate.

There are essentially two matters or two issues which have been raised, the sub judice aspect and whether the Speaker may rule on the constitutionality of the joint resolution.

With regard to the sub judice aspect, at the outset it should be made quite clear that any practice or convention of the House to discontinue or not initiate discussion on a matter for the reason that it was then before the courts would have to be a voluntary or self-imposed practice or convention because the Bill of Rights of 1688, which is part of the law of the Parliament of Canada, provides that:

—freedom of speech and debate and proceedings in Parliament may not be questioned . . . in any court or place out of Parliament.

Sub judice is such a practice or convention. It is one that the House has imposed on itself to avoid discussing matters which are then under judicial consideration or before the courts.

Sir Robert Peel probably best summed up the essence of the convention when he said in 1844:

—that the right of Parliament as the highest court in this land to discuss what it will cannot be limited, but that good taste and sense of fair play should in some circumstances limit the exercise of that right.

The purpose of the practice is to avoid any discussion in the House which might have a prejudicial effect on an accused or on the parties to a civil action, since it might influence a jury or witness when they read of it in the newspapers or see it on television. It is rightly doubtful that judges are liable to be influenced by anything spoken in the House.

In respect of criminal matters it is clear both here and in the United Kingdom that once a person has been charged in the courts in a criminal matter, it is the correct practice not to permit the matter to be raised in the House.

In respect of civil litigation matters the United Kingdom House in 1963 laid down a rule that once the case is set down for trial, the issues should not be raised in the House.

The position of the Canadian House in this respect appears to provide more latitude. In 1976 the Speaker said, and I quote:

—in any event no restriction ought to exist on the right of any member to put questions respecting any matter before the courts, particularly those relating to a civil matter, unless and until that matter is at least at trial.

In 1971 the United Kingdom House resolved to allow references to be made to matters awaiting or under jurisdiction in all civil courts, subject to the discretion of the Chair and provided that there is no real and substantial danger of prejudice to the proceedings. This seems to provide even more and wider latitude.

In this context, in the same year, 1971, the Speaker of the Canadian House felt that the traditional position that a member while speaking must not refer to any matters upon which a judicial decision is pending, as set out in Beauchesne:

—should be interpreted as narrowly as possible. I doubt very much if the Chair should be called upon to intervene whenever a member refers to a matter which is before the Courts.

Furthermore, whatever self-imposed practice exists both in the United Kingdom and Canadian chambers in respect of matters that are before the courts, it is settled both here and in the United Kingdom that the practice would not be applied in the case of a bill, that is, while the House is involved in the legislative process—and I insist on that word. In other words, the House will not for any reason stop discussing outside events while embarked on the legislative process. Otherwise, it would mean that the courts could bring parliamentary proceedings to a halt, whereas one of the corporate rights of the House is to manage its internal affairs without their interference.

● (1510)

The proceedings in Parliament relating to the proposed address to the Queen contained in the proposal presently before the House is not only a parliamentary procedure in Canada but is also part of the legislative process in respect of constitutional amendment. The address contains the proposed bill and the process being undergone comes within the exception referred to by Erskine May, in that the practice of sub judice is not applied to the legislative process.

With respect to issues beyond those relating to Criminal Code offences or traditional civil litigation, the present rule in the U.K. House is that subject to the discretion of the Chair, reference may be made in the House to matters awaiting or under adjudication in all civil courts in so far as such matters concern issues of national importance, such as the national economy, public order or the essentials of life. Of course, if the matter is before the courts by virtue of a resolution of the House of Commons, the sub judice convention would no doubt be invoked, but only then. It is trite to say that the subject matter of the minister's resolution is an issue of national importance.

With respect to the discretion which is left to the Chair, it is interesting to note that both Erskine May and the report of the Special Committee on Rights and Immunities tabled in the House April 29, 1977, more or less suggest or recommend that the Speaker should only exercise the discretion of invoking the convention in exceptional cases where it is clear to the Speaker that to do otherwise could be harmful to specific individuals.

Under the circumstances, since the House is embarked on the legislative process, I am not prepared to say that the sub judice doctrine is applicable and therefore I need not exercise the discretion of invoking it.

With respect to the matter of the constitutionality of the joint resolution and the draft bill that it contains, hon. members are reminded that the Speaker is not empowered to rule on the constitutionality of any measure before the House. There are ample authorities in support of this and I will cite but one by Mr. Speaker Lamoureux in 1969. He said:

> In other words, this limits the powers and responsibilities of the Speaker in deciding on questions of order, not questions of law.

The status of the House of Commons or Parliament was described by the same Speaker on that same occasion. He said:

> The Parliament of Canada is supreme, and if it should pass any act which is ultra vires, the courts would decide the validity of such act. It is not for the Speaker to declare—although he presides over the highest court in the land—as to whether any proposed legislation is ultra vires.

Accordingly I cannot find that this is a valid point of order.

* * *

PRIVILEGE

MR. DOMM—ALLEGED MISREPRESENTATION OF FACTS BY EXECUTIVE DIRECTOR OF METRIC COMMISSION OF CANADA—RULING BY MADAM SPEAKER

Madam Speaker: I would like also to rule on the question that I took under advisement in the name of the hon. member for Peterborough (Mr. Domm), which related to certain activities of the Metric Commission. While he referred in his argument to certain passages in an early edition of Erskine May, he did not establish that any breach of his privileges has occurred. His argument was entirely related to the substance of the issue of metric conversion rather than privilege.

* * *

BUSINESS OF THE HOUSE

Mr. Baker (Nepean-Carleton): Madam Speaker, just a few moments ago there was an exchange between the Prime Minister and the Leader of the Opposition during which the Prime Minister first admitted that there is at least possibly an illegality in the process that has been exercising all of us here in the last few days. I think it is also important, since there was what the Prime Minister chose to call an offer for consideration, that we find out now the intentions of the government with respect to its business today.

Is the government intending to proceed now with respect to business in the way it has been proceeding in the last three or four days, to get eventually to the motion that stands in the name of the President of the Privy Council, or is it the intention today to proceed to another piece of business, considering what occurred in the question period today? If so, can he tell us precisely what that business will be?

[*Translation*]

Mr. Pinard: Madam Speaker, my colleague has heard the offer made by the Right Hon. Prime Minister during the question period. If his party is willing to accept this offer to negotiate the agreement which he describes so well, I shall be available for a meeting of the House leaders immediately or within the next five or ten minutes. If such were the case, the Minister of State responsible for Finance could without any difficulty introduce his motion to allocate two days of debate for the bill to authorize the government to borrow a certain sum of money.

My colleague knows that the motion will require at least two hours of debate followed by a vote and that this will take nearly the rest of the afternoon. While this motion which will help us to move along with the business of Parliament is debated, we could start the negotiations mentioned by the Right Hon. Prime Minister. If the Progressive Conservative party is not interested in the proposal made by the Right Hon. Prime Minister to the effect that such an agreement be negotiated, we still intend to allow the Minister of State responsible for Finance to move his motion so that we may limit the debate on the bill to authorize the government to borrow $13 billion. As my colleague is aware, this bill must be passed urgently. We told him about it yesterday, and we were prevented from moving this motion by the tactics of which he is well aware. I repeat today that it is my intention to move this motion which could require up to two hours of debate.

Afterwards, if this meeting can take place and if we can make serious progress in our negotiations, I shall be happy to reconsider the item on the order paper. However, if the Progressive Conservative Party is not interested in discussing the offer made by the Prime Minister, we shall leave our motion to limit the debate on the Constitution on the order paper.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, as you know, there was a contention put by the official opposition with respect to the way in which we might proceed, and it would be our intention in those negotiations to discuss both arrangements or offers that were made. The government cannot dictate the discussions. The President of the Privy Council will know that there was a very serious proposition put to him about a way of proceeding other than what the Prime Minister has proposed, but in any event I just want to make it very clear to him that those considerations might go beyond that which is set forth by the government leader. Those are the propositions in the general area that we are prepared to discuss.

Having said that, I want to know now—because we are going to have to deal with it in a few minutes—what is the government's intention with respect to business when we reach that point? Is it the unequivocal undertaking of the government House leader to tell the House that we will be moving to the motion which imposes Standing Order 75C on Bill C-59,

the report stage of the borrowing authority? If he would tell us that, then I think we could deal with it. I am not playing games with my hon. friend; I want to know what today's business of the House is?

Mr. Pinard: Madam Speaker, I am sorry, perhaps my colleague misunderstood me. I will repeat. The Minister of State for Finance will, if we reach motions, move the motion to allocate time on the borrowing authority bill. I am saying now in English exactly the same thing that I said in French a minute ago.

Mr. Baker (Nepean-Carleton): It is the translation.

Mr. Pinard: I am sorry if my colleague did not understand it. That is very clear and unequivocal, and that is what the minister is going to do.

Mr. Blenkarn: Would the government House leader advise, if we were to complete the discussion on whether closure should be employed under 75C, whether we would continue with the borrowing authority bill tomorrow and Thursday?

Mr. Pinard: Madam Speaker, closure cannot be imposed on 75C. That is a motion dealing with the allocation of time. Once it has been decided later on today, then the government knows that two days will have to be allotted to complete the report and third reading stages of the bill.

Will those two days be tomorrow and the following day? All I can say to the hon. member is that it will be very soon, but I would like to look at our plans later today once I know we have a House order that will allot two specific days to conclude debate on that bill. I cannot give the undertaking now that this bill will be discussed tomorrow and the following day, but I can give the undertaking that it will be dealt with in the very near future.

• (1520)

Madam Speaker: Do I understand, then, that the House wants to continue the normal procedures at this time and perhaps negotiations can take place later on? There is no agreement now to go to anything else but the normal procedures at this time?

Mr. Baker (Nepean-Carleton): Madam Speaker, no, we have not discussed that. The question we were discussing, just to be clear, is exactly what business we would deal with if and when we get to orders of the day, or what would normally be motions. I wanted to know the business of the House. In view of the offers and the exchange of offers which have been made in the House, we now know what it is. That is all; there is no question of an agreement. The government House leader has given his unequivocal undertaking on that point.

Madam Speaker: Very well. However, I want to tell the House that I received notice of eight questions of privilege to be heard at this time. I am prepared to hear them, and I want all hon. members to have a chance to raise their questions of privilege. If all are to be heard today, I would suggest that hon. members try within ten minutes to expose their questions of privilege, so that each and every member who has given notice is able to proceed with his question of privilege.

The first one is in the name of the hon. member for St. John's East. Before recognizing the hon. member for St. John's East, I should like to indicate that since there is some similarity between the question of privilege of the hon. member for St. John's East and the one of the hon. member for St. John's West (Mr. Crosbie), I will hear those two questions at the same time. Once I have heard the hon. member for St. John's East, I will ask the hon. member for St. John's West to make quite sure he is not overlapping the first question of privilege.

* * *

PRIVILEGE

MR. McGRATH—THE CONSTITUTION—DECISION OF NEWFOUNDLAND COURT OF APPEAL

Hon. James A. McGrath (St. John's East): Madam Speaker, I am very conscious of your ruling today on the point of order raised a few days ago by the Right Hon. Leader of the Opposition (Mr. Clark). I want to impress upon Your Honour at the outset that my question of privilege raises a whole new point. It does not attempt to go over the ground which was so ably put forward by the Right Hon. Leader of the Opposition.

It is interesting that in Your Honour's ruling today, if I may refer to it—I am not questioning it; I accept it—you pointed out precedents of your illustrious predecessors in which they stated that the Chair was merely to rule on questions of order, not on questions of law; that it was not for the Chair to decide whether or not a question was constitutional, within the Constitution, or ultra vires of the Constitution; that, in fact, was a question for the courts to decide.

It is interesting that my question of privilege today arises out of just such a situation. It arises out of the unanimous ruling brought down earlier today by the appeal division of the Supreme Court of Newfoundland on questions submitted to it by the six provinces. It is not without interest that the ruling should come down on the thirty-second anniversary of the dominion of Newfoundland becoming the tenth province of Canada.

I intend to lay out what I consider to be a very important question of privilege arising out of the decision of the Supreme Court of Newfoundland and the business before the House. The questions on which the court ruled were four in number, three of which were submitted by the six provinces; the fourth question dealing specifically with the terms of union between Newfoundland and Canada was submitted by the province of Newfoundland. It is important for me to read the questions because they are relevant. I think it is important that they should be on the record. Certainly in terms of my argument it is important that they be placed within the context of my question of privilege before Your Honour. They read as follows:

1. If the amendments to the Constitution of Canada sought in the "Proposed Resolution for a Joint Address to Her Majesty the Queen respecting the Constitution of Canada", or any of them were enacted, would federal-provincial relationships or the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces, their legislatures or governments be affected and, if so, in what respect or respects?

2. Is it constitutional convention that the House of Commons and Senate of Canada will not request Her Majesty the Queen to lay before the Parliament of the United Kingdom of Great Britain and Northern Ireland a measure to amend the Constitution of Canada affecting federal-provincial relationships or the powers, rights or privileges granted or secured by the Constitutions of Canada to the provinces, their legislatures or governments without first obtaining the agreement of the provinces?

3. Is the agreement of the provinces of Canada constitutionally required for amendment to the Constitution of Canada where such amendment affects federal-provincial relationships or alters the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces, their legislatures or governments?

The fourth question was the one submitted by the government of Newfoundland; it deals specifically with the terms of union. It reads:

4. If Part V of the proposed resolution referred to in question 1 is enacted and proclaimed into force could

(a) the Terms of Union, including terms 2 and 17 thereof contained in the Schedule to the British North America Act, 1949 (12-13 George VI, c. 22 (U.K.)), or

(b) section 3 of the British North America Act, 1871 (34-35 Victoria, c. 28 (U.K.))

be amended directly or indirectly pursuant to Part V without the consent of the government, legislature or a majority of the people of the province of Newfoundland voting in a referendum held pursuant to Part V?

On each question the Court of Appeal of the Supreme Court of Newfoundland unanimously ruled in favour of the provinces. I intend to place before Your Honour arguments indicating that this decision directly affects my privileges as a member of this House. Today I am speaking to a matter of personal privilege. I should like to refer to Beauchesne's fifth edition, Citation 16, which reads in part as follows:

The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity.

Also in that citation Beauchesne refers to Sir Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament, nineteenth edition, 1976, at page 67.

It bears repetition to note what Beauchesne said, that the House cannot perform its function without the unimpeded use of the services of its members and by each House for the protection of its members and the vindication of its own authority and dignity. I am being asked, as a member of this House, to do something which the courts have ruled to be illegal. That speaks directly to what Beauchesne had to say. Obviously, it is something that I cannot do. I cannot stand in my place and vote on a resolution that has been declared to be ultra vires and, hence, illegal. To do so would be flying in the face of the trust I have of the people who elected me to represent them here. But, more particularly, I would be flying in the face of the solemn obligation that I have as a member of this House to uphold the rule of law.

● (1530)

Some hon. Members: Hear, hear!

Mr. McGrath: In its unanimous decision the Newfoundland Appeal Court stated:

By attempting to secure from the Parliament of Great Britain an amendment that would affect the fundamental rights of the provinces without first obtaining the consent of the provinces, the Canadian Houses of Parliament would be arrogating to themselves an authority they do not possess, an authority that would negate the plenary and exclusive power of the provinces to legislate on matters within their competence and would provide access for Parliament into the provincial domain from which they are constitutionally excluded. They would, in fact, be asserting a jurisdiction that would enable them to obtain indirectly what they cannot legally obtain directly.

Some hon. Members: Hear, hear!

Mr. McGrath: I might say that is practically word for word the position that the hon. member for Provencher (Mr. Epp), and those of us who are associated with him, took when we participated in the deliberations of the Special Joint Committee on the Constitution.

Finally, I would like to quote again from the judgment of the Newfoundland Court of Appeal:

The framers of the British North America Act decided in their wisdom that Canada should not be a unitary state, but a federal one. Canada, however, could, in effect, be converted into a unitary state if that act could be amended simply at the request of the Canadian Parliament without the concurrence of the provinces.

As I have indicated, Madam Speaker, you have already ruled on the very important point of order raised by my leader, the Right Hon. Leader of the Opposition. I do not think I would be out of order if I were to repeat that the pith and substance of the question of privilege I want to place before Your Honour goes right to the privileges of the members of this House; that is, whether or not we as Members of Parliament should be called upon to vote on a measure which has, in fact, been ruled to be illegal by the unanimous decision of one of the federally-appointed superior courts of this nation.

Some hon. Members: Hear, hear!

Mr. McGrath: The fact that the court is the Supreme Court of my own province gives this matter an added dimension in terms of its direct impact on those of us, the seven of us in this House, who represent Newfoundland constituencies. How can I be asked to vote on a measure that the highest court in my own province has unanimously ruled to be illegal? As I said, to do so would be a betrayal of my trust.

There is another point I wish to raise, Madam Speaker. I referred Your Honour today to the exchanges between the Right Hon. Leader of the Opposition, the Right Hon. Prime Minister (Mr. Trudeau), my colleague the hon. member for Provencher and myself, because they are very germane to the point I want to make at this time. If the federal government decided—and this would be a normal thing for it to do—to appeal the decision of the Newfoundland Supreme Court to the Supreme Court of Canada, then we would have ipso facto a reference by this government of its resolution to the Supreme

Court of Canada which, of course, is clearly covered in Beauchesne's fifth edition, Citation 338(4).

On the other hand, if the government does not exercise its right to appeal the decision, in my view it is logical to draw the conclusion that the government is accepting that what it is now doing is illegal and unconstitutional. I am not a lawyer, but certainly there is no question that it would be illegal in terms of the province of Newfoundland. As well, I believe the impact would be national in scope in terms of the jurisdiction of our courts.

That brings me back to my question of privilege. As a Member of Parliament from Newfoundland, I am being asked to do something which is illegal. It is my respectful submission that Your Honour, as the custodian of our rights and privileges, should protect me from being placed in this position. To add to what I have already said, of the four questions referred by the provinces, the fourth question was exclusively referred to the Supreme Court of Newfoundland by my own province. In its judgment it said:

> Referring to a potential unilateral amendment relating to denominational education and boundaries (Terms 2 and 17—

That is the boundary between Newfoundland and Quebec. Term 17 covered Newfoundland's right to its unique denominational system of education. The judgment continues:

> —of the Terms of Union and section 8 of the BNA Act, 1871) the court concludes:
>
> Both of these sections can be changed by the amending formulae prescribed in section 41 and the Terms of Union could then be changed without the consent of the Newfoundland legislature.

That clearly places me in an impossible position as a Member of Parliament from Newfoundland. I am being asked to betray the interests of my own province. I am being asked to do something illegal. I am asked to vote on a measure, the amending formula, which could unilaterally bypass the legislature of Newfoundland and change the Terms of Union between Newfoundland and Canada. Clearly, I should not have to face this situation.

Some hon. Members: Hear, hear!

Mr. McGrath: I might also say, Madam Speaker, that the other members of Parliament from Newfoundland must face the same dilemma. However, they will have to deal with that in their own way.

In any event, Madam Speaker, if you should rule that I have a prima facie question of privilege, it would be my intention to move, seconded by the hon. member for Provencher:

> That the question of the ruling of the Newfoundland Supreme Court on the government's constitutional proposals, now before the House, affects the rights and privilege of members of this House, and therefore should be referred to the Standing Committee on Justice and Legal Affairs.

Some hon. Members: Hear, hear!

Madam Speaker: Before ruling on this matter I will hear from the hon. member for St. John's West (Mr. Crosbie).

Mr. Hnatyshyn: Madam Speaker, I would like to be heard on this matter as well, if I might.

Madam Speaker: There are so many questions of privilege today that I must use some of my discretion in order to hear them all today. Since there are eight questions of privilege, I will be rather strict in the allocation of time with respect to the different questions of privilege; otherwise, it would not be just to all of those members who have questions of privilege.

MR. CROSBIE—THE CONSTITUTION—ALLEGED ILLEGALITY OF PROCEDURE

Hon. John C. Crosbie (St. John's West): Madam Speaker, first, I would like to point out that there are questions of privilege and questions of privilege. Questions of privilege are sometimes raised for frivolous reasons, but there has never been a more serious question of privilege than this to come before this House.

Some hon. Members: Hear, hear!

Mr. Crosbie: While I am very pleased that you are hearing me on this question of privilege—of course, I have already given notice of a similar question of privilege—I certainly feel that my colleague, the justice critic of our party, should be allowed to expand on this matter also since this is in no way a sleazy question of privilege.

This is a matter of great constitutional importance for this House of Commons. My submission is that, in addition to infringing and breaching the privileges of individual members of this House, as my hon. colleague for St. John's East (Mr. McGrath) has mentioned, if the government proceeded any further with the constitutional resolution it would be breaching the privileges of all members of this House. In fact, it would be what the Leader of the New Democratic Party (Mr. Broadbent) described a few days ago—a fantastically "sleazy" practice. He used that word with reference to our House leader; he said that he was behaving in a "sleazy" manner. In view of the judgment given by the Supreme Court of one of our provinces, the tenth province, the Appeal Court, the highest judicial authority in that province, for the government to proceed in the face of such a judgment with a resolution that is already doubtful as to its legality, as now shown beyond doubt by one of the appeal courts of our ten provinces, would be a practice sleazy beyond all belief, one which would have its effect on all members of this House.

● (1540)

I want to refer to several points which have been made by the Newfoundland Court of Appeal. By the way, never have I been prouder to be a Newfoundlander than I am today—

Some hon. Members: Hear, hear!

Mr. Crosbie: —when Chief Justice Mifflin, Mr. Justice Morgan and Mr. Justice Gushue have struck a blow to preserve the federal system and structure in Canada.

Some hon. Members: Hear, hear!

Mr. Crosbie: I would just like to quote one or two sections from page 46 of the judgment, where the learned judges say this:

The division of powers prescribed by the Constitution excludes federal jurisdiction over provincial autonomy within their legislative competence, and thus a proper request to Her Majesty's parliament in Great Britain to change such fundamental aspects of the Constitution can only be made after the provinces have agreed to such change.

Reference is made to a "proper" request, Madam Speaker. That means that the full appeal court of the province of Newfoundland has said that this resolution now before this House is improper. What the government is asking the hon. members of this House to do is to engage in an impropriety. In other words, this is a conspiracy to cause the hon. members of this House to commit an illegal act, an impropriety, and that is the finding of our Supreme Court.

Before we go any further in Parliament with these proceedings, every member of this House should read the judgment of the Newfoundland Court of Appeal. Then they will understand what the nature of the objections on this side of the House have been to this whole process and procedure.

Continuing with the judgment handed down today, the judgment quotes the learned Mr. Justice Ivan Rand—and I cannot think of a greater judicial authority in Canada—said as reported at page 26:

Legislatively, a unique situation has been created.

He was discussing the Statute of Westminster.

The British parliament has in effect become a bare legislative trustee for the dominion.

Then our court went on to say this:

We adopt that statement fully with the important addition that the parliament of Great Britain is a 'bare legislative trustee' for both the federal Parliament and the provincial legislatures in relation to the matters within their respective legislative competence. Any amendment enacted by the parliament of Great Britain affecting the legislative competence of either of the parties, without the party's consent, would not only be contrary to the intendment of the Statute of Westminster, but it could defeat the whole scheme of the Canadian federal Constitution.

For the government to proceed with this resolution is to ask the members of this House to join it in a conspiracy which could defeat the whole scheme of the Canadian federal Constitution. What could be more threatening to the privileges of members of this House than to be invited to go ahead and assist this government in an act which has been found ultra vires and without the jurisdiction of the Parliament of Canada?

We have ample precedent as to what happened in a previous situation where hon. members were not put in the position of having their privileges breached. I refer to Bill C-60. I have in my hands the Senate report on the Constitution, 1978-79. I wish to quote from page 1:6:

Essential parties to any form of wide-ranging constitutional reform are the provincial governments. Their negative reaction to Bill C-60 is well known.

Then it goes on to say where it was expressed:

Following a challenge, by expert witnesses, of the claimed legal right of Parliament—

Who claimed this legal right? Why, the very government that today claims the same legal right, and has done so for the last six months, that has tied up this honourable chamber, claims which are now found to be improper and illegal.

Following a challenge, by expert witnesses, of the claimed legal right of Parliament to proceed unilaterally on the proposals regarding the monarchy and the House of the federation, the Joint Committee of the Senate and House of Commons on the Constitution adopted a resolution recommending that the question be referred to the Supreme Court of Canada for decision. Shortly afterwards, the Minister of Justice announced that the question in so far as it concerned the House of the federation would be so referred.

There we have an incident occurring several years ago where the same government, in the same way, on a matter of considerably less importance but still important, attempted to tell this House of Commons and our brethren in the Senate that the proposals were intra vires. Because of a lot of opposition to that position, the matter was referred to the Supreme Court of Canada, with the result that the court held that it was ultra vires and outside the powers of this chamber.

My hon. colleague the hon. member for St. John's East quoted a very pertinent part of the judgment, which I will not quote again, about attempting to do indirectly what one cannot legally attain directly. Let me read one further section from page 49 which is of great moment to members of this House:

'The framers of the British North America Act decided in their wisdom that Canada should not be a unitary state, but a federal one. Canada, however, could in effect be converted into a unitary state if that act could be amended simply at the request of the Canadian Parliament without the concurrence of the provinces. The requisites of the Constitution in a federal state by which the legislative authority of the federating parties are defined, and supremacy circumscribed, must be strictly enforced if the rights of minorities are to be adequately protected'.

That is why we have struggled on this side of the House. We want to protect the rights of the minorities and the Supreme Court of Newfoundland has done the same.

Some hon. Members: Hear, hear!

Mr. Crosbie: I have been invited by the government opposite to do this, and this is what the Supreme Court of Newfoundland has said:

'Undoubtedly, the Canadian Houses of Parliament have the constitutional authority, of their own accord, to request the parliament of Great Britain to amend the British North America Act in matters of federal concern only, but in our opinion it has no such authority to request an amendment that would directly alter provisions of that act affecting federal-provincial relations or the powers, rights or privileges secured by the Constitution of Canada to the provinces, without first obtaining the consent of the provinces to such amendment.'

Is it any wonder why the Prime Minister (Mr. Trudeau) ran for cover today? He has to get out of this illegal situation in which he has placed this House. But we cannot trust him to do that. We cannot trust him to stop this illegal procedure, to cease breaching our privileges. We have to ask you, Madam Speaker, to force him, by your ruling, to remove this illegality, this illegal conspiracy, from the Order Paper of this House. We must ask you to make sure that the Prime Minister has no option but to withdraw the motion he has put before the House because of its illegality.

I have just one last quotation.

Madam Speaker: Order, please. The hon. member has spoken for quite some time and he is arguing that, this motion being illegal, I should be in a position to say so and prevent it from coming before the House. I have to remind the hon. member that I have already ruled that I cannot do that. This is precisely what the Standing Orders enjoin me not to do. Therefore, that argument will lead the hon. member nowhere in proving to me that he does have a question of privilege.

Mr. Crosbie: Madam Speaker, all I request you to do, in your position as Speaker, is to find that there is a prima facie case. I am not calling on you to find that this procedure is illegal; that has already been done for you by the Newfoundland Court of Appeal. You need worry no more about that. The whole procedure is completely illegal.

Some hon. Members: Hear, hear!

Mr. Crosbie: What I am asking Your Honour to do is to find that there is a prima facie case to be considered, and to allow my colleague the hon. member for St. John's East to move his motion.

I have just one final quotation from pages 54 and 55 of a judgment that is going to go down as one of the great judgments of our judicial history. In 114 years there has not been a judgment which overreaches this judgment. It will go into the books with the Magna Carta.

The learned judge said this:

> Without getting into specifics, it is clear that a charter of rights and freedoms must infringe upon the powers of the provinces to legislate in respect of property and civil rights, as granted by Section 92 of the act of 1867. Further, amendments to the present Constitution of Canada which would affect provincial rights and powers cannot at present be made without provincial consent. Under the proposed amending formulae, there is no doubt (and this is not denied by the Attorney General of Canada) that the rights of one or some of the provinces could be altered, abridged or in fact displaced without the consent of those provinces.
>
> Finally, it is patently obvious on the face of it that the provisions of Section 52 of the proposed Constitution Act must affect the rights, powers and privileges of the provincial legislatures as its effect is to render void or repugnant legislation passed within a province which is otherwise 'intra vires' the legislature of that province.

● (1550)

It is very clear what the general nature of this legislation is and that all of the judges of the Newfoundland Court of Appeal found against it. Two of the five judges of the Manitoba Court of Appeal found against it. It is very clear that one can say, at the very least, that there is some doubt about the constitutionality of the resolution that this House has been asked to pass.

I should like to refer to Erskine May's Parliamentary Practice, the eighteenth edition. In looking at this edition of May, I was very pleased to realize that one of the historic cases in the history of privilege is dealt with at page 107. It is Crosbie's case—C-r-o-s-b-i-e; it is not even misspelled, Madam Speaker! At page 107 there appears the following:

> In 1640, Sir Pierce Crosbie, sworn as a witness in Lord Strafford's cause, being threatened with arrest, was allowed privilege, "to protect him during the time that this House examine him"

I call now upon the authority of Sir Pierce Crosbie. I had an uncle called Pierce, by the way, Madam Speaker, who apparently was named after Sir Pierce. Here we are, 341 years later and I am arguing a case of privilege before Your Honour. I hope the verdict will go as well as it did in 1640.

Some hon. Members: Hear, hear!

Mr. Crosbie: On page 64 of the eighteenth edition of May, in a discussion of the distinction between function and privilege proper, there appears the following passage:

> The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members; and by each House for the protection of its members and the vindication of its own authority and dignity.

If the government is put in a postion where it can force the members of this House to make a choice on a resolution or an act where there is grave doubt concerning its legality, then surely the services that we can perform in this House are being interfered with. As a matter of fact, as I mentioned earlier, it is in the nature of a conspiracy to deceive. This subject is dealt with at page 137 of May as follows:

> Conspiracy to deceive either House or any committees of either House will also be treated as a breach of privilege.

This is, in effect, an act of conspiracy by the government to deceive members of this House. How is that? It was an action taken to deceive the members of this House by a resolution brought before the House that was clearly intra vires and within the legislative jurisdiction of this House, when the government knew or ought to have known that there was a very, very serious legal question as to the whole procedure. The government knew from a matter that went to the Supreme Court of Canada two years ago and was found to be ultra vires despite what the government had said was a proper approach.

Is any evidence of this conspiracy needed, Madam Speaker? I would quote to you now from the October 6, 1980, edition of the Toronto *Globe and Mail*. In an article in that newspaper the present Minister of Justice (Mr. Chrétien) said this:

> Asked why the federal government does not refer its course of action to the Supreme Court of Canada for a ruling on the constitutionality of the process, Mr. Chrétien replied "because the Supreme Court is very unreliable and timing is very important. We have to do it now. The people want us to do it now."
>
> In any case, he said, "I am opposed to that route."

That is the very route that the Prime Minister is suggesting today that he has been brought kicking and screaming to—a route that his Minister of Justice said on October 5 that he was opposed to. He said: "I am opposed to that route". Well, the Minister of Justice has got the root and he has been brought to the route, and the Prime Minister has now thought better about the route that we are going to be asked to take.

This is why I say this is part of a conspiracy to defeat the proper course of justice in this House. The Minister of Justice himself tried to avoid the Supreme Court, giving as the reason that "the Supreme Court is very unreliable." Yes, the Supreme Court of Newfoundland is a very unreliable one from the point of view of constituted executive authority that wants

to change the nature of this country without the consent of its people and without the consent of its provinces. It has proven to be extremely unreliable from the point of view of the Minister of Justice but very, very reliable from the point of view of the rights and privileges of the members of this House and the people of Canada.

The Prime Minister this afternoon—

Madam Speaker: Order, order. The hon. member is really arguing the substance and I have to stop him from doing that because I need him to argue the matter of privilege. Furthermore, the hon. member has now been speaking for nearly 20 minutes. He does not have to comply with my enjoinder to try to restrict himself to a shorter time in order to allow other members of the House to explain their question of privilege, but I am just asking him to try to do it so that I can be fair to other members.

Mr. Crosbie: Right, Madam Speaker, I agree with your submission. I certainly want to have others give their views on this matter.

I would conclude by saying that the strength of the question of privilege brought by my hon. colleague from St. John's East and presented so well by him in his usual calm and rational approach to problems before this House and the question that I have brought here today has been amply supported by the attitude and remarks of the Prime Minister this afternoon. For the first time he has had to admit that this whole process is an extremely dubious one, and that there are grave constitutional and legal questions about it. He has been shocked by the unanimous decision of the Supreme Court of Newfoundland.

If Your Honour will take this question of privilege under advisement and look at the transcript of his remarks this afternoon, it will be very clear that what he said, in effect, supports the question of privilege we have put before you. I ask you to find a prima facie case so that this question can go to the proper committee to be looked at in a serious fashion and reported back to the House.

Some hon. Members: Hear, hear!

An hon. Member: Madam Speaker—

An hon. Member: Madam Speaker—

Madam Speaker: I am sorry, I said I would hear only one speaker. I would only hear a second speaker if I had any doubts about whether the privilege was founded or not.

Mr. Hnatyshyn: A point of order, Madam Speaker.

Madam Speaker: I want to say to the hon. member for St. John's West that his question of privilege is not quite as good as the other Crosbie's. The other Crosbie's case was about a sworn witness who had been threatened with arrest and therefore the privileges of the House—

Mr. Hnatyshyn: Madam Speaker, I have a point of order.

Mr. Lambert: A point of order, Madam Speaker—

Madam Speaker: Order, please. Members may not raise points of order while the Chair is addressing the House. I will hear any points later on.

Mr. Hnatyshyn: You are assuming—

Mr. Lambert: Madam Speaker—

Madam Speaker: Order, please. Order, please. Will the hon. member resume his seat.

Mr. Lambert: Madam Speaker, I insist—

Madam Speaker: Will the hon. member resume his seat.

Mr. Lambert: I insist that before you make your ruling we be heard.

An hon. Member: Sit down.

Madam Speaker: Order, order. I plead with the hon. member, who was a Speaker in this House and understands—

Mr. Lambert: That is why—

Madam Speaker: —what I am trying to do.

Mr. Lambert: I would never do what you are doing.

Madam Speaker: Would the hon. member please resume his seat.

Mr. Lambert: I would never do what you are doing.

An hon. Member: What a silly thing to say.

Madam Speaker: I want to explain to the House that I have so many questions of privilege to deal with that I am applying a discretion which I applied yesterday.

An hon. Member: It is closure.

Madam Speaker: It is not closure. It is a discretion that the Speaker has and it is given to a—

Mr. Lambert: Only to satisfy—

Madam Speaker: —Speaker for a very good reason, that is, to maintain the flow of debate in the manner in which it should take place in the House. That is the only discretion the Speaker has at this point and that is the one I want to apply. I applied it all day yesterday to the satisfaction of all members. I repeat, I will hear a second speaker only when I have some doubt about whether or not a case of privilege is founded.

In these two particular cases or privilege, members will have to agree with me that the questions brought up were extremely close to the one on which I have just ruled. It is a different court that has made a decision on a matter which hon. members wanted to discuss, but the purport of it is quite close to the one on which I have just ruled. I feel I can rule having heard those two members.

• (1600)

Mr. Lambert: Madam Speaker, I rise on a point of order.

Madam Speaker: Order, please. I was telling the hon. member for St. John's West that his case was not as good as the other Crosbie case to whom privileges of the House were extended. He was not even a member of the House; he was a witness assigned to a particular case. As he was threatened with arrest and would not then be able to testify, the privileges of the House were extended to him. That is not the proper quotation, nor is it an argument that I can take into account in ruling on his question of privilege.

I will have to rule on both questions of privilege separately. I will start with the one raised by the hon. member for St. John's West. Again, the hon. member is referring to the impropriety or to the legality of something or to doubts about its constitutionality. It is quite clear in the Standing Orders that the Speaker cannot rule on the constitutionality of a particular question being discussed in the House. That is not for the Speaker to determine; it is for other authorities in other arenas to have that discussion, certainly not for the Speaker.

The hon. member for St. John's East (Mr. McGrath) also argued questions of legality and questions of constitutionality on which I feel very strongly that I cannot make a pronouncement. I cannot determine these.

Of course, there might be a political argument that the minister should not proceed at this time, but that political argument would be more properly made if and when the motion comes before the House. Both members feel that they are being asked by this House to do something which is illegal and which reflects on their function as a Member of Parliament.

An hon. Member: The court has decided.

Madam Speaker: They know all too well that even if the House were asking them to do something which they feel is illegal or improper, they have the means to deal with it. They will be called upon to vote on such matters.

Some hon. Members: No.

Madam Speaker: I cannot determine that a question is proper or improper. Hon. members are not impeded, nor will they be impeded, from expressing their opinions if and when that motion comes before the House. If they were, I would consider that to be a privilege on which to vote when the proper time comes to do so. Therefore, I cannot find in these two cases a prima facie case of privilege.

* * *

POINT OF ORDER

MR. HNATYSHYN—RIGHT OF MEMBERS TO BE HEARD

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I rise on a point of order. I want to choose my words very carefully because I do not want to reflect on the position of the Speaker of this House. It is one which is regarded by members of Parliament with the greatest degree of care. However, I want to underline that the issues we are now discussing, in terms of the point of privilege raised by the hon. member for St. John's East (Mr. McGrath), are matters on which there should be no question to Madam Speaker or to the people of Canada. They are points on which our party is determined to deal with the greatest of resolve as we see appropriate on behalf of our constituents.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: Madam Speaker, before you rose to pass judgment on this matter, I sought the floor on a point of order to request the opportunity to address myself to the specific points of privilege raised by my colleagues.

Madam Speaker, we all know what the rules are. It is so terribly important for you to listen to points of order and requests from the floor with a degree of flexibility, because we recognize there is no appeal from your decision.

Mr. McGrath: We have made you infallible.

Mr. Hnatyshyn: As a result, if this House is to function, you should err on the side of listening to points of privilege and the supporting arguments in favour of points of privilege to assure that it cannot be said of you, as Speaker, that somehow you rule arbitrarily after hearing one or maybe two members. Members on the government side take this lightly and laugh and jeer, but I can tell them that the people of my constituency and across Canada are not laughing at the government now.

Mr. Pinard: Order.

Mr. Hnatyshyn: My contribution may not have swayed your decision, but I felt I had germane comments to bring forward. If we are to have order in this House, I simply ask and I plead with you to let me know what the rules are going to be. If I feel I have some contribution to make to the debate, am I going to be deprived from making it because I am not the first person to rise? Must I come forward with a new question of privilege every time I want to speak in this House? What will the rules be? I would like to know and I think the rest of the members want to know.

Some hon. Members: Hear, hear!

Madam Speaker: I think I can enlighten the hon. member on what the rules are going to be. The rules are quite clear. In listening to questions of privilege, the Speaker may determine at what time she feels she is sufficiently informed. I explained a while ago, before the hon. member rose on his point of order, why I felt I could rule at that time, namely, that I had already heard one similar question on which I had ruled, and these two questions of privilege were very similar to that on which I had ruled. Therefore, having listened to both arguments, I decided I could make a ruling.

That is the Speaker's discretion. If the hon. member is raising a point of order, he would have to point out that I have been in contravention of one of our rules. I do not feel that I have. I am exercising a discretion. I think hon. members have noticed that I have been exercising that discretion a little more strictly for the past few days. As we go along, members will realize that this is a most unusual situation. We have not been able to reach orders of the day for four days. I think we are on the fifth day now.

Mr. McGrath: That has nothing to do with it.

Some hon. Members: Oh, oh!

Some hon. Members: Order.

Madam Speaker: That is unprecedented.

I have two duties. One is to listen to speakers who have the floor and the other is to listen to those who want to have the floor. I have to exercise a balance between these two things and I am trying to be fair.

Yesterday I heard several questions of privilege and restricted the procedure when I felt that I was sufficiently informed, to one speaker. If the first speaker does not convince me that he has a question of privilege and I am sure that another speaker not personally affected or close to that privilege will be able to convince me further, I will hear him. In order to hear all members and to protect all hon. members' freedom of speech, I feel that I have to apply my discretion a little more strictly so I can get to all of the questions of privilege that are before me today.

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, I rise on the point of order and I will be very brief. I listened to your ruling and also to the arguments of my friends and colleagues from St. John's East and St. John's West.

I have full appreciation of the delicate situation and the difficulty facing the Chair, especially at this time. Situations like this do occur from time to time in the life of a parliament. I am not talking about all members of the House but about the two members from Newfoundland, confronted with the decision brought down by the highest court of their province which indicated that a certain resolution on the floor of the House has been rendered ultra vires or illegal. We all know what the privilege is—that members are not to be restricted from the performance of their duties.

• (1610)

I ask this for clarification, Madam Speaker. By ruling against the point of order, do I understand that, in effect, we thereby put those two hon. members in the untenable position of condoning an illegal act? Those two members representing Newfoundland constituencies have to follow the precedents and deliberations of their highest court, and by not ruling that there is a privilege in this respect are we, in effect, condoning an illegal act?

Madam Speaker: No. The decision of the Speaker as to whether there is a prima facie case of privilege was simply that the particular question raised does not represent privilege and does not supersede other deliberations in the House. The reason I listened to the question of privilege was that the House might be prevented from functioning if the question of privilege were not dealt with. Therefore, what I have just said is simply that there was not a prima facie case of privilege. The debate can continue under other circumstances and at other times, but if the matter is raised now as a question of privilege, I can only say that there is not a prima facie question of privilege. That is all I have said. The implications and the conclusions the hon. member has drawn from my decision are a bit excessive in respect of what is the limit of my decision and my authority.

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise on the point of order raised by my colleague, the hon. member for Saskatoon West (Mr. Hnatyshyn), in my capacity as an officer of the House of Commons who shares your concern for the conduct of this House and for the respect we all want to have extended to the Chair.

We have been in unusual circumstances for the last few days, as you have indicated to the House, as a result of measures introduced by the government and as a result of the active interest that has been taken by a number of members on this side of the House by way of questions of privilege and other questions. There have been several questions raised.

There is no question at all but that the Speaker has discretion regarding the conduct of the affairs of the House of Commons. I think no one would question the existence of that discretion.

You have admitted, Madam Speaker, in response to the point raised by the hon. member for Saskatoon West, that you have been very strictly applying your discretion in the unusual circumstances of these last three of four days. I guess the danger I see as someone who respects Parliament, as you do, is that by following and exercising that discretion very strictly in these unusual circumstances you may be establishing a standard which would apply in other circumstances and which would have the effect of limiting, rather than enlarging, the rights of freely elected Members of Parliament to make their cases on questions important to them, to their constituents and to the conduct and the business of this House.

You indicated earlier, I believe, in a comment today that you had been exercising the strictness yesterday as well and there had been no disagreement with or challenge to it. I think it fair to say there were several people who were concerned about the strictness being followed, but there is a long established practice in this House of challenging a Speaker or expressing reservations only with the utmost care. Consequently, it would probably be an error for Your Honour to assume there was agreement simply because there was silence in response to the strictness in which you exercised your discretion yesterday.

An hon. Member: There doesn't have to be agreement.

Mr. Clark: Someone across the floor says it does not require agreement. That is exactly correct. You do not require agree-

ment, you have discretion. You gain, exercise and maintain that discretion by earning respect in all parts of the House of Commons. It is precisely to address that question of being sure this House is able to function effectively that I rise now. I would not want to see imported into the practices of this House precedents regarding the number of people who are to be heard on a question of order or a question of privilege; precedents which are narrower than those that have been customary, formed in a period of unusual debate; precedents which in the future might not be confined to periods of unusual debate but might become part of the regular practice of this House, to the detriment of individual members of Parliament whose protection you and I have a particular responsibility to assure.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I hope you will not let the member for Yellowhead (Mr. Clark) intimidate you with this type of argument. What he is attempting to do is to challenge your right to use discretion as you have. Under the Standing Orders you have every right to decide how many members you will recognize on any question of privilege or any point of order. You know that perfectly well and you have acted appropriately.

Madam Speaker, the member for Yellowhead is trying to make us believe that we ought not to establish new practices in the House whereby the Chair, using discretion, would limit the number of speakers on points of order or questions of privilege. However, Madam Speaker, let me say that he is about to establish a new practice which is altogether shameful and unacceptable. Indeed for five days now he has been doing his utmost to prevent the government from proceeding with regular House business. This is the fifth day, Madam Speaker, in which the member for Yellowhead has gone out of his way to frustrate the parliamentary process and prevent us from reaching orders of the day. That practice deserves to be denounced. I find it shameful, unacceptable and hypocritical to the nth degree to see him rise in the House today—

Mr. Clark: Madam Speaker—

Madam Speaker: The hon. minister already has the floor on a point of order. I cannot entertain another point of order while this one is being debated. I will recognize him later.

Some hon. Members: Make him obey the rules.

Mr. Pinard: Well, Madam Speaker, as you have so aptly put it, I am already on a point of order and I cannot be interrupted even by the member for Yellowhead. What I am trying to explain, Madam Speaker, is that in the exercise of your—

Mr. Clark: I rise on a question of privilege, Madam Speaker.

[*English*]

Madam Speaker: I stand to be corrected, but it seems to me I cannot hear two points of order at the same time.

Mr. Clark: This is a question of privilege.

Madam Speaker: Privilege in the middle of a point of order?

An hon. Member: You cannot have two points of order.

Madam Speaker: All right. If it is a question of privilege the point of order may be interrupted for that purpose.

Mr. Clark: Madam Speaker, the question of privilege can be resolved very quickly if the President of the Privy Council (Mr. Pinard) withdraws his accusation that I am a hypocrite, that being unparliamentary language but language he just used.

[*Translation*]

Mr. Pinard: Madam Speaker, I never said that the Leader of the Official Opposition was a hypocrite. I said that his behaviour was hypocritical. That is different, it is not condemned by the authors and it is perfectly parliamentary. So, if I may—

Madam Speaker: Order, please. As a matter of fact, I do not know whether the President of the Privy Council was in the House yesterday when that question was raised, but it had to do with an expression roughly similar to the word just used by the minister and which was not recorded in *Hansard* but which an hon. member claimed he had heard from another member. The expression did appear on the official record, but not the name of the hon. member, and the hon. member would have wanted me to call to order the other member involved.

• (1620)

First of all, before calling him to order I had to establish whether the word was parliamentary or not. In Beauchesne it appears in both the list of parliamentary expressions and the list of unparliamentary expressions. So I said I thought that expression was not quite appropriate for the *House of Commons Debates* and I would ask the hon. minister to use it as little as possible. I know he did not address it directly to—

Some hon. Members: No, no!

Madam Speaker: —he did not address it directly to the right hon. Leader of the Opposition. Still I think he would make things easier for the House if he were to withdraw that word and replace it by another one more acceptable.

Mr. Pinard: Very well, Madam Speaker, if I can use this as an example to show my colleagues opposite that I respect your authority in this House. I shall be happy to withdraw the word "hypocritical" which I used even though it expresses my feelings quite correctly. I shall withdraw it unequivocally. All I can say is that the behaviour of the Leader of the Opposition in intervening at this stage, after five consecutive days during which, as admitted by his House leader, his party has systematically wasted the time of the House, is totally unaccept-

able, especially since what he was trying to do was to question your judgment. He complained about the fact or expressed the fear that a practice would develop in this House whereby the Speaker using discretion would limit the number of members who could speak on certain matters. Yet, not only the spirit, but also the letter of our rules states clearly, Madam Speaker, that it is your duty when you are convinced that there is no privilege involve to stop the interventions so that this Parliament can operate in an orderly fashion.

What the right hon. member is now advocating today, in a manner which is far from open, is quite simply to maintain disorder in the House. In his intervention, Madam Speaker, he seems to advocate disorder, and I find this unacceptable. I want to say, Madam Speaker, that we, on this side of the House, wish to proceed with the business of the House and get on with our work in Parliament, and it is a shame that the Leader of the Opposition would lead a team which has been trying to demolish the Canadian Parliament for the last five days.

[*English*]

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I rise on the same point of order. What the Leader of the Government is doing—in a way that displays the heat that indicates the pressure under which he has found himself in the last little while—is almost coming to the point where he is defending an illegality which was admitted today by the Prime Minister (Mr. Trudeau) in the offer he was making. Unfortunately for the government House leader, he is using language and phraseology with respect to the Right Hon. Leader of the Opposition (Mr. Clark) which Your Honour yourself has said is not conducive to the appropriateness of debate in the House. When he withdrew one, he used another one which is not appropriate to debate in the House of Commons.

What the Leader of the Opposition was trying to do—and if the Leader of the Opposition was out of order, Your Honour would have called him to order—was to bring to the attention of the Chair a concern he has as a leader in the House of Commons. As an officer of the House, I thank Your Honour for listening to him and for recognizing his intervention for what it was, a real attempt to be helpful to the Chair.

As Your Honour has said publicly, it has been our objective not to do anything that is other than helpful to the Chair.

Some hon. Members: Oh, oh!

Mr. Baker (Nepean-Carleton): I have to say that I am not very interested in being helpful to the government, but I am interested in being helpful to the Chair. All of us are.

Hon. Bryce Mackasey (Lincoln): Madam Speaker, I rise on the same point of order. I do not pretend to be a procedural expert, nor have I heard too many in recent weeks, but I am fascinated, perhaps because I am not a member of the legal profession, to listen.

I am impressed by the standard which Your Honour has set in the last week or ten days. I think the Right Hon. Leader of the Opposition (Mr. Clark) referred briefly to the standard of excellence which has characterized Your Honour's performance in the Chair.

Some hon. Members: Hear, hear!

Mr. Mackasey: When I first came here—and this is very relevant—I was overwhelmed by the number of expert references on this subject: Bourinot, May, Beauchesne; I could go on and on. I think it was the minister of transport of the time, Mr. Pickersgill, who said that the best rule of thumb in parliamentary procedure is common sense.

I was induced to participate in this point of order when I saw the hon. member for Edmonton West (Mr. Lambert) refusing to take his seat when requested to do so by Your Honour. This would be unpardonable enough if it was a member such as myself or my good friend from down east, the hon. member for Annapolis Valley-Hants (Mr. Nowlan), but the hon. member for Edmonton West is a former Speaker of the House of Commons and he more than anyone else should know that, when requested by the Speaker to take his seat, he should take his seat and set an example for all of us. I am appalled. When I arrived here in 1962, the hon. member for Edmonton West was the Speaker of the House of Commons, and he should set an example for this debate.

What have we had for eight or ten days? There have been questions of privilege. I am not particularly appalled at what is occurring in the House. The rules are there to be used. Rules are there to make debate equal. What I am a little concerned about—but that is not what I am discussing at the moment—is the abuse of those rules.

It worries me when members stand and say that Your Honour has spent too much time or not enough time in determining whether a prima facie case of privilege exists. Surely it is inherent in the rules that Your Honour and only Your Honour can determine whether you want more argument, whether the contributions being made are becoming repetitive or whether, because of the fact that you are hearing questions of privilege or apparent questions of privilege day in and day out and month in and month out, you can come rapidly to the conclusion that certain questions are not questions of privilege.

If this House is to function, we must appreciate that Your Honour and only Your Honour can make such decisions. We are—unintentionally, perhaps, and none of us is without sin—undermining—

Some hon. Members: Oh, oh!

Mr. Mackasey: This is funny to some hon. members opposite who have not been around here long enough, and may not be around here long enough, to get an appreciation for the dignity of the House of Commons, on which I do not presume to have any monopoly. I know some hon. members opposite care as deeply as I do about the House of Commons, but I know one thing, and that is that this place cannot function if we unintentionally—or intentionally, worse still—undermine

the dignity and the apparent impartiality, in the opinion of some people, of the Speaker. That is the most important function in the House of Commons.

As was said the other day, the Speaker of this House of Commons is more important in the House of Commons than the Prime Minister (Mr. Trudeau), the Leader of the Opposition or any particular member. I must say on this point of order that it is important to the point that Your Honour has conducted herself with impartiality, with integrity, with wisdom and with patience over the last ten days.

Mr. Taylor: Flattery will get you nowhere.

Mr. Mackasey: Hon. members opposite do not agree. I am sorry they do not. I do not question their right to disagree, but I happen to believe that we are blessed with a great Speaker and that the last ten days has proved that.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please. If the hon. member continues, he will embarrass me. He will be making a serious reflection on a member of this House.

Contributions to points of order should be kept extremely brief, and I ask that of the hon. member because others also want to speak.

Mr. Mackasey: Madam Speaker, I do not want to embarrass you with the truth, and I will not embarrass you as the hon. member for Edmonton West did by refusing to accept your instruction to sit down when you were on your feet.

If we are going to operate over the next week, two weeks or one month along this vein—it is quite conceivable we might—then surely to goodness all of us can understand the importance to the whole procedure of the role of the Speaker. We are lucky enough to have a good one. Let us not destroy her.

• (1630)

Mr. Benno Friesen (Surrey-White Rock-North Delta): I rise on that point of order, Madam Speaker. Just to be sure, you were addressing yourself to the question of privilege raised by the hon. member for St. John's East (Mr. McGrath) at a point when the hon. member for Saskatoon West (Mr. Hnatyshyn) and the hon. member for Cambridge (Mr. Speyer) were rising to speak on that question of privilege and you ruled that you had already heard enough on that question. With respect, I submit that the only way you could make that judgment is if in fact those two hon. members were speaking and adding nothing new, and with that in mind I respectfully request that you hear them to see whether they were simply being repetitive.

Madam Speaker: I am sorry, I cannot comply with the hon. member's request because I have already ruled on the matter. I guess it is implicit in my decision that I thought I was sufficiently informed and that some of the same arguments were surfacing, namely the constitutionality, legality and propriety of a certain thing. However, I thank him for his suggestion.

Mr. Donald W. Munro (Esquimalt-Saanich): I rise on the same point of order, Madam Speaker. If I heard the government House leader correctly, he said that the Right Hon. Leader of the Opposition (Mr. Clark) was advocating disorder in this House. That statement goes beyond normal political debate, because if there is anyone staying within the rules, it is members on this side of the House. That is quite clear. The only side of this House which is attempting to rewrite the rules and proceed with a matter which could be illegal is the government side. It is obvious, if you look at the motion, that at least in four instances the Standing Orders are to be either disregarded or rewritten. I do not think that it falls properly on the Leader of the Government to suggest that this side is being disorderly when the government is trying to rewrite the Standing Orders.

In light of a provincial supreme court's ruling that what we are doing here is beyond the competence of Parliament, and with two justices of another provincial Supreme Court having come to the same conclusion, there is at least the argument that what we are doing is of questionable legality.

Madam Speaker: Order. The hon. member is now arguing the substance of the question on which I just ruled. We are now on a point of order and I ask the hon. member to refer to that and not to the ruling.

Mr. Munro (Esquimalt-Saanich): The point of order was that on more than one occasion you have said that you are not called upon to rule on the legality or constitutionality of, or to give a legal opinion on, a matter under discussion; you backed away on those grounds and I think that is quite right. However, no one on this side asked you to give a legal opinion or make a ruling on constitutionality. You were merely asked to have a matter brought to the floor for a vote so that the issue could be referred to a committee for decision. With all respect, Madam Speaker, you are not being asked to make a legal ruling or one on a matter's constitutionality; no one would ever presume to do that.

Madam Speaker: It goes without saying that I dissociate myself from this debate, but I think I have to comment on some aspects of it and I wish to read to hon. members from Erskine May. Under the heading "Speaker's Discretion in Permitting Matter to be Raised", at page 346 it says:

> As a motion taken at the time for matters of privilege is thereby given precedence over the pre-arranged program of public business, the Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify him in giving such precedence (or, as it is sometimes put, that there is a prima facie case that a breach of privilege has been committed): and also that the matter is being raised at the earliest opportunity. If he is not so satisfied when the circumstances are first brought to his attention privately—

That is, when the hon. members give me written notice of their question of privilege. On occasion the Table officers have contacted hon. members to point out that they did not have a question of privilege and to indicate how they might otherwise seek redress, and some members have then decided to with-

draw their question of privilege. However, that refers to the practice where:

If he is not so satisfied when the circumstances are first brought to his attention privately, he may inform the member that he is not entitled to raise the matter as a question of privilege—

Which we in this House never do.

In the United Kingdom the practice is quite different and goes to the point where the Speaker rules on the question of privilege on the basis of the written statement and does not hear members in the House. Or he may allow a member to make a statement with a view to ascertaining whether or not a prima facie case can be made out. That is where the discretion of the Speaker can be exercised.

As to the comment made by the Right Hon. Leader of the Opposition, I do not think I said I was applying this discretion strictly but that I was progressively applying it more strictly. That did not mean that I would cut off debate inevitably after one speaker; rather, I will cut it off when I feel I am sufficiently informed, and that is the latitude that the Speaker has. The Right Hon. Leader of the Opposition fears that I am going into precedents and that this practice might be applied to other circumstances. Well, no. The discretion of the House has been used in different ways, listening to several speakers or just one. So the precedents are on both sides and I am not departing from any custom of this House in doing what I have been doing today and on previous days.

I am not inventing a new rule, it is already there; the practice is established and I am applying it in my discretion. Of course, I do not deny that and I think hon. members would recognize that I have that discretion. I want to assure them that I apply that discretion only when I feel, from the written statement to begin with and then from the statement made in the House, that I am sufficiently informed and ready to rule. I want to give hon. members the absolute assurance that I am as careful as possible not to deprive them of the ability to bring up or better explain a question of privilege if I have the least doubt about it.

● (1640)

Furthermore, I want to say that no one in the House is violating the rules. If any members were, it would be my duty to prevent them, to call them to order, to reprimand them or to impose the sanctions I can impose on hon. members when they are violating the rules. At the present time, none of them is violating the rules; that is the statement with which I must associate myself.

Mr. Gordon Taylor (Bow River): Madam Speaker, I was elected by the people of my constituency to help keep Canada together. I object to the name-calling of the hon. minister when he discribed myself and other members on this side of the House as a demolition gang.

We are not a demolition gang. We are helping to build Canada. If Canada is being destroyed, it is members on the government side who are doing it; their policies are doing it.

Certainly the minister will not help things in Canada by calling names, particularly untrue ones. I am not part of a demolition gang; I am part of a building gang trying to save Canada from the Liberals.

An hon. Member: Name-calling.

Mr. Andre: What a terrible thing to say.

Madam Speaker: If I may speak to this point of order, the expression is not unparliamentary. The hon. minister expressed his opinion in his way, and the hon. member for Bow River (Mr. Taylor) expressed his opinion. I must leave it at that. The particular expression was not unparliamentary.

Hon. Erik Nielsen (Yukon): Madam Speaker, I just wanted to intervene very briefly on the point of order of the hon. member for Bow River (Mr. Taylor).

An hon. Member: He did not have a point of order.

Mr. Nielsen: Then I will raise my own. If the President of the Privy Council (Mr. Pinard) gets snarly, as he is, then I will raise my own point of order.

When we were in office from October 9, 1979, until December 14, 1979, the hon. member for Lincoln (Mr. Mackasey) was basking in the chairman's chair of Air Canada. During that time, without counting the allotted days, there were 49 sitting days. During that time, 231 of those government members who are trying to tar this party with the brush of obstructionism raised a combined total of 130 questions of privilege and points of order.

Some hon. Members: Oh, oh!

Mr. Nielsen: When they speak of demolition gangs, let them examine their own record. Before they start throwing stones, let them examine their own record.

We were prevented, during those few short sitting days, from doing anything in Parliament. It was a deliberate effort made by hon. members opposite, when they were sitting in opposition, to prevent us from doing everything we wanted to do. We were not talking about the Constitution, something so basically and fundamentally important to our land; we were talking about economic measures to assist Canadians. But let them not cast the first stone, in view of their own dank, dark, bleak record.

Some hon. Members: Hear, hear!

* * *

PRIVILEGE

MR. CORBETT—DESIGNATION OF MR. LEBLANC AS MINISTER RESPONSIBLE FOR NEW BRUNSWICK

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question of privilege arises out of the question period yesterday when I put a question to the minister the Prime Minister (Mr. Trudeau) has designated as the minister responsible for New

Brunswick. I wish to state my question of privilege at the outset so that Your Honour will have knowledge of what I wish to bring to your attention and of the manner in which I feel my privileges as a member of the House have been brought into question.

The Prime Minister stated in the House that members of cabinet have responsibilities pertaining to certain regions of the country and, in some cases, each province. The Minister of Fisheries and Oceans (Mr. LeBlanc) was named by the Prime Minister as being the minister responsible for New Brunswick. The same minister said that he does not think he has those responsibilities for the province. I feel my privileges as a member of the House of Commons are being infringed upon if I cannot rely upon the word of the Prime Minister in matters which are obviously critical, or if the minister in question is not prepared to accept the responsibilities conferred upon him by the Prime Minister without prior reference to the House, which he has had ample time to do.

Later in my remarks on this question of privilege, I should like to refer Madam Speaker to Beauchesne's Citation 361 on page 133, which I feel certain you will bring into question. I draw your attention to the fact that I am cognizant of the particular citation, but before getting to that I should like to refer to a publication entitled "The Canadian House of Commons" which was written by Mr. John B. Stewart, a well-known and recognized Canadian who is well-versed in matters of procedure in the House of Commons.

To substantiate Mr. Stewart's qualifications, I should like to indicate that he was elected to the House of Commons in 1962 as a Liberal. He gained a great deal of knowledge as parliamentary secretary to the Hon. G. J. McIlraith. Also he was vice-chairman of the special committee on procedure and organization. I feel this is quite pertinent to the points I should like to make in my question of privilege. Also Mr. Stewart served for a year as legislative adviser to the Hon. D. S. Macdonald, who was the government House leader between 1968 and 1969, during which time a number of procedural reforms were made.

In his publication, Mr. Stewart indicated many things concerning the role of the House of Commons, but one item to which I should like to draw Your Honour's attention is in the second paragraph of page X of the "Preface" of that particular publication. Mr. Stewart states:

> However, the House, like the provincial legislatures before it, has found it desirable to make certain "Standing Orders".

The following is the critical part:

> Indeed, it is mainly by changing old Standing Orders and by making new ones that the House changes its rules.

I feel those quotations are particularly pertinent to the question of privilege I am attempting to make.

On page 56 of his publication, Mr. Stewart writes:

> The basic requirement for an oral question is that it be sufficiently urgent and important to warrant the use of the time of the House. When the Speaker thinks that a question does not meet those qualifications—urgency and importance—he may refuse to allow the minister to answer.

In view of the words of Mr. Stewart, Madam Speaker, I can only assume that you consider the question that I put to the minister designated by the Prime Minister to be responsible for the province of New Brunswick to be of sufficient importance to take up the time of the House. Indeed, because of your non-interference, or at least because of the fact that you did not rule the question out of order, I trust that the question was in order as it was put.

• (1650)

To refresh Your Honour's memory as to how the question was put, I stated:

> Madam Speaker, my question is directed to the minister who is responsible for New Brunswick, the Minister of Fisheries and Oceans.

I want to make it perfectly clear that in no way am I questioning or arguing with the response I received from the minister; that is not the thrust of my question of privilege. There is no argument with the response I received from the minister who is responsible for the province of New Brunswick. I accepted totally the response that he gave me.

I feel I should now refer to the point I alluded to earlier, which is contained in Beauchesne's fifth edition on page 133, Citation 361, which states:

> A question may not be asked of a Minister in another capacity, such as being responsible for a province, or part of a province, or as spokesman for a racial or religious group.

That was based on a ruling by the Speaker of the House of Commons on October 16, 1968 and is referred to in the House of Commons *Journals* on pages 132 to 134. The ruling was made as a result of a question which was raised by the hon. member for Cape Breton-East Richmond (Mr. Dingwall), which dealt with the attendance in the House of ministers of the Crown during Question Period. The ruling of the Speaker at that time is quite lengthy and I do not want to take up the time of the House by reading the entire decision. To that end, I will not read the entire decision unless it is the desire of Madam Speaker or members opposite that I should do so.

On page 133 of Mr. Speaker's decision, in the third paragraph, he refers to page 3756 of *Hansard* for June 1, 1966, the page to which the hon. member for Cape Breton-East Richmond had alluded. Apparently, the hon. member had filed a question seeking information from the then minister of national health and welfare, presumably in his capacity as minister responsible for Nova Scotia. Page 133 of *Journals* for October 16, 1968, reads in part as follows:

> A ruling was then made to the effect that a question must be addressed to a minister in relation to his administrative responsibilities.

Madam Speaker, I would like you to take under consideration the fact that I believe there has been a precedent set in the House during the past few weeks, particularly during the month of February. In that month a question of privilege was raised by the hon. member for Broadview-Greenwood (Mr. Rae), who took exception to the fact that the hon. member for York Centre (Mr. Kaplan) was taking over responsibilities which were, in the opinion of the member for Broadview-Greenwood, hiw own. At that point he asked the hon. member

for York Centre to clarify his position. The hon. member for York Centre stated, as reported at page 7426 of *Hansard* for February 18, 1981:

—because the ridings for which the Prime Minister asked me to assume this responsibility do not only include ridings held by members of the opposition, but as well a number of ridings which are represented by Liberal members.

I believe this statement by the hon. member for York Centre began the precedents which are being set in this House of Commons which indicate that ministers were given the responsibility by the Prime Minister to answer directly questions put to them by members of the opposition, which would be, if not acceptable, contrary to Citation 361 of Beauchesne which reads:

A question may not be asked of a minister in another capacity—

Madam Speaker: Order, please. I believe the hon. member is on a point of order and not a question of privilege. He is referring to matters of order and not to privilege at all. I will allow him to pursue this matter briefly, but I ask him to relate his arguments to the question of privilege and not to a point of order.

Before five o'clock, I must read the following:

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

Madam Speaker: Order, please! It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The hon. member for Central Nova (Mr. MacKay)—McDonald royal commission—Inquiry respecting operation directed at Chinese embassy in Ottawa; the hon. member for Fraser Valley West (Mr. Wenman)—External aid—Concept of tripartite aid; the hon. member for Regina East (Mr. de Jong)—Canadian Armed Forces—Testing of chemical defoliants—Monitoring of effects.

* * *

[*English*]

PRIVILEGE

MR. CORBETT—DESIGNATION OF MR. LEBLANC AS MINISTER RESPONSIBLE FOR NEW BRUNSWICK

The House resumed consideration of the question of privilege of Mr. Corbett.

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, I appreciate your direction. I can assure you from the knowledge I have of the matter that it is extremely important, from my point of view, that Madam Speaker have the advantage of all material and all issues which have been raised in this House pertaining to the responsibility that the Prime Minister has conferred upon members of the cabinet who, after all, must answer in this House of Commons. I feel quite strongly about this and, indeed, I hope Madam Speaker will agree that what I have said is the case.

● (1700)

I would like to refer you, Madam Speaker, to this very point, which was substantiated by the Deputy Prime Minister and Minister of Finance (Mr. MacEachen) as reported in *Hansard* on February 19, 1981, when, in response to a question by the hon. member for Broadview-Greenwood, he again stated:

What I would like to tell the hon. member is that ministers for various regions of the country have special responsibilities within the cabinet for representing the interests of those regions.

He goes on to state:

For example, for almost 17 years now I have had a special responsibility within the cabinet for representing the interests of my region, namely, the province of Nova Scotia.

Madam Speaker, I want you to realize that I am not questioning the responsibilities which the Prime Minister has given these ministers. In that regard, I do not believe that I am more apt to have a point of order than a point of privilege. I am simply pointing out that this is, in fact, a responsibility which these ministers have accepted as members of cabinet and as ministers of the Crown.

The Deputy Prime Minister and Minister of Finance went on to say, again from the same page of *Hansard*:

—but I think it is essential, in our system of government, that ministers be given responsibilities for representing in a special way the interests of their regions in the cabinet and around the cabinet table.

I believe that the words of the Deputy Prime Minister, in his recognition of the special areas of responsibility, are significant enough to contravene the particular section of Beauchesne to which I have referred. However, following that the Prime Minister of the country was drawn into the question. On February 25, 1981, at page 7673 of *Hansard*, he stated:

Madam Speaker, I want to enter into this debate on the question of privilege because I must confess or admit that I have been responsible for the setting up of this system of traditional regional representations in so far as my party is concerned.

Madam Speaker: Order, please. The hon. member has now been speaking for over 15 minutes, and I cannot see that he will be able to tell me more in the rest of his time than he has already. I already understand what that question of privilege is—and it is really not a question of privilege. I do have to ask the hon. member to conclude. The hon. member is discussing a matter on which I have ruled. Ministers have been given regional responsibilities by the Right Hon. the Prime Minister which are of a political nature. I have ruled that as far as this House is concerned, the mere fact that the Prime Minister has tabled a list of regional responsibilities for ministers does not change the rules of this House. Ministers still answer questions related to their administrative responsibilities. They are en-

titled to answer those questions. The article from Beauchesne which the hon. member quoted is a direction to a member who is asking a question. A question may not be asked of a minister acting in another capacity, such as being responsible for a province. So that is quite clear. The rules have not been changed.

Political responsibilities or other types of responsibilities might have been assigned outside of this House; but in this House ministers may only answer questions related to their ministerial responsibilities. That has been made quite clear. If that is the question of privilege which the hon. member has raised and which I understand is his question of privilege, he does not have one because that question has already been decided.

Mr. Corbett: I am sorry, Madam Speaker, I am obviously not making the point which I intended to make. I was hopeful that my reference to the publication "The Canadian House of Commons", by the well known Canadian author, John B. Stewart, in which he said that indeed it is mainly by changing old Standing Orders and by making new ones that the House changes its rules, would make my point. Surely we cannot find this House to be so inflexible that it must forever and for eternity stand behind rules which have been laid out for years now that we have a precedent being set in the House which would indicate that those rules should be changed.

Madam Speaker, I will not take up very much more time, but I believe the words of the Prime Minister did not indicate, to any substantial extent, that the ministers he appointed as regional representatives, or as ministers responsible for regional or provincial difficulties or problems, were to deal with matters entirely of a political nature. Madam Speaker, if you would refer to his words found in *Hansard* on February 25, you will see that he makes many references to the fact that "We have made sure that there was at least a voice from the province at the cabinet table". Surely there must be matters more of a substantial nature which are discussed in cabinet than simply matters which are specifically and peculiarly of a political nature. We can only assume that cabinet is working in the interests of the future of this nation.

So, Madam Speaker, I would ask you to recognize that the appendage found on page 7690 of *Hansard*, for February 25, 1981, gives validity to our argument that ministers who have been given that responsibility by the Prime Minister and are taking decisions from cabinet—surely cabinet is responsible to this House, and these are the words of the Prime Minister—must either accept those responsibilities or refuse them.

Madam Speaker, I would ask that you refer to these particular issues of *Hansard*, to the words of the Prime Minister, to the edition of Beauchesne, and to Mr. Stewart's publication before you make a definitive ruling on this particular issue. I would plead with you to give the benefit of the doubt to the common members of this House of Commons who do not have the opportunity or the privilege of sitting in cabinet but must take the word of the Prime Minister, who must abide by and work within the framework of the rules of this House of Commons. This would give us an opportunity to serve the interests of our constituents as best we can with the full machinery which is available through the question period and other areas of procedure in this House of Commons.

I would ask you to consider my submissions and to find that I do indeed have a question of privilege, as do the rest of the members of the House of Commons who are outside cabinet, including members opposite. If you feel, after consideration of these various points that I have raised, that I have a prima facie case of privilege, then I am prepared to move that the matter be referred to the Standing Committee on Privileges and Elections.

• (1710)

Madam Speaker: The hon. member has argued that I should find some validity in the fact that the Prime Minister (Mr. Trudeau) has tabled a certain document in order to take it upon myself to change the Standing Orders of this House. If hon. members feel that some changes have to be made to the Standing Orders, it is up to the members to follow the procedure which would lead to amending the Standing Orders of the House. Surely the hon. member does not feel that the Speaker may on her own alter the Standing Orders of this House.

During the point of order which was previously raised in the House, members pleaded with me not to depart not only from the Standing Orders but from the usages of this House, and I agreed with that plea. I try never to depart from the rules or practices of this House in the course of conducting the debates in the House of Commons.

The hon. member therefore does not have a question of privilege. If he wants to change the rules of the House he can look up the procedures which would lead to that; but it is certainly not achieved by raising a question of privilege, and certainly not by asking the Speaker to act on her own.

Mr. McGrath: I rise on a point of order, Madam Speaker.

Madam Speaker: The hon. member for St. John's East (Mr. McGrath).

Mr. McGrath: Madam Speaker, I want respectfully to submit at the outset that I am not challenging and indeed I cannot challenge your ruling. I am just trying to reconcile the ruling which you have made with the precedent that was established yesterday. I refer to page 8734 of *Hansard*, where you allowed the hon. member for Fundy-Royal (Mr. Corbett) to direct a question to the Minister of Fisheries and Oceans (Mr. LeBlanc) in his capacity as minister responsible for New Brunswick and you allowed the Minister of Fisheries and Oceans to respond in that capacity. Then you allowed the hon. member for Fundy-Royal a supplementary question, asking the Minister of Fisheries and Oceans to respond to areas that were outside his ministerial competence, and again you allowed the Minister of Fisheries and Oceans to reply.

I took that as a precedent whereby I could direct a question, for example, to the Minister of National Revenue (Mr. Rompkey) in his capacity as minister for Newfoundland. I am trying

to reconcile that precedent which Your Honour allowed yesterday with your ruling today.

Madam Speaker: If the hon. member said he was asking a question of the minister in his capacity as regional minister—I do not remember what the question was about, whether it was about fisheries or not—it is up to the minister to determine that a certain question is not within the purview of his administrative responsibility. The Speaker cannot direct a minister to answer a question. The minister is free to answer the question and to determine whether it is within the purview of his responsibility. I recall that at the end of the answer pertaining to one part of the question asked by the hon. member, the Minister of Fisheries and Oceans said that that part of the question or that question—I am not sure which—ought to have been directed to the minister responsible for DREE, if my memory serves me correctly. So there is no precedent established there.

At any rate, the rule is quite clear to hon. members. It is the responsibility of the minister to answer or not.

The hon. member for Esquimalt-Saanich (Mr. Munro) on this point of order?

Mr. Munro (Esquimalt-Saanich): Yes, on this point of order, Madam Speaker. As a member from the province of British Columbia, there being no minister with responsibilities in that area whom we can question in this House, it is just possible that our ability to function is impaired. Since we cannot direct questions in this House to a minister who claims to have governmental responsibilities in the province of British Columbia, that puts us in the position of being second-class Members of Parliament. Those members who do have ministers claiming responsibility for provinces in this House can address their questions to that minister.

I feel, therefore, that there might even be a question of privilege for me in protesting that my ability to function has been impaired by the fact that there is no member on that side to whom I can speak if there are problems relating to my province.

Madam Speaker: It seems to me that I have been clear. There is no such thing in this House as a minister responsible for a province. I did say that if that particular responsibility had been assigned by the Prime Minister outside this House as part of the way that the Right Hon. Prime Minister wants to conduct the affairs of his government, then that is no concern of the House. The rule is clear. It has not been changed; it still stands. Members may ask questions of ministers relating to their administrative responsibility. It is very simple; it is very clear.

No question of privilege arises if a member cannot ask a question of a minister supposedly responsible for the province of British Columbia or another province. A member may ask a question relating to the administrative responsibility of a minister; that rule is clear.

The hon. member for Fundy-Royal is rising on the same point of order?

Mr. Corbett: Yes, Madam Speaker. I am in no way challenging your ruling. I just want to make a point.

Madam Speaker: The hon. member may not challenge my ruling and he may not comment. I have ruled on his question and it is quite a clear question. I will not allow comment on a ruling that I have just made. I have accepted a point of order, quite a legitimate one which was brought up by the hon. member for St. John's East (Mr. McGrath). We have discussed this and we have discussed that, and we have answered it. If the hon. member has another point of order I may entertain it, but I will not allow him to comment on my ruling.

Mr. Corbett: Madam Speaker, I was just in the process of saying that I was not going to comment on your ruling. My point of order is that the Prime Minister has designated certain ministers in the House, has tabled the relevant document and has given them administrative responsibility. I believe these ministers with that administrative responsibility should address themselves to the responsibilities that the Prime Minister has given them. That is purely my point of order.

Mr. Dionne (Northumberland-Miramichi): On a point of order, Madam Speaker.

Madam Speaker: With all due respect, the hon. member is still arguing his question of privilege. I see no difference between the argument offered now and some of the arguments he brought forward earlier, and I listened very patiently for nearly half an hour to his question of privilege.

The hon. member has seen fit to comment further. The comments have now been heard in the House, but I feel that he should have accepted my enjoinment not to comment.

The hon. member for Richmond-South Delta (Mr. Siddon).

Mr. Siddon: Madam Speaker, earlier today I asked your co-operation that I might raise this afternoon a question of privilege, one relating to a rather major federal government project to be constructed in my riding. I refer to the expansion of the Roberts Bank superport facility. I seek your co-operation in raising this question because I want—

Madam Speaker: I thought the hon. member was rising on a point of order. He does have a question of privilege and he has given me notice of it. I have placed them in a certain order, and that is the order in which I received them. I should like to follow that order. There is a certain sense of justice or fair play in that. If the hon. member allows me, I will now listen to the hon. member for Prince George-Peace River (Mr. Oberle), whose question of privilege comes, in my ranking, ahead of his.

MR. OBERLE—ROLE OF MEMBERS OF PARLIAMENT

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I have given you notice of my question of privilege. In the course of what I have to say I hope to demonstrate to you and to the House how a new order has emerged in the House over the last few years, and in particular over the past few months, which has systematically and substantially altered the

role of private members in this House. It is one which has changed significantly the role of a private member in the way he represents his constituents. I have numerous examples. I will not cite them all but I hope you will allow me to cite a few to demonstrate how the present government is asserting extra-parliamentary jurisdiction and control over public business through its political friends.

● (1720)

What has happened to this institution in the last little while? Are we, as Members of Parliament, still servants of this institution or have we become the masters? Are we still here to adjudicate and advocate the legitimate aspirations and rights of those who have elected us to this House? How presumptuous of us to say that the institution to which we have been elected should be ours to change. It is somewhat akin to joining a football team. As soon as you are chosen to be a quarterback, you change the rules of the game. It is not for the quarterback or for the members of the team to change the rules. The rules, the Constitution and the order of this House, the time-honoured traditions of this House, cannot be changed by the membership here, and I include in that membership members of the government. We are saying that the House of Commons is the highest court in the land, yet you, Madam Speaker, are being told every day that there are some members who stand accused of being in contempt of that high court.

As you recall, I raised a question of privilege a couple of days ago. I clearly made the case where a minister, a senior official of this House of Commons, was guilty of contempt of the laws made in this House. It is a strange high court where one can be contemptuous, yet a person cannot be accused of being in contempt; where a person can stand up and lie and yet cannot be accused of being a liar.

I would like you to reflect seriously upon what has been happening here in the last few days, Madam Speaker. We are being accused of filibustering the debate, call it what you may; but what this government is doing is harvesting the seeds of discord and dissension by the arrogance it has shown over the last ten years, particularly over the last six months.

Madam Speaker: Order, please. The hon. member is debating something which is not even clear to me. The hon. member is certainly debating. Would he please state very clearly his question of privilege?

Mr. Oberle: Madam Speaker, in my notice to you I stated my question of privilege, namely that the government is asserting itself in an extraparliamentary way in that certain ministers of the Crown and certain persons, who have never been Members of Parliament but have become members of a very privileged class in this country, are asserting themselves publicly. This seriously reflects on me as a Member of Parliament and upon every other member of this House.

Madam Speaker: I interrupt the hon. member to say this much. His question of privilege relates to certain extraparliamentary practices. I want to remind the hon. member that a question of privilege has to be related to proceedings in the House. If he cannot relate, whatever it is he wants to raise to proceedings in the House, it will be very difficult for me to find a question of privilege, but I am open to the hon. member's arguments.

Mr. Oberle: Madam Speaker, it is certainly my intention to give references to demonstrate that at least one former high-ranking minister of the government has in a serious way offended the conflict of interest guidelines tabled in this House on two occasions, first in 1979 by the government headed by the Right Hon. Leader of the Opposition (Mr. Clark), and then in 1980 by the Prime Minister (Mr. Trudeau).

In order to make my case, I have to preface my remarks so I can be assured that you will be able to adjudicate on my question of privilege. I have said that this country is beginning to be ruled by a very privileged class. To become a member of this privileged class, you have either to be a member, a supporter or a friend of the Liberal Party. Three weeks ago a person who has never been in the House of Commons seriously harmed me by coming between me and my responsibilities in this House of Commons.

I found it necessary to consult with the minister responsible for housing to seek his support in the building of a community college residence in my constituency. This was a matter of the highest priority, not only to the college but to the whole area. I attempted to take this case to the minister. I phoned his office in an attempt to arrange a meeting. After several attempts I was asked by the minister's executive assistant whether the matter had to do with the building of a students' residence at the college of New Caledonia. I told him that it did. I told the assistant it was most important that I see the minister. The reply given to me was that the matter had been brought to the minister's attention by a Monica Becott. The minister had told Mrs. Becott, who brought the matter to Ottawa, that he did not have a mandate to build community college residences in different areas.

Monica Becott is the person who ran against my colleague the hon. member for Prince George-Bulkley Valley (Mr. McCuish) in the last election. Mrs. Becott happens to be the only Liberal in Prince George who is a member of this privileged class.

Madam Speaker: Order, please. There is no question of privilege that I can see up until now. The hon. member is referring to all sorts of things except matters relating to the privileges of members of this House. If the hon. member wants to make a case against a minister who has not paid sufficient attention to something that was brought to his attention by the hon. member, he can do that, but not under the guise of a question of privilege.

I would ask hon. members to interpret privilege in the sense that I have many times recalled to the House. I do not think I need give members a definition of privilege again; I have given it to the House several times. I am sure the hon. member will want to make certain that he does have a question of privilege in the sense that it is defined according to our rules.

Mr. Oberle: Madam Speaker, I respect your concern and I understand your anxiety. Nevertheless, I will have to lay before you some of the groundwork so that you can see what is at stake. In this case a minister of the Crown chose to discuss a certain matter, which was considered by a city and a region of our country to be of the highest priority, only with a person who was a friend of the Liberal Party. The minister's secretary would not allow me or my colleague from Prince George-Bulkley Valley to lay the case before him. In fact, I insisted that I see the minister and threatened his secretary with public exposure. I was able to see the minister and I pointed out to him that he does have a mandate to build community college residences. Indeed, he or his department has just recently given approval to the building of a college residence in Vancouver. Surely that is proof of that mandate. I found the minister to be quite co-operative and excited about the project. I am looking ahead in the next week or so to a favourable response from the minister's office.

• (1730)

The minister was denied proper information that could only be given by a Member of Parliament, through restricting himself, or instructing his secretaries and the people around him to keep members of Parliament away, only talking to Liberal friends or twins, or whatever they call them, who are now asserting themselves in a serious way in public business throughout the country.

I wanted to tell you this because I am now coming to the basis of my question of privilege which involves a former president of the treasury board, the Hon. Robert Andras. This matter involves him and other former ministers—and I hope to demonstrate this to you very clearly—in that they have seriously injured, fractured and offended the most basic conflict of interest guidelines this House has the right to have respected and adhered to.

Madam Speaker: Order, please. If some ministers or other members have not lived withing the conflict of interest guidelines, that is not a matter of personal privilege which the hon. member should present at this time. If he has any indication of that, he can pursue the matter on other occasions, make a charge, or follow whatever procedure he feels he has at his disposal in order to make that point before the public and before the House.

The hon. member has now been speaking for 12 minutes and he has not spoken at all of anything which is remotely related to a question of privilege. Hon. members want me to abide strictly by the rules, and I am trying to do that. There is an equal responsibility on the part of members also to abide by the rules. The hon. member cannot suggest he does not know the rule. I have several times read before this House what constitutes the basis for a question of privilege and I know he is capable of relating to that definition. I am sure he would not want to bring before me matters which are not related to privilege. I have to tell the hon. member that for the last 12 minutes that is exactly what he has been doing.

Mr. Oberle: Madam Speaker, you know me well enough, having been with me in this House for nine years, to know that I do not abuse the rules. I make it a point not to do that. Surely the narrow definition of a question of privilege is that when a member finds he cannot exercise the mandate for which he has been elected, in one way or another, he has some recourse to the Speaker with an opportunity to air a grievance by way of a question of privilege. I have certainly told you that I have not been able to exercise my mandate, having been denied access to a minister for a considerable period of time. I am now about to tell you how a former minister has breached the conflict of interest guidelines, and I relate that again to the way I have been hampered in the discharge of my duties in this House. I will get to that and I will not use any more time than necessary in making this point to you.

It is my belief that the Hon. Robert Andras, the former president of the Board of Economic Development Ministers and president of the Treasury Board, has, since he decided not to seek re-election in the February, 1980, general election, acted in a manner which violates the conflict of interest guidelines established by the two Prime Ministers—

Madam Speaker: Order, please. Not only is the hon. member not speaking about a question of privilege, he is speaking on a matter of debate regarding whether some individual has followed guidelines, and he is referring to a former minister to whom these guidelines tabled in this House do not apply because he is no longer a minister of the Crown. I would ask the hon. member to use some of his logic in order to defend his question of privilege.

Mr. Oberle: Again with respect, Madam Speaker, I beg to differ with you. These guidelines to which I am about to make reference do apply to former ministers. I will quote from the guidelines which were tabled by the present Prime Minister in May, 1980. These are guidelines which relate to post-employment, and they state in part:

> Former ministers are requested not to engage in the activities described in category A for a period of two years after leaving a given position, and to delay for one year any participation in activities described in category B.

These are guidelines which were adopted and tabled in the House of Commons and they apply to former ministers.

I want to go to category A which states that a minister must not:

> (a) accept appointment to a board of directors of a commercial corporation which, as a matter of course, was in a special relationship with the department or agency for which they were responsible on an ongoing basis during the last two years of their participation in the Ministry;—

It also states that ministers must not:

> (b) change sides to act for or on behalf of any person or commercial corporation in connection with any specific proceeding, transaction, case or other matter to which the Government of Canada is a party and in which they had a personal and substantial involvement on behalf of the government during the last two years of their participation in the ministry;—

Without quoting further, I would like now to tell you what happened in the case of the Hon. Robert Andras. He was the economic development superminister and the president of the Treasury Board before he left. As you know, Mr. Andras

became president of the Board of Economic Development Ministers in November, 1978. He held that post until the Liberal government's defeat in the 1979 election. He continued to serve as a Member of Parliament until the Clark government's defeat in December, 1979, at which time he announced he would not seek re-election.

On February 18, 1980, the date of the most recent election, by sheer coincidence, this particular ad appeared in the *Financial Times of Canada*:

The Rt. Hon. Roland Michener, chairman of the board announces the appointment of the Hon. Robert Andras, PC as Senior Vice President of Teck Corporation. Mr. Andras left a successful business career to devote the last 14 years to public service and held a number of Ministries in the Federal Government during a period of 11 years ending in May, 1979, the most recent being president of the Board of Economic Development Ministers and president of the Treasury Board. Mr. Andras will also be a director and member of the executive committee of Teck Corporation and a key member of the management team responsible for continued growth of the economy.

Having regard to his appointment, Mr. Andras was quoted in the Vancouver *Sun* on July 12, 1980, as saying:

The fact that I had been a senior minister and, therefore, one might consider well connected with the power structure I'm sure was not a negative thing.

By accepting this position with Teck Corporation less than eight months after he ceased to be the super minister of the Board of Economic Development Ministers, I believe Mr. Andras seriously violated the principle of both the August, 1979 and May, 1980, guidelines for the conduct of former ministers.

• (1740)

Let me just briefly, and without taking up too much more time, illustrate what happens when the skids get greased and the right person is appointed to the board of directors of such a corporation. On August 6, 1980—

Madam Speaker: Order. I will concede one point to the hon. member. Those guidelines apply for two years, but I believe the election was held in May of 1979, and Parliament must have been dissolved six or eight weeks before that, so we are very close to the two years, but I will concede to the hon. member that the two years might not be up.

However, that being said, the fact that a former minister, or even a present minister, would have violated the guidelines of conflict of interest does not constitute a question of privilege.

Mr. Oberle: Madam Speaker, it does violate my privilege to act effectively in my responsibility to represent a very important area of Canada. I will come to that by illustrating now what happens when a person as well connected with the central power structure as Mr. Andras considered himself to be joins such a corporation and becomes active in greasing the skids.

On August 6, 1980, Senator Olson dispatched a cable which was recently tabled by the Minister of Energy, Mines and Resources (Mr. Lalonde) in the House. The cable was in connection with Teck Corporation's activities in beginning a megaproject in British Columbia—in my constituency, in fact—in connection with the export of coal from northeastern British Columbia. I will not quote the whole document, but I would like just to put on the record two salient sentences in the document. In fact, Senator Olson used this document to convey to the province of British Columbia that the federal government was no longer interested in making available public funds to enhance the economic viability of the project. This is what Senator Olson said:

The current proposal from British Columbia, however, provides no indication that either government could directly recover its investment.

"Either government" being the government of British Columbia or the Government of Canada. Another sentence says:

—we wouldn't want to be in the situation where southeast and northeast producers were being played off one against the other, or worse, Canadian interests being played off against other international competitors.

In other words, the coal producers in the province of British Columbia had asked the federal government for a very significant subsidy on freight rates to get the coal to tidewaters and also for very significant subsidies to build a port in Prince Rupert and to help through other departments and agencies with the procurement of infrastructure.

Something happened between October 6 and February 9 because after consultation with people who were formerly well connected with the power structure, such as the Hon. Ron Basford, who is now the coal czar of British Columbia, being engaged at a daily rate of $600, and other well connected Liberals who are involved in this particular scheme in British Columbia and after they were asked to act and grease the skids and remove the blockage that had obviously occurred in Ottawa, this happened on February 9, 1981: the same minister sent another communique to Victoria. This time he said that the federal government was prepared not only to assist with a fixed throughput charge to the port of Prince Rupert and to help on a 50-50 basis to put in place the facilities at the port, but also to assure between now and 1989 that the coal would be dipatched at a fixed rate of $3 per tonne, which is called a throughput charge. The federal government also committed itself through the CNR to an expenditure of $225 million for the upgrading of facilities.

Madam Speaker: Order, please. Really, I do have to interrupt the hon. member. Will the hon. member not co-operate with me and conclude immediately, or will I just have to determine the matter right now, after having listened to the hon. member since 5.20? He has not yet discussed the matter of privilege which he wants to bring before this House. Nothing in what he has said has related to privilege. I do not want to read the riot act and give him the definition of privilege, but he knows in his heart of hearts that he has said nothing which relates to privilege. He is actually using this occasion to air a number of facts about which he is aggrieved. This is not the time to raise these things, but he is in fact doing so. I must consider that to be unfair to other hon. members who might have questions of privilege to raise this afternoon but who will not be able to do so.

So in the interest of the House the hon. member should come to the point. This would be in the hon. member's interest as well because I think there is a certain credibility attached to

the way an hon. member discusses his question of privilege. I think I will not hear the hon. member for more than five minutes more.

Mr. Oberle: Madam Speaker, it may be true that I have been speaking for 20 minutes, but it is also true that you have interrupted me four times in that period. Every time you do, Madam Speaker, I get to the point where I find it very difficult to restrain my temper.

Some hon. Members: Shame.

Mr. Oberle: Madam Speaker, if you want to know how my privilege is affected, there is a scheme afoot between this government and the government of British Columbia to build in my constituency, no more than 30 miles away from my home, a new town to house 10,000 people, and I am not being told what it is all about. I have a difficult time getting any information from this government in order to make any contribution to this debate. The minister has tabled in this House a document which shows that there have been 42 studies in connection with this project. I suppose I can get hold of any one of those studies and look at them, but of the 42 studies not one deals with the socioeconomic effects of this whole mega-project. There is not one that deals with native people who will be affected by this project. There is no information about that. There is reference to one study which deals with public information. It is yet incomplete. It is to be a public information brochure. There are 42 other studies which deal with archeological projects, fish and wildlife, but nothing about people. That is my question of privilege.

Some hon. Members: Hear, hear!

Mr. Oberle: Does anybody in this House care about people any more? That is my question of privilege. I demand the right to access to information, not just because I am a member of Parliament in this House, but because I am a citizen of an area of Canada where the future lies and on which all of Canada depends. I do not demand access to that kind of information just because I am a member of the House or because I am a member of this privileged class of which I have given Your Honour some examples—and I could give some more. I want to know all about this project because I am chosen by the people of that crucial area to represent them and to represent them adequately in this House, and my people are being denied a voice in this House by these people opposite who act as if they were in this world alone and as if everything which has gone on before should no longer be. They act as if they had better ideas. They think we should change the Constitution and entrench rights. They think they know best what everyone's rights are. That is my question of privilege. I admit that had it not been for this arrogance—

Some hon. Members: Oh, oh!

Mr. Oberle: The sheep on the other side are baaing. If I pause for a moment, Your Honour can hear it through the microphones. They are trained sheep on the other side, and they are baaing.

We are into a very serious debate in this House. We are shaking the very foundation of this institution because Members of Parliament are no longer fulfilling the role they were elected to fulfil. As indeed the Prime Minister once said, Members of Parliament are nobodies when they leave this institution and when they are gone. But as long as we are here, in the confines of these four walls, I have the right to speak. I do not care what this demagogue tells me when I leave this House, because the people of Canada will judge him sooner or later. But as long as I am here, I will speak for my constituents. I will demand information about what these people are doing to my constituents and to my country. And, Madam Speaker, my question of privilege is that you have a responsibility to ensure that, so long as I am between these four walls, these people will listen. I have the right to speak, and if they do not want to listen, they can go out behind the curtain and carry on with their parties and phone their privileged friends all over the country and do whatever they want, but I want the right to speak and I do not want to be interrupted 15 times just because it takes me a little longer than the next guy to make a point.

• (1750)

Now, I hope I have made my point. If you find that I have a question of privilege, I want you to allow me to take my case before the appropriate committee of this House. I do not want you, Madam Speaker—and you would not want the burden—to rule on whether or not I have a case, that is why we have the committee of privileges and elections, but you cannot forever hold back this anger and frustration; it will boil over. And when it does, we all, the country and this institution, will suffer. So I plead with you, Madam Speaker, to take one of these questions of privilege and let it go to committee and let them decide whether these people are behaving in a manner which is not traditional and which is not consistent with the great history of this country.

Madam Speaker: I think the hon. member has an indication of what I am going to say. He certainly has indicated to this House that he is obviously quite concerned about the matter he has raised, and I am sure the House has noted his concern, but the matter he has raised is one for debate, certainly; it is perhaps a very serious one but that is not for me to determine. The hon. member is right, I do not rule on questions of privilege, I must only find whether there is a prima facie case, after which the matter might be sent to a committee for study, but I am unable to find a prima facie case on this particular question.

* * *

POINT OF ORDER

MR. RAE—EARLY DETERMINATION BY MADAM SPEAKER OF PRIMA FACIE CASE

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I suppose after what has happened the last four or five days none of us mind that the House is being used as a forum for

primal scream therapy, but it occurs to me as a member of this House that we also have rights here. You mentioned other members have questions of privilege they want to raise and their rights are being affected by the fact that they cannot speak. I seem to remember a time not very long ago when we discussed things other than questions of privilege in this House, and that was not the only other item of business being delayed by these questions of privilege.

I would like to ask you, Madam Speaker, to consider on behalf of all members of the House whether it would not be possible for you, on the basis of the initial arguments being put forward by a member, to determine whether or not there is a prima facie case. I can think of very few forums, courts or institutions in which I have operated, very few caucuses, very few democratic forums, city councils or trade union meetings that I have attended where there is an assumption that each and every member has the right to expound on his own private theories or concerns at whatever length they choose while the rest of the country sits back and waits for the process to end.

It would seem to me in this context the Chair has a certain responsibility at a very early stage of the presentation of an argument to determine whether or not the case is spurious, simply made for the purpose of using up time or making a private point, or whether in fact there is a genuine argument being put forward. I admit that is a difficult task for the Chair, and I certainly admit the Chair has been put in a difficult position over the last few days, but I would say to all members of the House that at some point—only time will tell when that point comes—we have to ask ourselves how long we as a chamber can function when, for the fifth day, now we find ourselves unable to contemplate our own business and the only thing we can contemplate is the navel of the Progressive Conservative Party of Canada, and I object to that. I think the Chair has a role in seeing that every question of privilege does not go on for half an hour and then finding that, in a strict procedural sense, there is nothing the Chair can do about it. I think we have an obligation not to use up that time before we come to the end of the road and find nothing there. There is a need for the House to get on with its business, and I would hope that the Chair would bear that in mind.

Hon. Erik Nielsen (Yukon): Madam Speaker, I cannot let the remarks made by the hon. member for Broadview-Greenwood (Mr. Rae) go by unchallenged. He, of course, is a new member here and is not aware of the history of his own party in raising points of order like this. I see he has made his brief contribution and disappeared from the House. I would point out to him that he raised a question of privilege with respect to the establishment of regional ministers, one of whom was appointed, amongst others, for every constituency in Ontario and Quebec by this Prime Minister (Mr. Trudeau)—a radical departure from practices in the past. And that member, with other contributors, took up some two hours on his question of privilege. Yet he is asking you, Madam Speaker, to judge that while he has the intellectual capacity to raise questions of privilege deserving of serious consideration, no one else here has.

Point of Order—Mr. Rae

This period in which we find ourselves was commenced with a question of privilege raised by myself, which the Chair still has under consideration, concerning the abuse of taxpayers' funds and the illegal use thereof in establishing constituency offices, impeding my activities as a Member of Parliament. He cannot now stand there and say that these questions of privilege are spurious; he contributed to that very question of privilege. Indeed, Madam Speaker, he cannot complain about you not coming to quick decisions because his contribution was terminated by the Chair on that occasion.

Speaking of navels, Madam Speaker, it seems to me that the parliamentary navel of the NDP is so minute that it would take their combined intellect and they would all still have the room to wear an extra hat inside it.

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I am a new member here, not as studied as the hon. member for Yukon (Mr. Nielsen), but the role of the Speaker is clearly defined in Section 84, page 25 of Beauchesne's. It is quite simple and contradicts the implication of the hon. member for Broadview-Greenwood (Mr. Rae) that you should be able to make a snap decision on these matters. It says:

> The Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify him in giving such precedence . . . and also that the matter is being raised at the earliest opportunity.

To judge whether a question of privilege is involved requires that you yield to that member sufficient time to make his case. That is quite clearly set out in Beauchesne's, and I hope we will not be subjected to further unnecessary interventions from the member for Broadview-Greenwood.

Madam Speaker: It being six o'clock, I do now leave the chair until 8 p.m. this evening.

At 6 p.m. the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Madam Speaker: Order, please. At six o'clock I was about to respond to the point of order raised by the hon. member for Broadview-Greenwood (Mr. Rae) wherein he suggested that it should be in the hands of the Speaker to do something about containing—and I do not remember his words—certain questions of privilege.

I just want to say to the hon. member that it is not possible for the Speaker to change any of the rules or to make any suggestion in this respect. I am presiding over the deliberations of the House according to the rules which have been set by the House of Commons. If the House of Commons wants to do anything about this, if it has any suggestions, I am in the hands of the House. I am its servant; I am not its master. So, I must respond to the hon. member for Broadview-Greenwood in this sense.

PRIVILEGE

MR. HAWKES—RINGING OF BELLS BEFORE COMMENCEMENT OF SITTINGS

Mr. Jim Hawkes (Calgary West): Madam Speaker, as near as I can tell, my question of privilege this evening is one which has not been argued before in the House of Commons. I feel it is important because it affects the privileges of all members, whether they happen to be cabinet ministers or backbenchers.

My question of privilege is built on the foundation of five citations. If I may begin, I should like to refer to Citation 16 which is contained in Beauchesne's fifth edition. This citation concerns the definition of "privilege", and it reads as follows:

Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each House individually,—

I think an emphasis of the word "individually" is important. It continues:

—without which they could not discharge their functions and which exceed those possessed by other bodies or individuals. Thus, privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law.

The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members;—

I think the following is a crucial statement: "without unimpeded use of the services of its members". It continues:

—and by each House for the protection of its members and the vindication of its own authority and dignity. Sir Erskine May, Treatise on the Law, Privileges, Proceedings and Usage of Parliament (19th ed., 1976), p. 67.

I think Beauchesne felt that part of the thrust of that citation was important enough to be repeated in Citation 104 under the section entitled: "Access to the House of Commons" which reads as follows:

The time-honoured privilege of members to have free and unimpeded access—

Again we find the word "unimpeded". It continues:

—to the Parliament Buildings should be recognized even if there is some question as to the extension of the term "parliamentary precincts", and in particular whether the jurisdiction of the Speaker, exercised on behalf of members, extends beyond the limits of the Parliament Buildings themselves.

I think it is clear that extends to those within the Parliament Buildings.

I should like to refer to how that was interpreted by Erskine May in the nineteenth edition. Turning to Chapter X, "Breaches of Privilege and Contempts", the first paragraph reads as follows:

It would be vain to attempt an enumeration of every act which might be construed into a contempt, the power to punish for contempt being in its nature discretionary. Certain principles may, however, be collected from the *Journals* which will serve as general declarations of the law of Parliament. It may be stated generally that any act or omission—

I emphasize the word "omission". It continues:

—which obstructs or impedes either House of Parliament—

Again we find the words, "obstructs" and "impedes". It continues:

—in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results—

That is a tendency, directly or indirectly, to produce the result of obstructing or impeding. It continues:

—may be treated as a contempt even though there is no precedent of the offence.

Turning to page 220 of the nineteenth edition of Erskine May, there is a section entitled: "Access to the Houses of Parliament" which reads as follows:

To facilitate the attendance of members without interruption, both Houses, at the commencement of each session, by order, give directions that the commissioner of the police of the metropolis shall keep, during the session of Parliament, the streets leading to the Houses of Parliament free and open, and that no obstruction shall be permitted to hinder the passage thereto of the lords or members. The police accordingly give every facility to members and officers of the two Houses to cross the streets and approach the Houses of Parliament without interruption and where necessary hold up the traffic for this purpose. The Speaker has informed the House when for some special reason it is expected that the police will have difficulty in complying with the terms of the sessional order.

I have read that fourth citation simply because it brings to light, in a somewhat graphic form, the importance of that part of our traditions which has been attended to over the years in terms of the very important principle that something is wrong when the attendance of members coming to this House is impeded.

● (2010)

Madam Speaker, my question of privilege relates to those principles which I have read out of Beauchesne and Erskine May and which first came to my mind a couple of nights ago. I have spent some time gathering evidence related to the purpose of the bells. I think there are precedents in Erskine May and in the Standing Orders for the use of bells related to divisions, but I have searched our Standing Orders and there is an omission with respect to the use of bells to call members to the sittings of the House. The only reference which I could find which deals with the issue of warning is in the last reference, which I would like to read. It is found in Beauchesne's fifth edition, Citation 203. It deals with the opening of a sitting of the House. You may note, Madam Speaker, that it does not deal with the commencement after the dinner break, but simply with the opening of the House. I think the first three words of the citation are most critical, although not very precise. The citation reads as follows:

A few minutes before the appointed hour for the opening of a sitting, on the day following his election, and every sitting day thereafter, the Speaker and his suite leave his library for the chamber. They march in the following order: The Chief Constable and two sergeants, the Sergeant-at-Arms bearing the Mace, the Speaker, the Clerk of the House, the Clerks Assistant. A page, walking to the Speaker's right, carries documents to be read by the Speaker. They proceed to the Hall of Honour and the front corridor. At the chamber door, the men who precede the Mace halt and stand at attention whilst the others enter the chamber. Members, who may then be in their seats, rise as the Speaker walks to the chair. The Sergeant-at-Arms stops at the end of the Table, waits until the Speaker has taken the chair, then places the Mace on the Table, bows and goes to his desk. When there is a quorum present the Speaker reads Prayers (alternatively in English and French on successive days) the Clerk saying Amen at the end of each invocation.

The reason I read Citation 203, which is related to the opening of a sitting of the House, is that any reader of that

citation can tell that the procedure does take some minutes. A practice has been developed in this House of ringing the bells when the parade commences, thus giving warning to all members of this chamber, no matter where they happen to be, whether in the Confederation Building, the West Block or an office in this building. The ringing of the bells signifies that in a few minutes the proceedings of the House will take place. It gives each of us an opportunity to be present in the House to form part of the initial quorum and to represent our constituents in the manner we were elected to do.

There is no citation in Beauchesne's, or in the orders of the day, that I could find which deals with the issue of the ringing of the bells prior to the evening session. Having sat here in this chamber for the past few days, Madam Speaker, I have noted that the ringing of the bells has varied between something close to two minutes to as little as 21 seconds.

When the House rose at six o'clock this evening I looked at two clocks which are located in the chamber, one at the end of the chamber and one opposite from where I am standing. There was a one-minute difference between those two clocks. It is interesting to note that there is nothing in Beauchesne, Erskine May or in the precedents of this House which deals with the issue of which is the master clock. The Standing Order says that we shall recommence on Tuesday evening at eight o'clock. But how is a member to define eight o'clock? Is he to look at the clock at the end of this chamber, the clock on the side wall or a clock in the Confederation Building?

As you well know, Madam Speaker, the proceedings of the committees are an extension of this House, therefore, vital to our functions here. I have seen clocks at each end of the room where committee meetings are held which are as much as five minutes apart. Are we to commence a meeting scheduled for 3.30 in the afternoon by consulting one clock which reads 3.30 or another which reads 3.25? A member arrives at 3.30, according to one of the clocks in the room, but the proceedings have been under way—

Madam Speaker: I cannot say what I must say in English.

[*Translation*]

If the clocks did not agree and if the hon. member noticed it, he should have got to his feet at that time and brought the matter to the attention of the House. Then the situation could have been remedied. The House having been made aware of the situation, proceedings in the House could have started on the basis of the clock indicating the correct time. Finally, the right time is not a topic on which a question of privilege can be based.

[*English*]

Mr. Hawkes: I know that the clocks in the chamber are self-correcting. I believe you, Madam Speaker, are in charge of all of the facilities in each and every building which constitute Parliament. I believe there are many clocks in those buildings which are not self-correcting from a central point—

Madam Speaker: I must interrupt the hon. member. At some point one must have a bit of fun. I believe there was a time in the middle ages when there was a clock man who went around and set all the clocks. Maybe we should have that service here.

Some hon. Members: Hear, hear!

Mr. Hawkes: That is a solution which had not occurred to me, and it might be one worth considering. I think it is a point about which it is somewhat easier to see humour in rather than some other points. I would hate it if by the introduction of humour or a smile on my face I were to indicate to you that I do not believe that this is a serious long-term issue.

Drawing from my own experience, there are days when I am in my office in the Confederation Building at 2 p.m. At that time I am often so engrossed in the work that I do on behalf of my constituents that it comes as a shock to me when the bell rings. If it is necessary for one to be in the chamber at the commencement of the sitting day, and if one leaves his office immediately, one still arrives at a time when the business of the House has commenced. Perhaps I see this in somewhat of a different vein than you might expect, Madam Speaker. I see the absence of a warning bell ringing a sufficient length of time to alert me to come from wherever I may happen to be on the Hill as an obstruction. It is an obstruction which perhaps is in the same category as a barrier placed across the street. Those of us who are assigned offices in the Confederation Building by Your Honour sometimes run into traffic which impedes the form of transportation available to all of us. That delays our appearance in the House even further.

I think it is incumbent upon the House to have a set of Standing Orders which are fair to all of its members, no matter where his office is situated. As I look across the chamber I see some hon. members opposite who face the same kind—

• (2020)

Madam Speaker: Order, please. I think I have the gist of the hon. member's question of privilege. I must tell the hon. member that there is nothing in the Standing Orders which obliges us to ring the bell. We do it as a form of assistance to members, to alert them that the House will begin its deliberations. How long should the bell ring? It has been a standing practice that at eight o'clock the bell rings until such time as the Chair sees a quorum. That seems to be a legitimate time. For instance, how am I to know that the hon. member for Calgary West might come into the House that night, and should I be waiting for him to come into the House? If the bells were ringing for a number of minutes, would it be helpful to the hon. member if, at that particular time, he happened to be shopping in one of the stores of the national capital? The bells would not ring over there. It is absolutely impossible to give that kind of warning. Hon. members are held responsible for coming into the House at the time that they want to come into the House, and they know very well at what time the House starts its proceedings, be it in the afternoon or in the evening. There really is no question of privilege in what the hon. member has been talking about since the beginning of

this session, and I must tell him that I see no question of privilege, and I cannot hear him any longer.

* * *

POINT OF ORDER

MR. NIELSEN—EARLY RINGING OF BELLS BEFORE SITTINGS

Hon. Erik Nielsen (Yukon): Madam Speaker, I have a point of order having to do with the function of the House. I think it is trite to say that all hon. members should be treated equally. I know hon. members over there have treated this question of privilege as being frivolous, but it is quite serious. On a question of order, the practice of many years has been that those bells have been rung for two reasons: one, to call a quorum; two, to call division. The bells were established when this place was established. This was the only building in the parliamentary precincts that housed hon. members. We now have the Confederation Building, the South Block, the West Block and the East Block.

All that the hon. member is suggesting to the Chair is that perhaps, since this place must commence its proceedings at predetermined times, those bells should start at a time—

Some hon. Members: Order!

Mr. Nielsen: —when all hon. members have equal warning. It may well be that the Chair, the Speaker, who is the only person who sees the clocks in this place, might afford all hon. members equal treatment by commencing those bells at a time which would permit all hon. members to have sufficient warning to get here at the times when this place is obliged to sit by the Standing Orders. It is not a question of—either that, or do away with the bells.

An hon. Member: Different hours!

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, with all due respect to my friend, the hon. member for Yukon (Mr. Nielsen) who has long service in this House, he has offered, a moment ago, one of the most infantile arguments I have ever heard in my years in the House. I am parliamentary secretary of the government House leader.

Some hon. Members: Yea!

Mr. Collenette: My office is located in the Confederation Building. Surely hon. members know that the House reconvenes at eight o'clock following the dinner break, and that one makes provision. As parliamentary secretary to the government House leader, I know that I must leave my office perhaps five or ten minutes earlier than that other hon. member to be here at eight o'clock. I am sure that when *Hansard* is read many years hence, when we see the steps to which the opposition has resorted to delay debate in this House, those people who read *Hansard* at that particular point in time will be incredulous. I find it equally incredulous that we have spent, I suppose, 25 minutes since the bells stopped this evening—

An hon. Member: You are filibustering.

An hon. Member: No. 24.

Mr. Collenette: —on the point of order of the hon. member for Calgary West (Mr. Hawkes), who should know better, but what disturbs me even more is that we have listened to the interjection of a learned hon. member who has been here for 23 years, the hon. member for Yukon—

Mr. Nielsen: Twenty-three and one half.

Mr. Collenette: —who argues that there should be some kind of a preferential bell. The electorate of Canada—

An hon. Member: What's a preferential bell?

Mr. Collenette: Madam Speaker, the electorate of Canada sends us here to behave as adults to legislate in the name of all Canadians. If one cannot organize one's time so as to make sure that we are here at eight o'clock—if one's building is located just off the Hill, as it is with the Confederation Building—then we really have no business being here.

Some hon. Members: Hear, hear!

Mr. Collenette: I have been here for five days, and I have listened to the delaying and the obstructionist tactics of the hon. members opposite.

Madam Speaker: Order. The point of order is getting a bit long, and I think the hon. member for Yukon gave me my cue in this particular question of privilege raising a point of order. He did say that the bells have been traditionally used in this House to call a quorum and for division. If the hon. members objected to their ringing, if the Standing Order did not oblige us to ring the bells at eight o'clock, that would be one thing. But the Standing Order is quite clear that at six o'clock p.m. on Mondays, Tuesdays and Thursdays, Mr. Speaker is to leave the chair until eight o'clock. That is sufficient warning to all hon. members to come here at eight o'clock. If they are located a little farther from the House of Commons, it is up to them to allow more time. We can do nothing about it, just as we can do nothing about ensuring that they will not miss their train if they live farther away than somebody else and they leave five minutes too late. There is nothing the Chair can do about that.

The hon. member for Richmond-South Delta (Mr. Siddon).

Mr. Cossitt: On the same point of order.

Madam Speaker: No, I have just—

An hon. Member: The point of order has been dealt with.

Madam Speaker: I have disposed of this point of order.

Mr. Cossitt: Well, Madam Speaker, I raise—

Madam Speaker: Is the hon. member for Leeds-Grenville (Mr. Cossitt) rising on a new point of order?

Mr. Cossitt: With respect to this matter of bells, I think there is another—

Some hon. Members: Order, order!

Madam Speaker: Order!

Mr. Cossitt: There is another factor which has not—

Madam Speaker: Order, please!

Mr. Cossitt: Well, Madam Speaker—

Madam Speaker: Order, please!

Mr. Cossitt: On a further—

Madam Speaker: Order! I said that the point of order has been disposed of. I think it is quite clear to any hon. member who can understand my English that it has been disposed of. The hon. member said he was rising on a new point of order. It was not a new point of order. He spoke again about the bells. I will not hear him.

Mr. Cossitt: Madam Speaker, it is a further point of order. How do you know, if you have not heard it, Madam Speaker?

An hon. Member: She did not recognize you.

Mr. Cossitt: I have a further point of order. How can Your Honour say you cannot hear me unless you—

Madam Speaker: Order. I have recognized the hon. member for Bow River (Mr. Taylor). The hon. member said he had a new point of order. It was not new. He was talking about the bells. I will now recognize the hon. member for Bow River.

Mr. Cossitt: Madam Speaker, I was not permitted to elaborate on what my point of order was.

An hon. Member: That is because she can only take one at a time. Wait your turn.

Mr. Cossitt: I will wait my turn. That is right.

MR. TAYLOR—INACCURACY IN "HANSARD" IN RECORDED TIME OF SITTING

Mr. Gordon Taylor (Bow River): Madam Speaker, I want to refer to the point of order in regard to the record in *Hansard*. In *Hansard* it is reported that we start at eight o'clock every evening. That is not accurate. Future generations, when they read that, will say, "They are certainly accurate in the House of Commons." However, as a matter of fact, I have been keeping tab on time for several weeks. Last week, on Monday, March 23, we started at six minutes after eight o'clock. On March 24, we started at seven minutes after eight o'clock.

An hon. Member: It is because the Tories were not here!

Mr. Taylor: On March 26, we started at 8 p.m. sharp. The first time and the only time—

Some hon. Members: Hear, hear!

Mr. Taylor: Hold your clapping for just a moment. That was the first time and the only time since this session started that we did start at eight o'clock. There have been occasions when I waited for 12 minutes or 13 minutes for the government to get a quorum, yet the next day in *Hansard* it was recorded that we started at eight o'clock. This is not accurate. The only place where I find time is kept accurately is at the Table, and the Clerk at the Table has these times.

So when we start six minutes, seven minutes or ten minutes after 8 p.m., we encourage hon. members to be late, because one old-time hon. member said to me. when I raised this point, that this has grown through practice because some hon. members are farther away and they must have a reasonable amount of time to arrive here, equal to other hon. members of the House of Commons.

I do not know what the history is; but I know that *Hansard* is not accurate. I have been keeping time since the beginning of this session, and I know that the only occasion on which we started at eight o'clock was the other night; and that was a fast one that the Liberals tried to pull, and it backfired on them.

• (2030)

Madam Speaker: *Hansard* does not say that debate resumed at eight o'clock—"the House resumed at 8 p.m." It does not say debate started at eight o'clock. That is point number one.

The other point is that the bells start ringing but Standing Orders say nothing about ringing the bells. We could resume the House at eight without ringing the bells. If that is what hon. members want, they can let me know and we will stop ringing the bells. I am in the hands of the House. This is the custom. The bell rings at eight o'clock.

We start when there is a quorum but the Standing Orders say nothing of a quorum either. The practice has been that we wait until there is a quorum for the very good reason that any member could get up in his place and call for a quorum, so we may as well wait for it. And we usually get it at 8.03, 8.04 or 8.05 p.m.

At any rate, the hon. member says that the the only time that the House began its sitting at eight o'clock was that other night. I have to tell him that every time I have been sitting in the chair at eight o'clock, I have been here at eight o'clock sharp.

Mr. Taylor: A point of order, Madam Speaker.

An hon. Member: What point of order?

Mr. Taylor: I did not mention bells at all. I could not care whether they ring or not; that is the least of my worries, but when *Hansard* next day said we started at eight o'clock when it was six minutes after eight, ten minutes after eight, we are not putting—

Point of Order—Mr. Cossitt

Madam Speaker: I gave that answer and explanation to the hon. member. "The House resumed at 8 p.m." *Hansard* does not say that the debate started at eight o'clock.

Mr. Taylor: A point of order. The House did not—

Madam Speaker: The hon. member for Leeds-Grenville (Mr. Cossitt) on a new point of order.

MR. COSSITT—RINGING OF BELLS BEFORE SITTINGS

Mr. Tom Cossitt (Leeds-Grenville): Madam Speaker, I will not mention the word "bells" because I now realize that is a dangerous word to use at this point. I feel that the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) made a statement that reflects very severely on the privileges of members of this party or members of the official opposition when he said something to the effect, if I may paraphrase his words, that in future years people would look at *Hansard* and comment on what a terrible way the opposition behaved. That is the effect of what I said. That, I suggest, is really debate, but if that is going to be allowed then I would make one comment and that is that I suggest that in future years people will look at *Hansard* and say it is incredible how the government behaved in trying to smother opposition to a dictatorship in this country.

As I said "bells" is a dangerous word so I will not mention it, but I agree with the hon. member for Bow River (Mr. Taylor) that this House starts at various times. For example, there are occasions when we have constituents here whom we may meet in our offices or they may be our guests in the dining room, as has happened to me on many occasions. They do not know exactly when this House is to meet.

Madam Speaker: Order, order, please. The hon. member will recognize that I interrupted the hon. Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) when he started to debate rather than expose his point of order. I think the hon. member has about reached that point now. I have to interrupt him.

The hon. member for Richmond-South Delta (Mr. Siddon) on a question of privilege.

Mr. Siddon: Thank you Madam Speaker. Earlier today I—

Madam Speaker: I am sorry. I do have another point of order from the hon. member for Calgary West (Mr. Hawkes).

Mr. Jim Hawkes (Calgary West): Madam Speaker, I just seek some clarification. I listened to your ruling and I wonder if there can be one clock within the precincts of Parliament that is the official clock? I wonder if that is set by some other standard which could be made available to us so that we might all have a common sense of time because I think on occasion, in the proceedings of Parliament, an exact sense of time is very important.

Madam Speaker: Order, please. I would doubt if the hon. member reads my ruling in *Hansard* tomorrow that he would not understand. I think it was quite clear. The hon. member for Richmond-South Delta.

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PRIVILEGE

MR. SIDDON—ROBERTS BANK EXPANSION—ALLEGED MISLEADING STATEMENTS BY MINISTERS

Mr. Thomas Siddon (Richmond-South Delta): Thank you Madam Speaker. This is my third try today and I hope that it will not be my last or I am out!

Earlier today I sought your co-operation on raising a question of privilege at the earliest possible time in relation to the proposed expansion of the Roberts Bank superport located in Delta, British Columbia which, incidentally, lies within my riding.

The proposed expansion of this port facility will have massive consequences for my riding and the surrounding area of British Columbia. The cost of the development is predicted to approach $50 million.

The point I should like to raise this evening concerns the process that has been followed for several years where such major environmental projects are subjected to review by the so-called FEARO office or the Environmental Assessment and Review Process.

Indeed, in the case of the Roberts Bank superport project, that process was followed. A recommendation was offered to the former Liberal government in 1979, and that recommendation of a reduced scale project because of certain environmental risks, was endorsed by the government opposite.

My point concerns the government's apparent decision to broaden the terms of that project in complete contradiction to the recommendations of the Environmental Assessment and Review Process panel.

Madam Speaker: Order, please. The hon. member is discussing substance; he is not discussing a question of privilege. I will not hear him another minute if he does not come straight away to what his question of privilege consists of.

The written notice that he has given to me indicates to me quite clearly that he wants to discuss the subject of the dredging contract of the Roberts Bank superport in British Columbia. It is quite clear from the written statement.

The hon. member has been speaking for a while and he is discussing the substance of this particular question. Unless he comes straight away to tell me where he has a question of privilege, I will not be able to hear him.

Mr. Siddon: With all due respect to the Chair, I have only been given about 60 seconds. As I read earlier today, Beauchesne at page 25 sets out the role of the Speaker. It says that the Chair must be sufficiently convinced of the involved nature of a question of privilege to make a decision whether such motion should be submitted to the appropriate committee.

The government has taken a position on the Roberts Bank expansion, as was indicated earlier today by the Minister of Transport (Mr. Pepin) and the Minister of the Environment (Mr. Roberts), which is at complete variance with the recommendations with the Environmental Assessment and Review Process panel. That makes my life very difficult in being able to explain to my constituents why it is that the government has opted for a much larger plan—

Some hon. Members: Oh, oh!

Mr. Siddon: If we might have a little more respect from those members to my left who are usually concerned about environmental matters—

Madam Speaker: The hon. member might be inconvenienced by whatever the government or the minister has done, but he has to tell me that he has been inconvenienced to the point that he has been harassed, molested or that someone has attempted to stop him from performing in this House. That is privilege. If a minister did not give the proper information or if in some other way he feels that he has a grievance toward a certain minister, he can voice that grievance. I encourage him to do it but not under the guise of a question of privilege.

Mr. Siddon: Madam Speaker, that is exactly what I am trying to establish. It is a fact that I have not been provided by the government opposite with the factual scientific information to present to my constituents in order to justify a plan of action which is at complete variance with the findings of a properly constituted environmental assessment panel established by this government and whose recommendations were endorsed by the previous minister of the environment of the previous government.

Some hon. Members: Order, order.

Mr. Siddon: Madam Speaker, the recommendations I seek would be in the form of a report which is available to the public, to members of my constituency and to myself as the Member of Parliament, in order to argue on the government's behalf that the conditions under which this project—to which a contract is to be let by April 4, according to the Minister of Transport—is to proceed are at complete variance with the environmental recommendations brought forward in good faith to the public in my riding and of British Columbia.

Madam Speaker: Order. The hon. member is repeating what I said did not constitute an argument. If something is at variance with the recommendation of an environmental committee, that does not constitute a question of privilege. I cannot repeat it any more clearly to the hon. member. He has to bring some other argument to prove to me that he has a question of privilege.

Mr. Siddon: Madam Speaker, we have a process of environmental review in this country which enables Members of Parliament to gather information, to take that information and help to advocate or oppose the recommendations of the government. What has happened in the present case—

Madam Speaker: Order, please. A point of order, the hon. member for Burnaby (Mr. Robinson).

• (2040)

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I rise on a point of order pursuant to Citations 18, 19 and 84 of Beauchesne. In part, Citation 17 reads:

A question of privilege ought really to come up in Parliament.

A question of privilege is a serious matter. It is not a question of grievance. We are here to represent our constituents and not to waste taxpayers' money.

Some hon. Members: Hear, hear!

Mr. Robinson (Burnaby): I draw to your attention paragraphs 1 through 4 of Citation 19. A dispute arising between two members does not constitute a question of privilege. In Section 19 (4), we read:

Many matters, such as the absence of a minister of the Crown from a committee studying his estimates, may constitute a grievance but not a question of privilege.

What is being attempted to be foisted on this House as a question of privilege may be a grievance. In the case of Roberts Bank, it may well be a legitimate grievance. I share the hon. member's concern. But to abuse this House with grievances under the guise of a question of privilege, which is a serious matter, not only is a waste of taxpayers' money but is a waste of the time of this Parliament.

With respect, Madam Speaker, I draw your attention to Citation 84 which concerns the role of the Speaker in a question of privilege. It states that it is essential that the matter be raised at the earliest possible opportunity.

I suggest that it is no mere coincidence that all of these alleged matters of privilege, which, in some cases constitute grievances and in other cases constitute a flagrant violation of privileges of other Members of Parliament in carrying out the responsibilities we have on behalf of our constituents, could have been raised some time ago and pursuant to Citation 84, they should have been raised some time ago.

Under the rules there is a requirement that you be given notice of the proposed question of privilege. I suggest, with respect, when you look at those notices, pursuant to the rules, that you should have in your mind whether or not this is a question being raised and which has been raised at the earliest possible opportunity. Citation 84 states that is your role as Speaker in considering questions of privilege.

I suggest, in the light of that and in the light of Citations 18 and 19, that we get on with the business of the House and deal with questions of privilege, which really are serious questions of privilege, and failing that, get on to the orders of the day.

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise on a point of order concerning the one just raised. We have now listened to two interventions from the left, one raised by the

hon. member for Broadview-Greenwood (Mr. Rae) and the other raised by the member who has just taken his seat. With his halo around his eyes, he forgets, he does not see now, he does not remember now that his party's very first act when we came here last January, because his party disagreed with something the government said, moved a motion to adjourn the House. Is that not a waste of taxpayers' money? Just because that party had a difference of opinion, that was not a waste of taxpayers' money. Their holier-than-thou attitude does not sit well. His party should examine its own actions and its own attitude before starting to cast stones here.

Madam Speaker: I do want to respond to that point of order. This is precisely what I was trying to bring to the attention of the hon. member who was speaking on a question of privilege. A question of privilege is a very serious matter which has to be related to the definition of privilege in the House. The hon. member need not read the definition because it has already been read this evening and I have read it before myself.

The hon. member does not leave me much choice. If he continues to discuss substance, I will not be able to hear him. The hon. member for Burnaby is right. As soon as I realize that the matter being raised is not a question of privilege which the member is discussing but something else, I must intervene. I already warned the hon. member that his written statement made me suspect very seriously that there was a basis for a question of privilege. I must also tell him that the arguments he has brought forward up until now have not convinced me either.

Mr. Siddon: Madam Speaker, with all due respect, I believe that you would want to feel that this question of privilege which I raise is "sufficiently involved", to quote from Citation 84(1). I would suggest sufficiently involved means that I should be accorded the same courtesy which other members have received in being granted two or three moments to lay out the case about which I am so concerned.

We have a case where ministers of the Crown have not made any public commitment to a project but they have said in private forums that they concur with such projects.

Mr. Stollery: Order.

Mr. Siddon: This is a very serious matter.

Mr. Stollery: The Speaker has ruled on the matter twice.

Mr. Siddon: Madam Speaker, with your permission, I want to draw a parallel with the Amax project. What we have—

Madam Speaker: Order, please. The hon. member is still discussing the substance. The parallel with Amax will lead him nowhere with regard to a question of privilege. Perhaps it would be useful in a debate, but we are not debating just now.

Mr. Siddon: Madam Speaker, I am very disappointed that the House and the Chair will not hear me out. The matter which I raise could have permanent implications for the people of my riding and the people of British Columbia. We are going to be faced with a decision that we will regret at some point in the future because ministers have contravened their responsibilities. In the case of the Minister of Fisheries and Oceans (Mr. LeBlanc) it is covered under Sections 31 and 33 of the Fisheries Act. In the case of the Minister of the Environment (Mr. Roberts), he has not complied with his own environmental assessment and review procedures which are clearly set out in his mandate and responsibilities.

Madam Speaker: Order, please. The hon. member says that I did not hear him out, but he started to speak at 8.35 p.m., and that is a little over 20 minutes ago. I have heard him out.

Mr. Nielsen: It is 11 minutes ago.

Madam Speaker: I am afraid I cannot hear him out. It is quite obvious that he does not have a question of privilege. He is debating a question. He probably has a grievance.

Mr. Siddon: It is much more serious than that.

Madam Speaker: The hon. member is disappointed that a certain number of things are being done in his own constituency which have some implications here. The hon. member knows that this is not the time to raise these kinds of grievances or concerns. There are other occasions in the course of the proceedings of the House when he can do that totally within the rules of the House. But just now I refer him to the intervention, which I might have made myself, by the hon. member for Burnaby who was simply quoting Beauchesne that a question of privilege has to be brought at the earliest possible time. This project is not absolutely new. The hon. member probably had an opportunity to bring that matter to the attention of the House before. The hon. member is discussing substance, and I cannot accept that as a question of privilege.

Mr. Siddon: Madam Speaker, I rise on a point of order. You have not allowed me to address the question of time limits. Every time I have stood up you have intervened before I had finished. Where is the freedom of speech in this country?

Some hon. Members: Order.

Madam Speaker: Order, please. I have allowed the hon. member to speak. I have tried to assist the hon. member in coming to the right type of argument to use in order to prove to me that he had a question of privilege. I have done all that I could and I ask the hon. member to be mindful of the kinds of arguments he has to entertain. I can only conclude that the hon. member had no other arguments to bring forward.

On the basis of what I heard and on the basis of the written notice, I have to tell the hon. member that he does not have a question of privilege.

MR. KILGOUR—ALLEGED CONFLICT OF INTEREST IN GOVERNMENT HIRING OF DEFEATED LIBERAL CANDIDATE

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I have two questions of privilege. I assume that I may deal

with one, which is a matter not so dissimilar from matters raised by the hon. member for Broadview-Greenwood (Mr. Rae) and the hon. member for the Yukon (Mr. Nielsen). It is a different application of the same principle.

• (2050)

You used the expression "question of an obstacle to a member in the performance of his duties" in response to the hon. member for Yukon the other day. I hope to be able to convince you of an obstacle posed to me and I believe to other Members of Parliament from northern Alberta, an indirect obstacle. I think a discussion of the facts will make it clear why this indirect obstacle was placed in the way of all members from northern Alberta carrying out the duties with which they have been charged.

The facts are important and, with your permission, I will deal with the facts first and then discuss some of the principles I believe are involved. Let me first indicate that only on Friday when I initially provided you with notice did I learn about these facts. I brought them to your attention in a notice which I think you felt was not sufficiently detailed, so you discarded it. That is why I have provided you with another notice today.

The facts which I want to put on the record as I believe them to be were obtained form Mr. Herschel Ezrin who is the acting executive director of the Canadian Unity Information Office. He informed me on Friday that he has hired on a contract basis one Pat O'Hallorhan, whose duties are to include "monitoring media reaction to Canadian government programs" in the Edmonton area. Office space will be found shortly for this young woman by the Department of Public Works. I am not sure whether that space will be in a government building or in the building where I have my constituency office, or somewhere else. I do not know that that point is particularly important.

Let me outline the basis of my privilege. The fact is that if this woman's name were Pat Smith or Pat Leblanc, it would make no difference, but the background particulars in respect of this person are that she is a past president of the federal Liberal party in Alberta and a past president of the Wetaskiwin Liberal Association. I would point out to hon. members that there is such a thing as a federal Liberal party in Alberta.

An hon. Member: All three of them.

Mr. Kilgour: She is a twice defeated Liberal candidate in Wetaskiwin. I think she got her deposits back, but the hon. member for Wetaskiwin (Mr. Schellenberger) can enlighten you in that regard. She certainly will not get it back the next time. I am informed and believe that until she was appointed to this government position on taxpayers' money she was a full-time employee on the payroll of the federal Liberal party of Alberta. The point is that her very quick move from one position to the other without the two-year delay, which applies to the CBC, represents a violation of the conflict of interest rules. She moved from the position of a full-time worker for one of the federal political parties to the position of a contract employee of the federal government, which in my opinion constitutes an indirect obstacle to those of us who have been elected in the province of Alberta.

This is somewhat like the twinning concept. I would argue that the twinning concept was adopted in order that the people of Alberta think they would be better off to go to the Liberal twin with their problems. I believe I have been twinned with the hon. member for Trinity (Miss Nicholson). This concept was adopted to create the impression in the minds of the people of Alberta that they would get better results if they went to see the local MP's twin, in my case the hon. member for Trinity, or to the hon. member for Red Deer (Mr. Towers), the hon. member for Calgary West (Mr. Hawkes) or the hon. member for Edmonton-Strathcona. The same principle—

Madam Speaker: Order, please. I think the hon. member is now departing from—Would the hon. member resume his seat. I am sorry but I have to insist on that. If I do not insist on decorum, there will not be any. I want to tell the hon. member I feel he is departing from the kind of argument that might be useful. What I would like to know is how the appointment of this individual has indirectly impeded the hon. member. I must warn the hon. member that there has to be a direct impediment in order for his question of privilege to qualify as a prima facie question of privilege.

Mr. Kilgour: Madam Speaker, I appreciate that you have not had to go through the ordeal of attending law school, but there is an important principle in respect of the interpretation of rules. I would respectfully point out that John Willis, who has been a professor to many of us, pointed out that one should take a wide and liberal interpretation when interpreting statutes. I would invite you to take a wide and liberal approach in interpreting the rule in relation to "an indirect obstacle". Let me refer you to Erskine May at page 151, and I quote:

> Conduct not amounting to a direct attempt to influence a member in the discharge of his duties, but having a tendency to impair his independence in the future performance of his duty, will also be treated as a breach of privilege.

Obviously this woman is not creating a fence around Members of Parliament from Alberta, but the perception is being created that people are better off to go to Miss O'Hallorhan with their problems than they are to go to the democratically elected Members of Parliament from Alberta. In my respectful submission that is an indirect obstacle placed in the way of Members of Parliament from Alberta in the performance of their functions.

I listened carefully when you used the word "obstacle" in response to the hon. member for Yukon, and it seemed to me, with respect, that you were calling for a very narrow interpretation of the word "obstacle". I would invite the Chair to adopt a wider view of the word "obstacle", perhaps one more in line with this ruling referred to at page 151 of the nineteenth edition of Erskine May.

You may suggest that no letter has been sent as referred to in the ruling which I believe you have before you. Are we to draw narrow limits around the word "obstacle"? Why in the 1980s can we not take a broader view of that word? Why can we not say there is an obstacle created for the hon. member for

Yukon by the minister establishing an office in his riding, or that members from Edmonton face an indirect obstacle as a result of a publicly financed defeated Liberal candidate being installed in office space in northern Alberta, presumably to get between members and their constituents? Why do we have to take this narrow, unimaginative, wooden, you might say small "c" conservative approach to the word "obstacle"? Why can we not take a wider view, a more open view, something more in keeping with the rules of the House than has been the case to date?

Can those people across the floor appoint every one of their defeated candidates to public office? They have appointed most or many of them already to judicial positions and the like. Can they appoint every defeated candidate in every election in order to fill the office space in the buildings where MPs in Alberta have their constituency offices? As it happens there are about ten vacant offices in the building where my office is located. Can those members opposite appoint one defeated Liberal candidate under some phony title, supposedly in the public service, to fill each of those vacant offices in my building and in every building where other elected Alberta members have their offices? You might suggest that is *reductio ad absurdum*, but where are we to draw the line in respect of this sort of thing? I submit in this case, as in the case of the hon. member for Yukon and the case of the hon. member for Broadview-Greenwood, the Speaker has to say "enough is enough".

• (2100)

Spending power can be abused to the point where members of Parliament might as well not even bother to get elected because the power of the purse could choose people for every empty office in their ridings.

I do not think I can usefully say very much more on this subject. I respectfully submit that a prima facie case of privilege has been shown. Perhaps Your Honour might wish to reserve on this question because, I submit, it is reasonably close to the question of privilege raised by the hon. member for Yukon on which Your Honour reserved about a week ago.

In due course I would ask leave to refer this matter to the Standing Committee on Privileges and Elections.

Madam Speaker: The hon. member has certainly exposed certain facts which might have been useful in a debate on a question related to the matter he has discussed in his question of privilege. He has asked the Chair to take a broader view of the question of privilege and, despite the fact I have not studied law, he invited me to broaden my interpretation of the rules. He asks why one has to take such a narrow view of what constitutes a question of privilege. I tell him that the reason is that the Standing Orders distinguish between a question of privilege and a point of debate, and that is why the interpretation of a question of privilege has to be narrowed down in order not to include what is normally considered to be debate.

The Standing Orders and the commentaries on the Standing Orders have defined the question of privilege for what it is, privilege, and it is quite clear that only if a member has been gravely impeded in the discharge of his duties in the House can the Chair rule there is a prima facie case of privilege.

The hon. member invites me to draw the line far beyond where it has been drawn up until now, and he quotes Erskine May at page 151 that the House will treat as breaches of privilege not only acts directly tending to obstruct officers of the House but also any conduct which may tend to deter them. Erskine May gives examples of what he considers indirect breaches such as abusing a committee clerk on account of acts done by him as clerk of a committee. That is indirect obstruction which would constitute a question of privilege. Otherwise, it is defined: molestation, assaulting, insulting, abusing, striking, kicking; in other words, doing something extraordinary to prevent a member from coming into this House physically to discharge his duty as a Member of Parliament.

That is the interpretation which, according to all authors, binds me. The hon. member must know what jurisprudence is, and the task of a Speaker is mostly jurisprudence because one question of privilege does not resemble the other and one point of order does not resemble the other. The rules are more or less a framework. Some are precise, and some are more general. The hon. member is right. Most of what the Speaker does in the House is very much closer to jurisprudence than to anything else. On that basis and with those reminders of what a question of privilege is, I have to tell the hon. member that I will not reserve my judgment. I can say right here and now that he does not have a question of privilege.

The hon. member for Edmonton-Strathcona has a second question of privilege he wants to discuss.

MR. KILGOUR—ALLEGED ILLEGALITIES IN FEDERAL LIBERAL PARTY FUND RAISING

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, this is a far more serious matter, as I think my letter to you has indicated. Perhaps I should read the letter to put it on the record. It is short. It is dated today.

Dear Madam Speaker:

I wish to give notice that I will rise today on a matter of privilege, on the basis that certain fund-raising practices of the federal Liberal party are bringing this House of Commons into disrepute, thus impeding the ability of members of Parliament to carry out their functions, and possibly in violation of the provision of the Criminal Code having to do with secret commissions.

I intend to refer to some recent correspondence with Senator Hastings on the subject.

On March 12 I wrote to the Senator as follows:

It has been suggested that shortly after any contract for federal government work is awarded within our province you call the successful party and ask for a donation to the federal Liberal party.

Would you be prepared to reply to this allegation in order that I can perhaps correct the person who informed me of the matter?

I received a letter from the Senator on March 17 which reads as follows:

Dear Mr. Kilgour:

Thank you for your letter of March 12, 1981.

If you will let me have the name and address of the person making the allegation, I will be more than happy to respond. You will appreciate that one should not be obliged to answer vague charges made by a person or persons unknown.

Kindest regards.

Yours very sincerely,

I wrote him back on March 26 as follows:

Dear Senator Hastings:

In reply to yours of March 12, you doubtless know that my informant is one of those unhappy souls who, while thoroughly disgusted by your party's conduct in dealing with the public trust you daily abuse, is not prepared for now to jeopardize his prospects for future federal government work.

Knowing that Mr. Trudeau appears to use the Criminal Code as his only guide in matters ethical, permit me to suggest that you look at the sections in it dealing with secret commissions and the like.

Yours truly,

I have personally been informed by members of the legal profession in Alberta that when a CMHC mortgage is issued to a person, within weeks or months that person receives a call from a particular friend of the party asking for a donation based on the amount of the CMHC mortgage received.

In this case I was personally informed by an Edmontonian that he had received a contract to do some federal government work and, as I mentioned before, within 24 hours of the contract being awarded, he received a telephone call from Senator Hastings asking for a donation. Incidentally, the donation requested was 10 per cent of the value of the contract.

I refer Your Honour to Martin's annual Criminal Code section 383 which deals with secret commissions and reads as follows:

Every one commits an offence who

(a) corruptly

(i) gives, offers or agrees to give or offer to an agent—

The next subsection is not relevant.

a reward, advantage or benefit of any kind as consideration for doing or forbearing to do, or for having done or forborne to do, any act—

And so forth.

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I rise on a point of order arising from the remarks being made by the hon. member for Edmonton-Strathcona (Mr. Kilgour) for two reasons. First, he has made reference to certain correspondence which originated March 12, I believe, as a result of certain accusations which apparently were made. Those accusations were certainly not confirmed in the reply of March 17. The hon. member has had from March 17 to the present time to raise this question of privilege in the House. Under Beauchesne's Citation 82, a question of privilege must be brought to the attention of the House at the first possible opportunity. There has been absolutely nothing since March 17 last which has prevented this hon. member from bringing these very serious charges before this House. Furthermore, I would suggest to you that the hon. member in at least imputing criminal conduct to a member of the other place, or perhaps indirectly the Prime Minister (Mr. Trudeau), and I do not know whether there has been any suggestion this is the case but the hon. member refers to the Criminal Code, I would point out Beauchesne's Citation 319, the well-known practice of this House that it is completely unparliamentary for a member to impute criminal activity on the part of a member of either House.

● (2110)

On the grounds, Madam Speaker, that this is a matter which could have been but was not raised at the earliest possible opportunity as required under Citations 82 and 84, and because of the unparliamentary suggestion of criminal conduct, that this particular speaker should be cut off and we should get on to the orders of the day.

Hon. Erik Nielsen (Yukon): The hon. member who has just spoken is, as usual, wrong again.

An hon. Member: In your opinion.

Mr. Nielsen: Well, the member from Toronto—

Mr. Stollery: Spadina, but I did not say anything, although the fact you would be wrong does not surprise me.

Mr. Nielsen: I would draw your attention, and the hon. young fellow's attention over there, to the time in 1963 when criminal motives were imputed to members of this House which had very dire consequences for the government of the day. And there is nothing out of order in that if the hon. member who imputes motives or makes charges is prepared to stand by them and take the consequences.

An hon. Member: Then go outside the House and say it.

Hon. Bryce Mackasey (Lincoln): Madam Speaker, I rise on the same point of order as raised earlier by the member of the New Democratic Party. It was my intention to wait until the hon. gentleman had completed his remarks to draw to his attention the seriousness of what he has read into the record. This is an extremely serious accusation, and, as the hon. member for Yukon (Mr. Nielsen) has pointed out, if there is any substance to this charge or allegation, then Senator Hastings must be prepared to accept the consequences. By the same token, the hon. gentleman who has made the allegation, despite the senator's request for specific information, has taken advantage of his parliamentary immunity to read into the record an extremely serious charge, and I challenge him to have the courage of his convictions and to refer his charge or allegation or accusation to the appropriate committee of the House and be prepared to accept the consequences. If he is not prepared to do so, then I think at the very least he owes the senator an apology, and I fully intend to pursue the matter.

I am rather appalled that he has taken full advantage of his parliamentary immunity to slander and cast aspersions on the reputation of a member of the other place, who, in response to a request in the letter, wrote back and asked for nothing more than specific information.

As I recall the correspondence read into the record, the so-called aggrieved individual did not have the courage to put his reputation on the line and reveal his name. To say, simply and pathetically: I do not want to reveal the bribery charge in case I lose further orders; that makes me wonder who would be the bigger crook if indeed such bribery took place.

Now, I would suggest in conclusion that the hon. gentleman had better, in the next 48 hours, be prepared to withdraw his allegation or do the honourable thing and refer it to the appropriate committee of the House.

Some hon. Members: Hear, hear!

Madam Speaker: I was just about to move in on the hon. member to warn him that if he is referring to offences under the Criminal Code, he had better very clearly lay the charges and be very careful not to throw around allegations. He has to stand behind any charges he makes in this respect.

Mr. Kilgour: I assure the hon. member for Lincoln (Mr. Mackasey) that there is nothing that disgusts me more than this type of practice and that is one of the reasons why I am not a Liberal. You guys have been living with this kind of thing for too many years.

I would point out again, Madam Speaker, as I read the letter, I did not accuse anybody of committing a crime and I guess I have been a Crown attorney for too many years for the hon. member for Lincoln. I simply referred him to the provisions of the Criminal Code and invited him to read them because I suspect that he, like many people, was not aware of that section and I am certain the hon. member for Lincoln is not aware of the section.

Mr. Mackasey: The hon. members opposite may think it is funny but I do not. My point of order is an important one. There are certain customs, traditions and privileges which we are talking about that we want preserved in this House and that is why you rise on a question of privilege. That is why I am not overly concerned about the number of questions of privilege if indeed we want to retain the privileges we are entitled to. One of the privileges we have as members is immunity from lawsuits, and I am not a lawyer but I know that this is an extraordinary immunity that makes it possible for us to speak to the fullest extent in order to make our point. I am not talking about criminal charges, I am saying that in order to preserve that freedom, that privilege, it is incumbent upon us not to abuse it, because if we do, we are going to see it removed.

In the 1960s, Madam Speaker, and I do not want to go into history, but I can remember a young member named Lord, a young lawyer attached to Mr. Favreau's office who, despite later exoneration by the appropriate court, had his career ruined by innuendo in this House by members who were just within the legal—

Madam Speaker: Order, please. I would not like to discuss this point further; it was well made by some hon. members. I again remind the hon. member for Edmonton-Strathcona that he must be careful not to make these accusations without being prepared to folow them up with the proper charges. If he is referring to dispositions of the Criminal Code, he might be able to do that, but he would have to be very careful not to accuse anyone of anything he is unable to stand behind. If the hon. member will try to summarize or resume his question of privilege—

Mr. Kilgour: I am finished, Madam Speaker.

Madam Speaker: Well, it seems to me that this whole matter of donations to political parties, no matter how they were solicited, is not a question covered by the Standing Orders of this House. It might be improper, it might be all sorts of things that the hon. member might want to expose, but it certainly does not fall under the purview of the question of privilege nor does it relate precisely to the proceedings of this House. There was some delay which I have to take into account as well, but the matter itself does not come under the purview of a question of privilege.

Presenting reports from standing and special committees.

Mr. Andre: Point of order, Madam Speaker.

Madam Speaker: The hon. member for Calgary Centre (Mr. Andre).

* * *

• (2120)

POINT OF ORDER

MR. ANDRE—ITEMS UNDER SUPPLEMENTARY ESTIMATES—RAISING OF OBJECTIONS OUT OF ORDER

Mr. Harvie Andre (Calgary Centre): Madam Speaker, I rise on a point of order which is very similar to the one I raised on March 24. At that time I was dealing with the supplementary estimates and items contained therein which, in my view, were out of order—

Mr. Collenette: Madam Speaker, I rise on a question of privilege.

Madam Speaker: I am awfully sorry, but the estimates are not before us. That point of order should have been raised at the time—

Mr. Nielsen: Yes, they are.

Madam Speaker: What is the point of order? It must be related to the proceedings of the House.

Mr. Chrétien: Call orders of the day.

Mr. Andre: Madam Speaker, my point of order—

Mr. Collenette: Madam Speaker, my privileges are in question, as I am sure are the privileges of all members of the House. In view of the fact that Your Honour called "Presenting reports from standing or special committees"—

Some hon. Members: No, she has not.

Mr. Collenette: As a result, it is incumbent upon Your Honour to recognize any point of order or question of privilege relating to that aspect of routine proceedings alone. Since Your Honour has decided, in your wisdom, to move to that part of our proceedings, I would submit that the present point of order is completely out of order. My privileges and the privileges of every member in the House are being abrogated, unless we continue with points of order, questions of privilege or some proceeding relating to the presentation of reports from standing or special committees.

Madam Speaker: Well, I cannot recognize a point of order if it is not related to the proceedings of the day.

Mr. Andre: Then, I rise on another point of order.

Mr. Chrétien: Order!

Mr. Andre: Madam Speaker, the subject matter to which I referred has been raised in the House on many, many occasions going back to 1971. It has been raised and adjudicated upon by Speakers from March 10, 1971, to most recently.

Mr. Smith: Raise it at the appropriate time, which is not now.

Mr. Andre: The most recent occasion was last week. I did not go through the whole list of previous rulings, but I mentioned from 1971 to 1981, or the last ten years. On some of those occasions, especially in the early period, members rose when the appropriation bill, to which objection was being raised, was before the House. On those occasions, Mr. Speaker Lamoureux and Mr. Speaker Jerome said that it was too late. They said, "Your point is in order. The items are out of order, but it is too late. Therefore, I have no choice but to leave these out of order items in the appropriation bill because members did not raise their objections at the appropriate time".

Mr. Speaker Jerome appealed to members of the House, when I was a member, to raise such points of order well enough in advance so that the Chair could rule and argument could be heard.

Some hon. Members: Order, order!

Madam Speaker: It is true that point of order was raised, but the hon. member had given notice of the point of order. That is the procedure which has been followed by previous Speakers.

Mr. Nielsen: Madam Speaker, I rise on a point of order. I respectfully submit that there is no Standing Order which requires any member to give the Chair notice of a point of order. My understanding is that the hon. member for Calgary Centre (Mr. Andre) is on a point of order. No notice is required, even though the hon. member for Winnipeg North Centre (Mr. Knowles), who purports to know so much about the rules, broke those rules or practices when he smuggled in his notice yesterday, I think it was. There is no requirement for that practice, and it should not be allowed to grow.

Madam Speaker: It is true that there is no Standing Order to that effect, but there is also no reason why I should hear a point of order which is not related to the business of the House.

Mr. Stevens: It is.

Mr. Andre: May I explain how it is related?

Madam Speaker: I did not give the hon. member the floor yet. The hon. member has explained his position, and I told him that I could not entertain that point of order at this time. If it were related to the proceedings of the House, I could entertain it.

Also I answered the hon. member for Yukon (Mr. Nielsen). It is true that the Standing Orders do not indicate anything to that effect, but there is no reason why I should hear a point of order which is not related to the proceedings of the day; I think that is fair.

Mr. Andre: On a question of privilege, Madam Speaker—

Mr. Baker (Nepean-Carleton): Madam Speaker, with respect to whether the matter is before the House, the estimates to which the hon. member for Calgary Centre (Mr. Andre) referred have been tabled in the House of Commons and are now before the House in committee. This is what the hon. member meant when he stated that these matters are now before the House. This is why I respectfully submit that it would be an appropriate time for the hon. member to be heard. He could have been heard yesterday; he might be heard tomorrow. But it is appropriate that he be heard now.

Mr. Andre: The President of the Treasury Board (Mr. Johnston) is here tonight.

Mr. Baker (Nepean-Carleton): In addition, the President of the Treasury Board (Mr. Johnston) is here tonight.

Mr. Collenette: Madam Speaker, I am surprised the hon. member for Nepean-Carleton (Mr. Baker) used this argument because, quite clearly, the estimates are now before committee.

Mr. Nielsen: That is the House; it is an extension of the House.

Mr. Collenette: A point of order would only be relevant at this particular stage in the proceedings if those estimates or any item had been reported before the House. At the moment we are on the item under routine proceedings which is the presentation of reports from standing or special committees.

Mr. Nielsen: No, we are not.

Mr. Collenette: I submit that no point of order or question of privilege is in order at this particular point in time, unless it is related to that particular aspect of routine proceedings.

Mr. Andre: A question of privilege, Madam Speaker—

Some hon. Members: Oh, oh!

Madam Speaker: I am afraid I still must refuse to hear the hon. member on this particular point of order, because the bills to which he referred have left the House, gone to the Senate and have been passed, and they will be up for royal assent tonight—

Mr. Stevens: No, they will not.

Some hon. Members: No, no!

Madam Speaker: —and the main estimates are in the committee. Therefore, if a matter is in committee, it cannot be the subject of a point of order in the House.

Mr. Andre: Madam Speaker, my privileges as a member of Parliament are affected in this way—

Mr. Chrétien: What about ours?

Mr. Stevens: Go back to England; they like you in England.

Mr. Andre: Madam Speaker, previous Speakers have said repeatedly, to me among others, that it is too late to raise a point of order in respect of the estimates when the appropriation bill is before the House. Now you add to that the absurd contention that a point of order cannot be raised—

Some hon. Members: Oh, oh!

Mr. Smith: Apologize!

Mr. Baker (Nepean-Carleton): Collenette said that.

Mr. Andre: —when the estimates are before committee.

Madam Speaker: Order, please. I have a point of order from the hon. member for Burnaby (Mr. Robinson). Since we are on a question of privilege, I suppose I can entertain it.

Mr. Robinson (Burnaby): Madam Speaker, on a point of order, surely it is out of order for an hon. member, under the guise of a question of privilege, to question the ruling of the Speaker.

Some hon. Members: Right on.

Mr. Robinson (Burnaby): That is precisely what is being done here. Madam Speaker has made a ruling; orders of the day have been called. Under Beauchesne's—

Some hon. Members: No, they have not.

Mr. Robinson (Burnaby): Citation 275 of Beauchesne's fifth edition reads in part as follows:

When an order of the day has been read, it must thereupon be proceeded with, appointed for a future day or discharged.

Madam Speaker's ruling has been made. It is unparliamentary to challenge that ruling under the guise of a question of privilege. I suggest we move on to orders of the day as required by Beauchesne's Citation 275.

Mr. Stevens: Privilege, Madam Speaker.

Mr. Cossitt: A point of order, Madam Speaker.

Madam Speaker: The main estimates will be deemed to come back to the House on May 31, and the hon. member will have all the time in the world to raise a point of order on this particular subject. Therefore, I will not hear his point of order at this point.

Mr. Andre: Privilege, Madam Speaker.

Mr. Stevens: A question of privilege.

Mr. Cossitt: A point of order.

Madam Speaker: Presenting reports from standing or special committees.

• (2130)

Mr. Andre: Madam Speaker, I can understand that it has been a long day.

Some hon. Members: Oh!

Mr. Andre: I can understand the frustration of the troops opposite.

Some hon. Members: Oh!

Madam Speaker: Order, please. In the name of decorum and in the spirit of co-operation with the Chair, I would appreciate that hon. members make no reference to the fact that my day has been long.

Some hon. Members: Hear, hear!

Madam Speaker: I am working quite well, despite the fact that the day has been long.

Mr. Andre: Madam Speaker, I was not referring to Your Honour in my remarks, I was referring to members opposite.

I have been sitting in my place all day long annotating the book. As Madam Speaker has indicated, the votes contained herein are presently before—

Some hon. Members: Order!

Mr. Andre: —a committee. The items contained herein—

Some hon. Members: Order!

Mr. Andre: I am prepared and confident that I can show—

Some hon. Members: Order!

Mr. Andre: Madam Speaker, if I do not have the opportunity to explain, then how can I ever get to my point?

Some hon. Members: Order!

Madam Speaker: Order, please. I have ruled that the hon. member could raise his point of order up until May 31, when these questions will be back before the House. He is still

referring to them in his question of privilege and, in a sense, commenting on my ruling. Therefore, I cannot allow that.

Presenting reports.

Mr. Cossitt: On a point of order, Madam Speaker.

Madam Speaker: The hon. member for Leeds-Grenville on a point of order.

Mr. Cossitt: Madam Speaker, a few moments ago the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) said that we could not proceed further with respect to points of order or questions of privilege. I believe he put it something like that. He alleged that you had called something further on the agenda. I would point out that at that particular stage there were three members on this side of the House—

Some hon. Members: Not true!

Mr. Cossitt: —on their feet calling "Point of order".

Some hon. Members: Not true!

Mr. Cossitt: I am being called a liar, Madam Speaker. I demand that the hon. member retract his remarks.

There were three members on their feet—

An hon. Member: Not so.

Mr. Cossitt: —one was the member for Calgary Centre (Mr. Andre), the other was myself, and the third is a member opposite who is sitting next to the hon. member for Algoma (Mr. Foster). I forget his riding. We were all on our feet asking to be recognized on a point of order. Therefore, Madam Speaker, I refuse to yield the floor if I am not permitted to raise my three very important points of order. I have the right to raise them.

Madam Speaker: There were not three members on their feet when I said "Presenting reports".

Mr. Cossitt: Yes, there were. I was on my feet, Madam Speaker.

Madam Speaker: No. There were not three members on their feet.

Mr. Cossitt: So was the hon. member for Calgary Centre, as was the hon. gentleman opposite.

Madam Speaker: I said "Presenting reports from standing and special committees" and then some members got to their feet.

Mr. Cossitt: I got up before that.

Madam Speaker: Presenting reports from standing and special committees.

The hon. member for Pontiac.

Committee Report

ROUTINE PROCEEDINGS

[*English*]

SPECIAL COMMITTEE ON ALTERNATIVE ENERGY AND OIL SUBSTITUTION

PRESENTATION OF SECOND REPORT OF SPECIAL COMMITTEE

Mr. Thomas H. Lefebvre (Pontiac-Gatineau-Labelle): Madam Speaker, I have the honour to present the second report of the Special Committee on Alternative Energy and Oil Substitution. If the House gives its consent, I intend to move concurrence in this report.

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

CONCURRENCE IN SECOND REPORT OF SPECIAL COMMITTEE

Mr. Thomas H. Lefebvre (Pontiac-Gatineau-Labelle): Madam Speaker, there have been discussions among the three parties of this House, including the official opposition, the New Democratic Party and this party, and there is agreement that this report be concurred in without debate. If that is correct, Madam Speaker, I would so move, seconded by the hon. member for Bruce-Grey (Mr. Gurbin).

Mr. Cossitt: On a question of privilege, Madam Speaker.

Madam Speaker: The hon. member for Leeds-Grenville on a question of privilege. I must warn the hon. member that his question of privilege must be related to Presenting Reports from Standing and Special Committees.

Mr. Cossitt: Madam Speaker, you place me in a very difficult position—

Some hon. Members: Oh, oh!

Mr. Cossitt: —which I am sure members opposite enjoy.

I cannot go against what I have seen in this House and what other members have seen. Surely the hon. member opposite—I cannot remember his riding, but he is sitting next to the hon. member for Algoma—and two others were on our feet. We were ignored by the Chair—

Some hon. Members: Order!

Madam Speaker: Order, please.

Mr. Cossitt: Madam Speaker, I have a question of privilege. My privileges are being breached by not being recognized—

Madam Speaker: Order, please. I will not allow the hon. member to repeat that three members were on their feet before I started presenting reports from standing and special committees. Members rose once I had said those words.

Mr. Cossitt: Might I raise another point of order, Madam Speaker?

Committee Report

Madam Speaker: The hon. member for Leeds-Grenville on a point of order.

Mr. Cossitt: I would like to refer to page 8774 of *Hansard* for yesterday where a serious error occurs. I realize that it was yourself, Madam Speaker, who circulated to all Members of Parliament a document suggesting that where a serious error occurs in *Hansard* there are various ways of correcting it. I agree with this and I do not for a moment question the Chair—

An hon. Member: Not much!

Mr. Cossitt: But at the same time I would like to draw attention to the fact that if an error occurs in *Hansard* and we simply do not raise it in this House—

Some hon. Members: Order!

Madam Speaker: Order, please. At this point I can only entertain a point of order relating to presenting reports from standing and special committees. If the hon. member wants to correct *Hansard* he can do so later on in the course of the proceedings.

Mr. Stevens: On a point of order, Madam Speaker.

Madam Speaker: The hon. member for York-Peel on a point of order.

Mr. Stevens: Madam Speaker, my point of order will be very brief. I was wondering if the hon. member for Pontiac-Gatineau-Labelle (Mr. Lefebvre), the chairman of the Special Committee on Alternate Energy, could be given an opportunity to explain what we are being asked to concur in?

Mr. Collenette: On the same point of order, Madam Speaker.

Madam Speaker: The report has been read and it is too late for that.

Tabling of documents, statements by ministers, tabling of bills. The hon. member for Hamilton-Wentworth, (Mr. Scott) stand. The hon. member for Athabasca (Mr. Shields), stand. First reading of Senate public bills. Government notices of motions.

Mr. Collenette: Madam Speaker, do I take it you have just passed tabling of documents?

Madam Speaker: Yes, we have passed the tabling of documents.

Mr. Kempling: You blew it!

Some hon. Members: Oh, oh!

* * *

● (2140)

[*Translation*]

BUSINESS OF THE HOUSE

MOTION TO LIMIT REPORT STAGE AND THIRD READING DEBATE ON BORROWING AUTHORITY BILL

Mr. Bussières moved:

That, in relation to Bill C-59, an Act to provide supplementary borrowing authority, one sitting day shall be allotted to the consideration of each of the report stage and the third reading stage of the bill; and that at 15 minutes before the expiry of the time provided for government business on those days, any proceedings before the House shall be interrupted, if required, for the purpose of this order and, in turn, every question then necessary in order to dispose of the stage of the bill then under consideration shall be put forthwith and successively, without further debate or amendment.

He said: Madam Speaker, all hon. members are fully cognizant of our Standing Orders and even if at times we do forget the exact wording, we know that when we study certain bills we can proceed with dispatch under the provisions of Standing Order 75. For instance, it is possible for the leaders of the various parties in the House to reach agreement and allocate a given period of time to complete the study of a bill. When the parliamentary leaders are unanimous, they so advise the House and we agree on the way to end the debate. We do have another procedure when there can be no agreement on the amount of time to be devoted to debating a bill. When we cannot agree a notice must be given to hon. members in which the government states its intention of setting a time limit to study a bill. That notice was tabled last week and this evening I am indeed proposing that one additional day be devoted to the report stage of the bill to provide supplementary borrowing authority, and one additional day as well for third reading of the same bill.

Madam Speaker, many reasons may be invoked to resort to time allocation or set a limit on the debate on this borrowing authority bill. First of all, Madam Speaker, we all know that the government's borrowing authority will expire at midnight this day, March 31, because the borrowing authority already passed by Parliament has a provision under which any remaining borrowing authority of the government would lapse automatically at the end of the financial year, that is, on March 31.

In other words, as of midnight tonight the government no longer has any borrowing authority.

Second, the House has had the opportunity to debate numerous topics and, particularly in recent days, the business of the House has been, to put it mildly, delayed by hon. members who had questions of privilege and points of order to raise and on which the Chair, not I, had to rule.

Madam Speaker, during second reading and in committee we had lots of time to debate the borrowing authority. I would simply like to remind the House that the amounts of money and the provisions in the borrowing authority measure stem directly from the budget proposed to the House by the Minister of Finance (Mr. MacEachen) and that they indicate the financial requirements of the government.

I rest assured, Madam Speaker, that hon. members will appreciate the urgency of adopting the bill providing borrowing authority and that all members will co-operate so as to make the best use of the days of debate we will have at the report stage and on third reading. Hon. members will thus have an opportunity to express their views on the borrowing authority which the government is now seeking.

[*English*]

Mr. Blenkarn: Madam Speaker, this House is being presented with a disgraceful motion. This bill has been before this House on report stage one afternoon only, a Friday afternoon, on March 20. It is disgraceful that the government should bring this motion tonight to terminate this debate on the motion in two hours, and to terminate debate on the bill in two days.

An hon. Member: You make me cry!

Mr. Blenkarn: This is an unrealistic use of Rule 75C, and the government must be condemned for its use.

Some hon. Members: Hear, hear!

Mr. Blenkarn: Not only that, but the government is in no financial need, and the government need not press this matter forward today.

Some hon. Members: Hear, hear!

Mr. Blenkarn: When this government took office immediately after February 18—indeed, on February 20—the amount in the government's accounts was $2.594 billion.

Last week, on March 25, 1981, this government had more money on deposit than it has had in government accounts for so many years that it is hard to remember. Indeed, the government has $6.4 billion in its accounts. It does not need to closure this bill. It has enough money to operate this month, next month and the month after in accordance with its own budget. It does not need to closure this bill. It does not need to come before this House and say that this is a matter of urgency, that the government will be broke, that it cannot pay its bills, or something of that nature. There is absolutely no reason for this unrealistic use of time allocation on this particular bill. This government must be condemned.

There is no question as to why the government comes before us. It is ashamed of its most inept, incompetent financial policies and financial administration of this country. It is no wonder that it wants to terminate debate, because it does not want us to point out its incompetence. The government wants to limit the incompetence.

Mr. Epp: It would take forever to show it all.

Mr. Blenkarn: If the government would look at the amendment on report stage, it would note that we have asked to reduce the borrowing to $8 billion. That is all it needs. It has $6.4 billion in the till. If it borrows another $8 billion, it would have $14 billion. The government does not need any more than the amendment calls for.

So, why must we have closure? It is because the government wants a blank cheque. We have a blank cheque government with a blank mind.

This is a disgraceful motion. The Minister of State for Finance (Mr. Bussières) ought to be embarrassed that he has brought it forward tonight. How can he possibly come to this House and say, "We are in desperate shape; our borrowing authority expires on the thirty-first, tonight at midnight, and we cannot borrow any money"? The government has $6.4 billion in the till. Why does it need to borrow money? It has no requirement for money.

• (2150)

You have no requirement for money; you won't have it this month, next month or the month after. So there is no need whatsoever for closure. There is no need for this unrealistic time allocation on this most important economic bill—indeed, the most important economic bill to come before this House so far this year.

It is clear that the government does not want to face the questions concerning inflation; it is clear the government does not want to face the questions of why it has acquired and brought together all of the money there is presently in its account; it is clear that the government wants to cut down the time that members have to talk about the economy of Canada, all this at a time when people are showing what they are

concerned about and what is really bothering them. What has really got them upset is an inflation rate of 12.2 per cent. Their money seems to be disappearing; the purchasing power is no longer there. Yet this government wants to make sure that we on this side are not given an opportunity to voice the opinions of our constituents on what is happening to the value of their money.

When we look around at the real estate market, we see that in the major cities of this country people are bidding up the price of real estate unrealistically. All of that is caused by the kind of monetary policy that has been produced by this government. We are not allowed to bring the concerns of the people before this House of Commons because the government does not want to hear people's opinions about the way they have managed the economy of this country.

This is a disgraceful motion that my friend, the Minister of State for Finance (Mr. Bussières) before us today. It is a disgraceful one. It is a motion Madam Speaker—

Madam Speaker: The hon. member for Nepean-Carleton (Mr. Baker).

* * *

ALTERNATIVE ENERGY AND OIL SUBSTITUTION AND NATIONAL TRADING CORPORATION

CONCURRENCE IN REPORTS OF SPECIAL COMMITTEES

Mr. Baker (Nepean-Carleton): There have been some discussions amongst us with respect to the two reports, the report of the Special Committee on Alternative Energy and Oil Substitution that was tabled by the hon. member for Pontiac-Gatineau-Labelle (Mr. Lefebvre) and also, standing in the name of the hon. member for Parkdale-High Park (Mr. Flis) of the Special Committee on the National Trading Corporation which is now on the Order Paper.

I would hope, Madam Speaker, that when we return from the other place, we could have a few moments to have a motion for concurrence on both those reports, on the understanding that it would be done without debate.

Madam Speaker: Is that agreed?

Mr. Collenette: Madam Speaker, it is the understanding on the government side that these two reports would be concurred in without debate immediately following our return from the Senate.

Mr. Knowles: That is agreed, Madam Speaker.

Mr. Lefebvre: Do it now.

Mr. Baker (Nepean-Carleton): Suggestions have come from some hon. members that we do it now, Madam Speaker, and that we would all be agreeable. It would be a very short proceeding.

Mr. Lefebvre moved that the second report of the Standing Committee on Alternative Energy and Oil Substitution presented earlier this day be concurred in.

Mr. Marcel Roy (for Mr. Flis) moved that the third report of the Special Committee on the National Trading Corporation, presented to the House on Monday, March 23, be concurred in.

Madam Speaker: Is there unanimous consent that the two reports mentioned by the hon. member for Nepean-Carleton (Mr. Baker) be concurred in?

Some hon. Members: Agreed.

Madam Speaker: Agreed and so ordered.

* * *

THE ROYAL ASSENT

Madam Speaker: I have the honour to inform you that a communication has been received, which is as follows:

Ottawa, March 31, 1981

Madam,

I have the honour to inform you that the Honourable Antonio Lamer, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 31st day of March, at 9.45 p.m., for the purpose of giving Royal Assent to certain bills.

I have the honour to be,
Madam,
Your obedient servant,
Edmond Joly de Lotbinière

● (2200)

[*Translation*]

A message was delivered by the Gentleman Usher of the Black Rod, as follows:

Madam Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Madam Speaker with the House went up to the Senate chamber.

• (2205)

[*English*]

And being returned:

Madam Speaker: I have the honour to inform the House that when the House went up to the Senate chamber, the Deputy Governor General had been pleased to give in Her Majesty's name the Royal Assent to the following bills:

Bill S-16, an act respecting the president of the Lethbridge Stake of the Church of Jesus Christ of Latter-Day Saints.

Bill C-62, an act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1981—Chapter No. 51.

Bill C-63, an act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1982—Chapter No. 52.

ROUTINE PROCEEDINGS

[*English*]

Mr. Collenette: I rise on a point of order, Madam Speaker, to beg the indulgence of the House. I have discussed a matter with the hon. member for Nepean-Carleton (Mr. Baker) and the hon. member for Winnipeg North Centre (Mr. Knowles) concerning two reports that should have been tabled earlier. I regret that I did not rise at the appropriate time, but I believe there is agreement in respect of the tabling of these reports at this time.

Mr. Baker (Nepean-Carleton): Yes, Madam Speaker. These are documents which I understand would have been tabled at that stage of the proceedings today. The hon. member has indicated to me what they contain, they are in order and I would be pleased to consent.

Mr. Knowles: Agreed.

Madam Speaker: Does the House agree that we revert to tabling of documents?

Some hon. Members: Agreed.

* * *

TABLING OF REPORTS

MANDATORY SUPERVISION: A DISCUSSION PAPER

Hon. Bob Kaplan (Solicitor General): Madam Speaker, pursuant to Standing Order 41(2) I should like to table in both official languages a report entitled "Mandatory Supervision: A Discussion Paper".

• (2210)

ACCOUNTABLE MANAGEMENT

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, also under the provisions of Standing Order 41(2) I would like to table on behalf of the President of the Treasury Board (Mr. Johnston) a document entitled "Accountable Management".

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

McDONALD ROYAL COMMISSION—INQUIRY RESPECTING OPERATION DIRECTED AT CHINESE EMBASSY IN OTTAWA

Hon. Elmer M. MacKay (Central Nova): Mr. Speaker, I am delighted to see my friend, the Solicitor General (Mr. Kaplan), here in the chamber this evening to deal with this particular matter on the adjournment debate. As the House may recall, this question was asked of the Solicitor General just a few days ago. It was pursuant to a notice I had given him on March 23 that I would ask him a question about a rather interesting operation which was carried out by the security service sometime ago against the People's Republic of China embassy.

The reason I felt after these years that it would be an interesting thing to bring out is that I felt sure the McDonald commission of inquiry and, indeed, the security service itself would probably be interested in seeing what lessons, if any, were learned from this Keystone cops operation, which had as its ultimate absurdity the then secretary of state for external affairs having to call John C. Doyle, who at that time was embroiled in some serious disputes with the Government of Canada, begging him, please, to keep quiet about this particular incident he and his employee discovered.

I am interested to know whether in this particular context the McDonald commission was apprised of this and whether, of course, there were other implications arising from it. Much to my surprise, the Solicitor General indicated that despite my notice, he knew nothing at all about it. I wonder how many files of this particular nature there are.

However, apart from that, I am interested in pursuing another aspect of the hon. minister's answer because in his reply he said to me that it is a matter of public record that the McDonald commission has been given full access to all the records of the security service of the RCMP and the whole of the RCMP.

Your Honour and I both know that there is a big difference between being given access to something and getting the actual

information that may be there which ostensibly we can have by simply having access. That is a dodge, and not a very obvious one, to say the least.

The McDonald commission once again has had to have its mandate extended. It has become an annuity, obviously. I cannot understand why I as a member of Parliament cannot get some information about it on my Order Paper questions, which I intend to raise at another time. However, what bothers me is the feeling I have that the McDonald commission and, indeed, the Solicitor General himself, may not be seeking all of the information to which we will say for the sake of argument they have access.

Recent revelations in the United Kingdom indicate that at least over there they have begun to eradicate to some extent the old-boy network going back to the days of Philby, Blake, Burgess, McLean and May and lately Blunt and now there are questions raised about Sir Roger Hollis which, as I understand it, can neither be proved nor disproved.

What I want to ask the Solicitor General tonight is whether it has occurred to him, with the benefit of hindsight, just as it has occurred to the British security service, that apparently it may not have been the best thing to have sent Sir Roger Hollis over to interview or debrief Igor Gouzenko, perhaps it might not have been very smart for the security service—and, indeed, for the benefit of the United Kingdom and the United States security services—to have had Jim Bennett interview John Watkins, who apparently died of an unfortunate heart attack while this process was going on. As a matter of fact, I will take the opportunity to make this comment. In coming back to the question I asked about the particular operation directed against the People's Republic of China—an entirely proper one under the circumstances, which I do not condemn except for the clumsiness and the absurdity of it—I come back to comment—I suppose today the People's Republic of China is probably not nearly as disturbed about the CIA, which assisted in this operation, getting access to information through the good offices of the security service as they are about our security service having it.

• (2215)

I make the hypothesis, based on what is happening in Britain and based on the obvious fact that we have not even touched our old-boy network, that probably the information the CIA is getting at least is sacrosanct, while the information our security service is getting is going directly to the KGB. We do not know that, but I will bet you that the CIA and the Chinese are having their own thoughts about it right now.

Now, I would hope that the Solicitor General (Mr. Kaplan) would put some information on the record. We have seen our former solicitor general make an effort to get to the bottom of the Taschereau papers. Surely, within the echelons of the security service there are fascimiles or briefing notes on those papers which the Solicitor General, after his time in office, which is considerably longer than his predecessor, still maintains he knows nothing about. It sounds very strange to me, and there are a few things that it is entirely proper to put on the record. In the past I have mentioned, naming names, some of the things about mail opening, the improper use of the RCMP security service having agents in place to get income tax data. It is a well-known fact as well, and I do not know that this has been put on the record, that prominent native people here in Ottawa have for years had their phones monitored as a matter of course. I have not heard this mentioned. Another thing that worries me, speaking about the McDonald commission and its alleged eagerness to get information—and this is something I intend to go into at some length—is that Corporal James Wood—who was one of the key figures in the "Obstacle Course" operation which a former secretary of state for external affairs used with great effect to trumpet the expulsion of 11 Soviet diplomats, and there were two others who were not allowed to come back—has been given one of the most rotten shakes I have ever heard of. He ought to be made Companion of the Order for Canada. Instead of that, practically every promise made to him has been broken. It is basically a tragedy. And here in my hand I have a letter that I have received addressed to him from the McDonald commission in effect telling him that they do not want his information, despite the fact he volunteered to give it, and he could give some very interesting information. The reason he was not allowed to testify, Mr. Speaker, is because he wanted his own lawyer, and when a lawyer was obtained for him, all of a sudden, although he was subpoenaed, his testimony was no longer required. I intend to go into this in some detail later on.

Hon. Bob Kaplan (Solicitor General): Mr. Speaker, I am going to answer some of the matters raised by my hon. friend, the hon. member for Central Nova (Mr. MacKay), and I know before I do that he is going to find the answers unsatisfactory. I regret that, but I think he knows perfectly well the reasons why solicitors general cannot be as forthcoming on the matters he raised as he would like them to be. And, in fact, I will be following a very well established tradition which the government of which he was a part followed.

Now, he indicated that my predecessor, the Conservative solicitor general, was in fact more forthcoming or was about to be. That is a matter of speculation. The fact is that he was not, and the answers that he put on the record are very much the sort of answers that I will give. The other reason that I regret having to give less forthcoming answers is that many of the allegations he made are completely false. I think he may believe them to be true, I am not asserting that he is putting forward things that he knows are not true, but I know they are not and I am not able to comment in particular on which are and which are not because, if I were to follow that practice, the operations of the security service would be disclosed in a way that would make them less effective in protecting the national security of Canada. If I confirm that certain individuals are or are not the subject of surveillance, answers like that, given over a long period of time, could give adverse elements, or those who are interested in undermining the effectiveness of the security service, a guideline into the operations of that service, which I am simply not prepared to give them.

• (2220)

However, I would like to comment at some greater length, in the rest of the time I have available, on the Taschereau papers. The Hon. Leader of the Opposition (Mr. Clark) indicated recently in the House that he was constrained from making the Taschereau papers public because of the convention which existed between an incoming and an outgoing government. I examined the record, and I found that to be quite inconsistent with things he said when he was prime minister.

For example, on December 12, 1979, he said very clearly in the House that he had the authority to make the Taschereau papers public and that he was considering setting up a committee or a review process of some sort which would give him advice about whether he should exercise that authority to make them public. Recently, as Leader of the Opposition, he came up with the excuse that he was constrained from making them public by a convention. He was not constrained, neither are we.

I would assert that this government has the authority to make them public. They are being held in camera, or are not disclosed pursuant to a cabinet directive, which we can change, even though it was a directive of an earlier cabinet. We have asked a retired public servant to examine the Taschereau papers—I have not seen them—and to give advice to the government about what course of action should be taken. When that advice is received it will be reviewed, and a decision will be made about the papers.

EXTERNAL AID—CONCEPT OF TRIPARTITE AID

Mr. Robert Wenman (Fraser Valley West): Mr. Speaker, multinational organizations hold conventions, summits, and often they seem to plod away in futile and seemingly non-productive efforts. But, sometimes their efforts are rewarded with substantive expressions of moral and philosophical principle; sometimes they come around to giving us some very specific examples of innovative ways to connect the capacity and will to give with the need to receive.

An occasion which gave recognition of both these great principles was the Brandt report that evolved out of the north-south dialogue. Within that report, as well as a series of important philosophic value statements found therein, there were specific ideas. Canada is not a large country. We cannot change the whole world. There is not a lot we can do. But when a specific suggestion such as this is brought forward, there are some specific areas where we can take grasp, run with and show the way. I am referring to the specific recommendation of the Brandt report regarding tripartite aid. The report described tripartite aid as follows:

> The emergence of capital—surplus developing countries provide special scope for the establishment of projects on a basis of tripartite arrangements involving developing countries alone or in partnership with industrialized countries. Tripartite countries, including, when appropriate, industrialized countries, should be encouraged by nations with complementary resources such as capital and technology.

To make my point meaningful, I wrote specific examples of need to receive, a technological capacity to give, and administrative capability and technological capability to carry out the projects which are so desired. There could be a multitude of combinations for this new suggested form of aid. This form of aid has advantages in that multinational corporations have become so large and cumbersome that they tend to be slow to act and require many other principles aside from the principle of need.

When one looks at organizations other than multinational organizations such as the United Nations, one takes specific blocs, such as the Commonwealth, OPEC and so forth. Often one cannot organize as freely, efficiently and quickly as one could if one took bilateral aid and extended it to trilateral aid or three-country aid. The specific example I have chosen is only one example. I chose the countries at random, Saudi Arabia being one of them. I chose this country because it has proven to be one of the most generous givers of foreign aid in the world through the recycling of their petro dollars. I chose Somalia because it is the fourth poorest country in the world. I have travelled there and seen the need with my own eyes. I chose Canada as the third country, a country with the capacity for technological exchange and administrative capacity to co-ordinate and deliver the same. This is a specific answer to an immediate problem. Somalia is a part of the African dry belt where there is tremendous drought and where there is malnutrition and starvation. Yet, just below the feet of those people starving and dying of thirst, 35 feet underground, is a plentiful supply of water. The land connot be dug by hand because it is sand and it caves in. Digging could be done if there were some cribbing and a solar pump. The water could be pumped to the surface. This would give the most basic element of life to help those people survive. Second, it could be used to aid in planting the fertile soil which requires just water and a little effort. The need could be met.

• (2225)

Canada has a great organization called CIDA, which has a billion of our dollars to spend. Canada is a country which has the technology and the capacity to deliver it. I find it hard to understand that I can travel to that country, as members opposite have, and see the needs there. It has been the subject of discussion in committee, the minister concurs, it is debated in this House, but still the need in Somalia cannot be met, bilaterally or trilaterally. I would like to see a specific example initiated by Canada.

I would like to conclude by saying that in his response, the Prime Minister (Mr. Trudeau) showed that he was concerned and interested in this matter. Prior to our Summit, I would like to see him establish a demonstration project in this area. I hope this area will be specifically addressed.

I thank you for your patience, Mr. Speaker, and I look forward to a positive response from the Parliamentary Secretary to the Secretary of State for External Affairs.

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, like most other industrialized countries in the western world, Canada tried in the last part of the seventies, both at bilateral meetings and in international assemblies, to encourage oil rich countries to share their new wealth with less fortunate developing countries and to co-operate with other donors and multilateral institutions to meet the priority development needs of these countries.

In 1980, Canada took part in the co-financing of 46 projects with a total value of $4.6 billion, its share coming to about $611 million, or 13 per cent of the total amount. Canada with OPEC Arab donors co-financed 18 projects with an approximate total value of $2 billion, in which the Canadian contribution amounted to about $350 million, or 17 per cent, and that of aid organizations of Arab countries which are members of OPEC, to over $750 million, or 37 per cent. In most cases, those were major projects for which the World Bank or some local development bank acted as the administrative or managing authority and Canada contributed financial assistance to an extent clearly defined as the Canadian participation to the project.

At the present time, Mr. Speaker, Canada is participating in major bilateral aid projects in 34 developing countries, of which 12 or so are currently of interest to donor members of OPEC which are considering the possibility of giving them considerable aid. Canada would like to work more closely with the main aid bodies in the Arab country members of OPEC and the governments of developing countries with a view to broadening the scope and nature of its co-financing for the mutual benefit of all participants.

However, our attempts, so far, to improve the co-operation with the other donors lead us to believe that co-financing of worth-while projects is not easy and requires more time, efforts and administrative resources than usual bilateral projects. Industrialized countries, Arab donors and developing countries have objectives, policies, strategies and procedures in the field of aid that do not always coincide.

It seems that expanding the scope of co-operation in co-financing is hampered mostly by the lack of aid procedures and policies that are common to all participants and allow each one of them to achieve their own objectives at a reasonable cost compared with the benefits of the project. Most aid bodies in the Arab countries that are members of OPEC tend to concentrate their assistance in those countries where close ties already exist between politics, culture, economics and religion.

The hon. member for Fraser Valley West (Mr. Wenman) has suggested on several occasions that we initiate demonstration projects in a special economic area such as energy and agriculture in a specific country, such as Somalia. While demonstration projects are sometimes a valuable tool to test an idea, a process or a product, we are not convinced, on the basis of available information and our experience in joint financing, that such a demonstration project is necessary or even appropriate in the case of joint financing with oil-rich Arab countries of OPEC.

In closing, Mr. Speaker, if we proceed with our present bilateral discussions concerning programs, plans and problems in countries which are of mutual interest, I feel that in the light of our recent working experience with aid agencies in the Arab countries of OPEC, we will no doubt obtain positive results. Therefore, we intend to make greater efforts in that area.

Mr. Deputy Speaker: I regret to interrupt the parliamentary secretary but the time allotted to him has expired.

• (2230)

[*English*]

CANADIAN ARMED FORCES—TESTING OF CHEMICAL DEFOLIANTS—MONITORING OF EFFECTS

Mr. Simon de Jong (Regina East): Mr. Speaker, tonight I am raising a matter which was raised some month ago, on January 23, 1981, concerning the spraying of agent orange in Gagetown in the province of New Brunswick. At that time I asked the Minister of National Health and Welfare (Miss Bégin) if her ministry had been made aware of this particular program, and if her ministry had monitored this program in terms of health effects to the surrounding population and the servicemen who were used for those tests.

I originally asked the question because agent orange has been under great suspicion in the United States as being a cause of various forms of cancer. The United States government has treated this connection with a great amount of seriousness. There are at least three major U.S. government groups studying the herbicide-related issues. Our concern was to find out what the Canadian government was doing and whether the Canadian government had the same concern. The concern about the spraying in the province of New Brunswick is not a new one. In fact, just prior to the release of the information that we had of the spraying of agent orange in New Brunswick, Dr. Cameron McQueen, from the province of Nova Scotia, had released a study which showed that there was an alarmingly high number of birth defects and retardation among children in New Brunswick.

As well, in part, I have in my hand a quote by the Minister of National Health and Welfare concerning the question of her department being informed about the spraying by the American army in Gagetown. She was asked by a reporter whether it bothered her that the federal defence department had never informed her department about the tests of agent orange at the Canadian Armed Forces base in Gagetown in 1966, and she is quoted to have said: "I can be shocked, but it won't help anybody."

There is general concern—and on my part, as well—as to how chemicals are treated in our society, how chemicals are used by governments and government agencies, that they are generally outdated and outmoded, and that the procedures, concerns and regulations must be brought up to date. We have

done things in the past out of ignorance which is just not excusable today. More and more, scientific information shows direct correlation between various forms of cancers and illnesses and the widespread use of deadly chemicals.

● (2235)

My concern is whether the Department of National Health and Welfare was informed by the Department of National Defence, and this springs from information that we have obtained and have read about the experience in the United States. I was concerned about whether Canadian servicemen knew what they were handling and whether, five or six years later, they could identify all sorts of symptons, or whether they were contracting cancer. Would they be in a position to seek some restitution from the government because they handled this particular chemical? As long as this situation was not made public and was not known to them, they could never be in a position to make a claim against the government.

At the time the minister indicated, and quite rightly, that she was not aware of the situation and that she would get as much information and details as possible. I will sit down in a few seconds because I want to give the government member ample opportunity to describe to the House exactly what steps the government has taken in the last two months to contact servicemen to perhaps change procedures so that when chemicals like agent orange are used in this country, the minister's department will know about it.

I look forward with interest to hearing what the government's spokesperson on this particular question will have to tell us tonight.

Mrs. Céline Hervieux-Payette (Parliamentary Secretary to Solicitor General): Mr. Speaker, it has been reported that in 1966 the Department of National Defence undertook spraying tests with chemical agents to test their effectiveness in reducing the foliage cover over a tract of land belonging to the Gagetown base. At the time when these tests were being carried out, it was not known that 2,4-D and 2,4-5-T formulations could be contaminated with trace quantities of dioxin impurities. During the intervening years, better analytical procedures have permitted scientists to identify these impurities and increased knowledge of toxicology now allows characterization of some of their toxic properties.

The Minister of National Health and Welfare (Miss Bégin) met with the minister of health for New Brunswick at the end of January at which time they discussed this issue. It was agreed that federal and provincial officials would co-operate fully in providing and exchanging all information and details concerning the spraying operation.

[*Translation*]

The minister of health of New Brunswick then gave the Minister of National Health and Welfare all available information on the spraying program on the Gagetown base. Officials of the Department of National Health and Welfare are now examining statistics on spontaneous abortions and miscarriages in the Sunbury riding, in New Brunswick, where the city of Gagetown is situated, for the years 1965, 1966 and 1967. The study will be completed in two or three weeks, and the Minister of National Health and Welfare will inform the minister of health of New Brunswick and the hon. member for Regina East (Mr. de Jong) of the results. If they are positive, the advisability of supplementary research will be considered with the New Brunswick government in order to confirm the effects of some chemicals.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m.

Motion agreed to and the House adjourned at 10.39 p.m.

HOUSE OF COMMONS

Wednesday, April 1, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

THE CONSTITUTION

SUGGESTED ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Since the government resolution on the Constitution will be heard by the Supreme Court of Canada on April 28, and since there are major economic problems in Canada affecting farmers, businessmen and consumers, and since the government is intending to limit debate through closure or other means, I move, seconded by the hon. member for Cariboo-Chilcotin (Mr. Greenaway):

That the government adjourn debate on the Constitution and return to the business of running the country until the Supreme Court has completed its deliberations.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

SUGGESTED SUSPENSION OF DEBATE ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity affecting every member of this House. Whereas every barrister and solicitor who is a member of this House of Commons is also an official of the courts in his respective province and has taken a solemn oath to uphold the law, and whereas every member of this House who is a member of any professional society or association has also taken such a solemn oath, and indeed every member of this House who has promised to bear true allegiance to Her Majesty, Queen Elizabeth II, has by inference sworn a solemn oath to uphold the law, and whereas the Supreme Court of Newfoundland in a unanimous decision has declared the constitutional resolution before this House improper, immoral, offensive, unlawful and illegal, I therefore move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That the constitutional matters before this House be suspended and adjourned until such time as the Supreme Court of Canada may or may not remove the impediment to members acting against their solemn oaths by taking part in illegal proceedings and this House get on with the business of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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BILINGUALISM

VANCOUVER SCHOOL BOARD STUDY—FUNDING FOR ENGLISH LANGUAGE COURSES—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas a new study just released to me by the Vancouver school board shows that 44 per cent of public school students and 33 per cent of high school students have English as a second language, which is a startling statistic—the main first languages are Chinese, East Indian and Italian—and whereas these statistics have been confirmed in a recent city-wide conference chaired by the member for Vancouver East (Mrs. Mitchell), I move, seconded by the hon. member for Vancouver East:

That the federal government recognize its responsibility to immigrants after their admission to Canada through adequate federal funding to English second language courses in Canada's largest cities so that both immigrant and native Canadian children get a fair chance for a proper education.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1410)

ROYAL CANADIAN MOUNTED POLICE

EXPIRATION OF CONTRACT WITH PROVINCES—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of today's expiration of

an RCMP contract with the provinces and the unlikelihood of a new contract being negotiated because of a deliberate attempt by some provinces to link the constitutional resolution to any such agreement, I move, seconded by the hon. member for London-Middlesex (Mr. Bloomfield):

That this House condemns the governments of those provinces seeking to play politics with the peace and security of their citizens.

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BUSINESS OF THE HOUSE

EXAMPLE TO YOUNG PEOPLE—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Whereas example means more than talk to Canadian young people, I move, seconded by the hon. member for Hastings-Frontenac-Lennox and Addington (Mr. Vankoughnet):

That the Prime Minister and his Liberals cease asking the members of this House to pass items that are contrary to the law and thereby set an example to our young people to uphold and obey the law.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE CONSTITUTION

REFERRAL OF CONSTITUTIONAL RESOLUTION TO SUPREME COURT OF CANADA—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise under the provisions of Standing Order 43. In view of published reports that the Supreme Court of Canada has indicated its displeasure with the unilateral plan of the Prime Minister (Mr. Trudeau) to push through Parliament his constitutional resolution before the Manitoba appeal can be heard, and that the Supreme Court of Canada has indicated that the dignity of the Supreme Court of Canada is being affronted by the process the Liberal government has initiated, I move, seconded by the hon. member for Richmond-South Delta (Mr. Siddon):

That, since the Prime Minister has finally admitted that the constitutional resolution should be referred to the Supreme Court of Canada for a decision, this House affirm the dignity of both the Supreme Court of Canada and the Parliament of Canada by urging the Prime Minister to cease his political posturing by referring forthwith the constitutional resolution to the Supreme Court of Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

SALE OF LIQUOR AT MOHAWK INN ON TYENDINAGA RESERVE IN ONTARIO—MOTION UNDER S.O. 43

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Following several months of harassment, the Mohawk Inn on the Tyendinaga Reserve in Ontario has been raided by the Ontario Provincial Police and the Indian proprietor has been charged under an archaic section of the Indian Act which prohibits the sale of liquor on an Indian reserve. This is in spite of the fact that the inn has operated with the knowledge and consent of the band council. Considering the implications of this case for Indian business people right across the country, I move, seconded by the hon. member for Brant (Mr. Blackburn):

That the government recognize that the Mohawk Inn is a legitimate business, run by a responsible Indian businessman, and that the government treat this case as an important test and make the resources of the Department of Justice available for the defence.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE CONSTITUTION

SUGGESTED ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION—MOTION UNDER S.O. 43

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I rise under the provisions of Standing Order 43. Noting that the Newfoundland Court of Appeal yesterday found the government's constitutional package to be illegal; acknowledging that by inviting this House to proceed with a proposal yesterday found illegal, the Prime Minister (Mr. Trudeau) is inviting hon. members to enact something which five out of eight appeal court justices have already found to be illegal and which the Supreme Court of Canada will hear on April 28; noting that many members of this House who are lawyers are bound by the Canadian Bar Association code of conduct, one

provision of which requires lawyers to encourage public respect for the administration of justice, I move, seconded by the hon. member for Cambridge (Mr. Speyer):

That this House hereby adjourns the debate on the constitutional package until the highest court in the land can decide if it is legal.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

BUSINESS OF THE HOUSE

CONDEMNATION OF OFFICIAL OPPOSITION—MOTION UNDER S.O. 43

Mr. John Campbell (LaSalle): Madam Speaker, I rise under the provisions of Standing Order 43. As you know, Madam Speaker, the business of governing Canada is grinding to a halt as a result of the petulance and pique of the Leader of the Opposition (Mr. Clark) and his colleagues preventing Parliament from doing its work. I therefore move, seconded by the hon. member for London-Middlesex (Mr. Bloomfield):

That this House condemns the tyranny of the minority in this House as exemplified by the Conservative party.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

RULING BY SUPREME COURT OF NEWFOUNDLAND ON CONSTITUTIONAL RESOLUTION—POSSIBLE LAUNCHING OF APPEAL

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is for the Prime Minister. Can the Prime Minister tell the House of Commons whether he intends to instruct his officials to launch an appeal in the Supreme Court of Canada from the decision rendered yesterday by the Supreme Court of Newfoundland, a decision which finds the government's constitutional resolution illegal?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the position the government has taken after hearing

the decision rendered yesterday by the court in Newfoundland and after learning, at the end of last week, that the Supreme Court of Canada had decided to hear the constitutional case before the end of this month, was to express the hope that these two cases would be brought before the Supreme Court of Canada, as well as the judgment of the Quebec Court of Appeal, if it is rendered in time. In other words, we would like to have the Supreme Court of Canada adjudicate all the cases which were brought before the courts by the provinces. How that will be done, I cannot say at this stage.

REQUEST FOR ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I am sure the Prime Minister would not want this Parliament to be put in the position of voting on an illegal matter.

Some hon. Members: Oh!

Mr. Clark: We on this side of the House certainly do not want this Parliament to be put in the position of voting on an illegal matter, which is the situation now.

Some hon. Members: Hear, hear!

Mr. Clark: In light of that, and in order to protect and respect the rule of law in the country, I wonder if the Prime Minister would consider adjourning debate on the constitutional resolution, which has been presented to the House of Commons and to the Senate, so that we can get on with the other important business of the country. Will he consider adjourning this debate until the Supreme Court of Canada has decided the legality of the government's position, and then bring the question back to Parliament for whatever limited debate would be necessary, after the Supreme Court of Canada had ruled what constitutional matters it is lawful for the federal Parliament to decide?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Leader of the Opposition makes the assumption that Parliament would be voting on an illegal matter. I do not recall him making the assumption that the matter was legal after the Court of Appeal in Manitoba had made a favourable decision.

Some hon. Members: Hear, hear!

Mr. Trudeau: I think that establishes, once again, that the opposition is not as interested in establishing the legality as it is in causing delay.

Some hon. Members: Hear, hear!

Mr. Trudeau: The point is that we on this side are interested in knowing whether the measure is legal or not. That is why I made the suggestion, my offer, yesterday. The whole point is

we do not know, in light of the Newfoundland decision, whether the matter is legal or not.

• (1420)

We thought it was legal after the Manitoba decision, and we thought it had been legal before; but now there is a doubt. That is why we are putting to the opposition a proposition which would permit us to determine whether a specific bill, a specific resolution—a joint resolution, as it would be—is legal or not. I repeat, if it is judged not to be legal, then we will not press for its passage in the United Kingdom.

Mr. Stevens: Very big of you!

Mr. Crosbie: Fantastic concession!

Mr. Trudeau: Well, the counterpart of that fantastic concession, as the hon. member for St. John's West called it, would be that, if the matter is legal, then I would hope that the opposition would withdraw their opposition.

Mr. Crosbie: Not likely. Why should we? We oppose this process. It is unconstitutional. It is against the spirit of the Constitution.

Mr. Trudeau: I hear the hon. member for St. John's West saying that he opposes the process, and that it is unconstitutional. That is why I am suggesting that we have the courts determine whether his opinion or ours is right.

Mr. Clark: Madam Speaker, the Prime Minister and the country know that the Prime Minister made his suggestion yesterday because he had no alternative.

Some hon. Members: Hear, hear!

Mr. Clark: He is trying to pretend that a position he is forced to take is an offer, when, in fact, all he is doing is admitting that he has been put in a box by the Supreme Court of Newfoundland which has decided that his constitutional position is illegal. That is now the law of Newfoundland. That is now the position with which this Parliament is faced.

The Prime Minister said that there was some doubt. There is no doubt, as it stands in relation to the decision of the Supreme Court of Newfoundland. That court has decided that it is illegal. This government is asking this Parliament to proceed with a matter which has been declared to be illegal by a court.

Will the Prime Minister of Canada seriously consider adjourning debate on this matter until the Supreme Court of Canada can assure the Prime Minister of Canada and this Parliament that what the Prime Minister is proposing is, in fact, legal or otherwise? Let me say to the Prime Minister that it makes no sense at all for him to say that he would not ask the British parliament to act on a matter which is illegal, but he wants the Canadian Parliament to act on a question which is illegal.

Some hon. Members: Hear, hear!

Mr. Clark: My question is quite simple. Why will the Prime Minister not apply to the Canadian Parliament the same practice which he applies to the British parliament? Why will he not adjourn discussion of this resolution until the Supreme Court of Canada has decided whether it is legally proper for the Parliament of Canada to act alone on the resolution?

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the Right Hon. Leader of the Opposition says that we have been put in a box by the Newfoundland decision. I repeat the same question. Why did he not find himself in a box by the Manitoba decision?

Mr. Hnatyshyn: It is a hypothetical judgment.

Mr. Trudeau: The Manitoba decision was to the effect that our action was legal, and we continue to act and the opposition continues to oppose. Therefore I argue that legality is really not what interests the Leader of the Opposition. It is obstruction that interests him. The Leader of the Opposition makes a suggestion that we adjourn the debate so that the Supreme Court could be seized—with what, Madam Speaker?

An hon. Member: Whatever you refer them to.

Mr. Trudeau: It would be seized with something which the court of Manitoba, through the voice of its Chief Justice, said was hypothetical. We must seize the court with something certain.

• (1425)

Let me read, if I may have the permission of the House, what Chief Justice Freedman of the Manitoba Court of Appeal said. We had long readings from the Newfoundland judgment yesterday. If the House would bear with me, I should like to read a very important point which permits me to answer the question of the Leader of the Opposition. I quote Chief Justice Freedman as follows:

> We therefore face a real likelihood that the amendments sought in the proposed resolution may be altered, deleted, or supplanted by other amendments before the resolution is deemed ready for transmission to Her Majesty. In this situation there is a danger that if we answer Question 1 . . . we may later find that we have answered matters no longer before us and have not answered matters that emerged in their stead. The Court should not be exposed to the risk of such an adventure in futility.

The Supreme Court, in the past, has also frequently objected to receiving matters referred to it because of their hypothetical nature. Let me remind the House that we have now a resolution, with a proposed amendment from the hon. member for Provencher.

An hon. Member: Oh, come on, Madam Speaker, this—

Mr. Trudeau: The hon. member for Provencher has moved that we delete a very important part of this resolution, notably the part dealing with the referendum and amending procedure. If we go to the courts now, would we go with or without the amendment having been adopted? If we went in the present state and the court made this kind of statement, then we would

have no solution. The court would say that there is an important amendment, there is another important amendment from the NDP, and we heard yesterday that the Tories want to introduce an amendment relating to property and certainly an amendment relating to the equality of sexes and to aboriginal rights. There are many amendments.

What would the Leader of the Opposition do if the court adjudicated on this hypothetical case? Would he then be prepared to pass that resolution judged legal by the Supreme Court, or would he say, "Give us a few more days. We have a couple more amendments to move."? If the latter, would he then say, "On these new amendments, nobody knows whether they are going to be legal or not. Let's go to the Supreme Court again to see if they are going to be legal." That is why, Madam Speaker, we have made a proposal to go to the courts, as it is our duty as legislators, with something certain. It has happened frequently in the past, and I have more than half a dozen instances in the past—

Some hon. Members: Order, Madam Speaker.

Mr. Trudeau: —in the past ten years where the Supreme Court has judged that Parliament acted in an ultra vires sense. This might or might not be the case. All I am saying is that our proposal has the advantage of going to the courts with something certain and final. If it is legal, that settles the matter; if not, it also settles the matter.

Why does the Leader of the Opposition, if he is interested in justice and right, not accept this course?

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, I will not take a great deal of the time of the House pointing out to the Prime Minister that in relation to Bill C-60 he adopted exactly the procedure that he rejects in this case.

Some hon. Members: Hear, hear!

Mr. Clark: He knows there is nothing hypothetical about the Newfoundland Supreme Court decision.

Some hon. Members: Hear, hear!

Mr. Clark: What we are doing is proposing a way by which the Parliament of Canada could get on with the business of Canada rather than debating a matter which might be illegal.

I ask for the third time, is the Prime Minister prepared to consider adjourning this debate on a resolution which has been declared illegal by the Supreme Court of Newfoundland, to allow Parliament to get on with other business and to permit us to come back to consider this question, or those elements of this question which the Supreme Court finds legal, taking whatever limited time is necessary after the Supreme Court of Canada has decided which parts of the government's proposal are within the competence of this Parliament of Canada to enact?

• (1430)

Mr. Trudeau: Madam Speaker, let us try to understand that proposal. The Leader of the Opposition says there is nothing hypothetical about what has been in front of the court of Newfoundland. The court of Manitoba, on the contrary, found that it was hypothetical.

Mr. Crosbie: It made a judgment.

Mr. Trudeau: But let me take the Leader of the Opposition's proposal. The resolution, according to this proposal, as I understand it, would go to the Supreme Court now in its present form, presumably without the Provencher amendment; presumably without the Indian amendment, and presumably without the amendment on women. It would be going with something not hypothetical but something absolutely final.

Mr. Baker (Nepean-Carleton): That would be your choice.

Mr. Trudeau: If it is not going to be hypothetical, it has to be something which exists now if we adjourn the House. If we go with something that exists now, and the Supreme Court of Canada judges it to be legal and intra vires, is the opposition prepared to say that the very next day or days, without any further amendment, that thing will be passed and sent to the United Kingdom?

Some hon. Members: No.

Mr. Trudeau: They say no.

Some hon. Members: Oh, oh!

Mr. Trudeau: Therefore it means they want to change it in some way. That establishes our point.

Mr. Andre: How do you know what a judge is going to say?

Mr. Trudeau: It is hypothetical until we have made a final decision, and that settles the matter.

Some hon. Members: Hear, hear!

REPORTED WARNING BY BRITISH GOVERNMENT OF IMPOSITION OF ONE-YEAR HOIST

Hon. Jake Epp (Provencher): Madam Speaker, I direct my question to the Minister of Justice. However, I tell the Prime Minister that no matter what face he wants to put on the situation—

Some hon. Members: Oh, oh!

Mr. Trudeau: Is that my question or his?

Mr. Epp: —he has a matter which has been judged illegal by the Supreme Court of Newfoundland now, and he has to deal with it now.

Some hon. Members: Hear, hear!

Mr. Epp: Nevertheless, there is another matter beyond the legal question, and that is the judgment made by the Supreme Court of Newfoundland that the government cannot change the federation through indirect means, which obviously it is prohibited from doing through direct means. That being the case, I would like to ask the Minister of Justice this question. After his return from Britain, and in view of the news of today, was he or any minister of the government warned that the British government, regardless of when the British government would get the resolution before it, was contemplating a one-year hoist?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the member from Manitoba made some remarks to me. I presume he was asking a question of me. I put to him the same consideration that I put to his leader. He says that the Newfoundland Court made certain decisions. I would point out to the hon. member that the appeal court of his own province made contrary decisions, which establishes that there is some doubt as to where the legality lies. I do not think, in fairness, that he can quote only one judgment when we have two contradictory ones. That is why our proposal is to go to the Supreme Court of Canada so that the Supreme Court can adjudicate in a final way as to which of these contradictory decisions is the right one.

Some hon. Members: Hear, hear!

Mr. Epp: Madam Speaker, I simply say to the Prime Minister that he could do that right now and give the reference.

As the Minister of Justice still has not had an opportunity to answer my question because of the Prime Minister's intervention, may I ask him whether or not that warning, namely, the warning that the British government would use a one-year hoist regardless of when it would receive the proposition, was given to him or to any other minister? As well, I remind the minister of the question that I asked him on his return from London, that the British parliament could not deal with the matter while it was before the Canadian Supreme Court. On those warnings we have asked the minister about, could he now answer those questions specifically?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, to the first question I answer unequivocally that at no time was it indicated that the British government intended to postpone the introduction of the House of Commons and Senate resolution in the British Parliament. Mr. Pym and I discussed the timing, and I am convinced that when we send the resolution of the Parliament of Canada to the British parliament, it will act as Mrs. Thatcher said it would, quickly and in accordance with the precedents and the law.

[*English*]

BUSINESS OF THE HOUSE

OPPORTUNITY TO AMEND CONSTITUTIONAL RESOLUTION WITH REGARD TO STATUS OF WOMEN AND NATIVE RIGHTS

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is for the Prime Minister. Yesterday he made it clear that the constitutional resolution would be kept in Canada until the Supreme Court of Canada—

Miss MacDonald: No, he didn't.

Mr. Baker (Nepean-Carleton): Too bad, Ed.

Some hon. Members: Oh, oh!

Mr. Broadbent: —made a ruling on its legality.

Mr. Nowlan: You weren't here.

Mr. Broadbent: He also said that two proposed amendments from the New Democratic Party, one affecting the equality of women and one affecting native rights, ought to be included in that final resolution. In that he added to the commitment previously made by the Minister of Indian Affairs and Northern Development and the Minister of Justice.

In order to ensure that these important amendments, to which the government has committed itself, are included in the final resolution, I ask the Prime Minister what steps is the government prepared to take in the House, given the procedural delays which have occurred, to ensure that they are in fact included?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am somewhat puzzled by the question asked by the Leader of the New Democratic Party. There is before the House now a proposal for allocation of time, which would permit us within a reasonable period—a few days—to dispose of the amendment of the hon. member for Provencher and to move the amendment concerning native rights, and hopefully an amendment concerning equality of the sexes, since it appears that all sides of the House would like to see those included.

There is a motion before the House now. The hon. member is asking me what steps we are prepared to take. At three o'clock we would like to get on with this motion and deal with it, Madam Speaker. That is the only answer I can give to the Leader of the New Democratic Party. But, in order to do that, we have to have the official opposition cease its attempts to hijack Parliament.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, given the commitments which the government has made on these two important amendments, and given the House is in fact being blocked from proceeding with these measures, an action which members of my party agree is taking place—

Mr. Hnatyshyn: Isn't that something?

Mr. Broadbent: —is the Prime Minister saying there are no options open to the government other than sitting back and witnessing the blockage of Parliament?

Mr. Hnatyshyn: You are a great kidder, Ed.

Some hon. Members: Oh, oh!

Mr. Trudeau: Madam Speaker, it seems to me that when Parliament has ceased to work, and not through a filibuster, because as I understand it a filibuster is on a specific question, but has ceased to work period—

Mr. Andre: Call an election.

Mr. Trudeau: —we are in a situation of absolute disorder where the Parliament of Canada cannot work. It seems to me that the question should not be addressed to me, but to all members of this House. Is there some way in which disorder can be replaced by order?

Some hon. Members: Yes.

Mr. Clark: Adjourn the debate.

Mr. Trudeau: If that is the case, and the Leader of the Opposition nods in assent, I put it to you, Madam Speaker, perhaps you should call orders of the day forthwith and then we will get out of this hijacking process.

Some hon. Members: Hear, hear!

Mr. Broadbent: Good idea.

Some hon. Members: Oh, oh!

Mr. Broadbent: Madam Speaker, that is certainly something which this party would strongly support.

An hon. Member: Try again, Ed.

RULES GOVERNING PROCEDURE

Mr. Edward Broadbent (Oshawa): Madam Speaker, my last supplementary question is for the government House leader.

Is the government House leader aware of any other rules in the rule book—

Some hon. Members: Oh, oh!

An hon. Member: Ask Stanley.

Mr. Broadbent: —that would enable the government to take action to ensure there is a vote on the amendment which the Conservatives have had before the House for six weeks, stopping all other amendments from being brought forward? Is the government House leader aware of that? Is he prepared to take any steps to ensure that we obtain the amendments for our native people and for women, which the government itself has promised?

Presence in Gallery

Some hon. Members: Hear, hear!

● (1440)

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the way the Standing Orders are drafted, an opposition party which is unsatisfied with a measure may, of course, resort to what is commonly known as a filibuster in parliamentary language. To put it another way, once the proposition has been introduced, that we have reached orders of the day and that it is debated, some hon. members prevent the question from being put, but by participating in the debate and constructively seeking to improve the measure.

However, there is a rule under which the government is allowed to propose changes to the existing Standing Orders with a view to ending a debate which, in this instance, has lasted for nearly six months. Under an even more drastic rule, we would be able to end it in less than 24 hours. Those are provisions contained in our Standing Orders and they can be used legitimately by the government. But there is a situation which is not covered in the Standing Orders, which does not belong to parliamentary practice and which is altogether improper and disrespectful to our institution and the Canadian people, and that is pure and simple disorder or any protracted filibuster which prevents the government from reaching the orders of the day and proceeding with the study of a given item. That is not what is commonly referred to as a filibuster, of which I spoke a moment ago. That is strictly a question of order or disorder, as the Right Hon. Prime Minister so aptly pointed out. In an even more popular language, it could be described as hijacking Parliament. Under the circumstances, Madam Speaker, when it amounts to a question of order or disorder you know full well that it is up to the occupant of the Chair to assume his or her responsibilities, as you have done so well until now and as we are confident you will continue to do.

* * *

[*English*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF GOVERNOR LICENCIADO MARTINEZ DOMINGUEZ OF NUEVO LEON, MEXICO

Madam Speaker: I would like to draw the attention of the House to the presence in our gallery the Honourable Licenciado Martinez Dominguez, Governor of the State of Nuevo Leon, Mexico.

Some hon. Members: Hear, hear!

Oral Questions

THE CONSTITUTION

RULING BY SUPREME COURT OF NEWFOUNDLAND ON CONSTITUTIONAL RESOLUTION—EFFECT ON MEMBERS OF PARLIAMENT FROM NEWFOUNDLAND

Hon. John C. Crosbie (St. John's West): Madam Speaker, apparently this is Sesame Street day for the Leader of the New Democratic Party on procedure. An easy way is to adjourn this debate in the House and carry on with all kinds of other business. My question is to the Prime Minister. The Supreme Court of Newfoundland on appeal has found this process to be unconstitutional—not some amendment, the whole process. It has found that the charter of rights and freedoms in this resolution must infringe upon the powers of the provinces to legislate in respect of property and civil rights. No amendment, except the very gutting of this resolution, would change the process.

Even if the courts find the process to be legal, and within the constitutional boundaries of the federal government, there would still be an argument as to whether it is proper in public policy terms to go ahead. We argue that it is not, that it would destroy confederation.

The Prime Minister, who was a professor, knows the difference between these two points. One is legality and the other is whether it is proper even if it is legal. It is not legal, and in our view it is not proper either.

Some hon. Members: Hear, hear!

Madam Speaker: Order. I just want to warn the hon. member that he must be short in his questions.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. I allowed more than the usual time for questions at the beginning of the question period. The only way to help the Chair now is to be brief in the questions so that we can at least have a reasonable number of questions in this question period.

Mr. Andre: Be a little consistent.

Mr. Mitges: What about the answers?

Mr. Crosbie: In view of the decision by the highest judicial authority in Newfoundland, until the matter goes to the Supreme Court of Canada how can the Prime Minister ask the seven Newfoundland MPs to ignore the decision of their own court that this is beyond the power and jurisdiction of this House, illegal and unconstitutional, and go ahead and make a judgment, and vote on this matter in the face of the decision of our own court in Newfoundland?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. member for St. John's West points out that the Newfoundland Court of Appeal found the process illegal, he says. Then he wonders how members from Newfoundland can debate this process. I remind him that when the court of Manitoba decided that it was legal—

Some hon. Members: Oh, oh!

Mr. Munro (Hamilton East): Let him answer.

Mr. Trudeau: It seems to me that this re-establishes once again ad nauseam that the question of legality is not settled. That is why we are proposing that it be settled. In so far as whether it is proper or not, a large part of my speech a couple of weeks ago dealt with that very matter. The question is that there is no precedent for what we are doing. The precedent in proceeding in the way suggested by the opposition has produced zilch for 54 years.

Some hon. Members: Untrue.

Mr. Trudeau: They say it is not true. I put it to them that since 1927 the governments of this country have been—

Some hon. Members: Order.

Mr. Nielsen: How about the length of the answers, Madam Speaker?

Madam Speaker: Order, please. Does the hon. member for St. John's West have a supplementary, a short one?

Mr. Crosbie: My supplementary is this. The court of Manitoba by a majority found the process to be legal. That still left the question as to whether it was a proper exercise of its powers by this House to carry this resolution through. We do not agree that it is a proper exercise of the powers of this House.

The Supreme Court of Newfoundland on appeal said that the government is asking Parliament to arrogate to ourselves an authority we do not possess. They held it not to be a proper request to Her Majesty's Parliament in Great Britain. Is the Prime Minister going to try to encourage the seven Newfoundland Members of Parliament here to carry out an impropriety, to vote on a process found to be improper by the highest judicial authority in Newfoundland? Surely we can wait until this matter goes to the highest judicial authority of the whole nation before he requires that.

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, in my previous answer I dealt with the matter of legality and how that could be determined. As to the matter of propriety, whether it is or is not, our whole point is that is a matter for Members of Parliament to decide, and then a matter for the Canadian people to decide. The courts are there to judge the illegality or otherwise. It is the Canadian people who are to judge whether our actions produce the effects that they want, and whether they are proper or not. That is our position.

Some hon. Members: Hear, hear!

STATEMENTS MADE BY PRIME MINISTER

Hon. James A. McGrath (St. John's East): Madam Speaker, I would like to get back to the replies from the—no, my friend, you are the showman of this House. We will wait for you to get up—

Madam Speaker: Order, please.

Mr. McGrath: You always speak from your seat.

Madam Speaker: Order, please. Will the hon. member simply ask questions. This is the question period.

Mr. McGrath: I am entitled to do so without interruption. The Prime Minister in reply to the Leader of the Opposition indicated that there is some doubt as to the legality. In other words, he was not accepting the unanimous decision of the Supreme Court of Newfoundland. Then he went on to refer to the judgment of the Chief Justice of Manitoba when he talked about the situation being hypothetical. There is nothing hypothetical about the closure motion before this House.

Some hon. Members: Hear, hear!

Mr. McGrath: And there is nothing hypothetical about the—

Madam Speaker: Order, order. The hon. member for New Westminster-Coquitlam.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

* * *

• (1450)

FISHERIES

REGULATIONS FOR 1981 SALMON FISHING SEASON ON WEST COAST—FRASER RIVER FISHERY

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I would like to direct a very urgent question to the Minister of Fisheries and Oceans. It follows the question yesterday of my colleague. Since the discussions yesterday between the Fraser River fishermen and the minister's Pacific coast officials apparently did not lead to any modification of the government's proposal respecting the closing of the 29 D section of the Fraser, will the minister now instruct his officials at their further meeting the day after tomorrow, Friday, to return to what was offered last December by the Pacific Salmon Commission, particularly leaving the Fraser open between the Pattullo Bridge and Mission Bridge and allowing a one day a week minimum fishery for the gill-netters?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I am sure the hon. member, who is interested in my giving her reliable information, will forgive me if I tell her that I have not been briefed on the meeting which took place yesterday. I hope this will be done later this afternoon. Obviously, I will be glad to give her by telephone an immediate answer and in the House tomorrow, if she so wishes.

Miss Jewett: Madam Speaker, I particularly wish the minister would attend to the request about going back to what the Pacific Salmon Commission offered.

INVITATION TO MINISTER TO ATTEND MEETING

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, may I further ask the minister why he has not replied to the invitation sent to him by the Fraser River fishermen to attend their meeting this Sunday afternoon? It will be a very large meeting held in New Westminster. Why has the minister not had the courtesy to reply, and is he in fact going to attend that major meeting they are so anxious to have him attend?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, it is very much because we are trying to find a solution that the meeting took place yesterday, and I hope that on both sides there was some element of flexibility which might find accommodation. In the case of the sport fishery, I think we are on the road to finding accommodation between conflicting views.

As for attending the meeting, I must say that we are somewhat paralysed in Ottawa these days. I have had travel plans which have been—

Some hon. Members: Oh, oh!

Mr. LeBlanc: Hon. members opposite are the reason for the paralysis.

I must confess that I have not found this type of issue is resolvable at mass public meetings where speech-making, and not discussion, is the order of the day.

Madam Speaker: Would the hon. member for St. John's East now like to ask his supplementary question? I would hate to frustrate his right to ask questions, but I did want to indicate, in the only way a Speaker can, that it is important for the Speaker to maintain decorum and to maintain a balance between the different parties in the House of Commons who like to ask questions during the question period. This was the only way I had finally to bring the hon. member to realize this. If he would like to ask a supplementary question now, I will give him the floor.

* * *

THE CONSTITUTION

STATEMENTS MADE BY PRIME MINISTER

Hon. James A. McGrath (St. John's East): Madam Speaker, frustration is something we on this side of the House are learning to live with. It took the Prime Minister almost five minutes—four minutes 57 seconds—to reply to the Leader of the Opposition. I was given less than a minute.

How can the Prime Minister argue his case on the fact that the resolution now before the House is hypothetical when in fact the government refused in committee to accept any amendments on the process or any amendments on the amending formula? The government has placed a closure motion before this House to get the resolution through as it is—

An hon. Member: With the support of Ed Broadbent.

Mr. McGrath: —with the passive support of the Leader of the NDP, who has gone into some kind of metamorphosis and turned into a powder-puff.

Some hon. Members: Order.

Madam Speaker: Order, please. The hon. member for St. John's East should ask his question right now. I plead with him to conform with what I am asking him to do.

Mr. McGrath: Thank you, Madam Speaker. I find it very difficult to restrain myself. The unanimous judgment of the Appeal Court of Newfoundland, as opposed to the statement of one judge in Manitoba, had this to say—

Some hon. Members: Order.

Mr. McGrath: The Prime Minister was allowed to quote.

The division of powers precribed by the Constitution excludes federal jurisdiction over provincial autonomy within their legislative competence, and thus a proper request to Her Majesty's Parliament in Great Britain to change such fundamental aspects of the Constitution can only be made after the provinces have agreed to such change.

Some hon. Members: Order.

Madam Speaker: Order, please. Does the hon. member really think I can allow him to continue with such a preamble? I just have to cut him off and not allow him now to ask his question. I have to recognize members of the NDP because they must have the time allotted to them.

Mr. Trudeau: Madam Speaker—

Madam Speaker: The hon. member for Kamloops-Shuswap.

* * *

ENERGY CONSERVATION

ABUSE OF CANADIAN HOME INSULATION PROGRAM

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, my question is not about the Constitution. It is directed to the Minister of Energy, Mines and Resources. It deals with CHIP. I would be surprised if there is not a member of this House who has not been approached by his or her constituents about CHIP and the fact that it is being seriously abused by a number of unscrupulous companies operating across Canada which are defrauding not only the Government of Canada but also individual citizens, as well as the Canadian taxpayer indirectly.

What steps is the minister taking to bring to a close these fraudulent methods and techniques presently being employed from one end of Canada to another?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I must tell the hon. member that this indeed is a question about which I have had great concern over the last year. The overwhelming majority of contractors in this field are doing an honest job and a fair job for the citizens of this country and for the government of this country. Unfortunately, it appears there have been individuals who have abused the system, and in every instance where this has been reported there have been investigations. If necessary, prosecutions will be undertaken.

However, with respect to the general question raised by the hon. member, we have nonetheless decided to introduce a certification system for the contractors in this field. This certification system will ensure that the people who work in this field are properly qualified and meet the standards required. Already a high percentage of contractors have agreed and have received this certification. All the others will have to comply with this requirement by sometime next fall. This is in progress. We are monitoring the situation very carefully because it is a source of concern, and I thank my hon. friend for having brought this matter to the attention of the House.

INVOLVEMENT OF LOCAL ORGANIZATIONS IN CERTIFICATION PROCESS

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I appreciate the steps being indicated by the minister. However, unfortunately this plan will not come into effect until well into the summer and perhaps into the fall. In the meantime these fraudulent activities continue.

Would the minister look into improving the inspection system by taking advantage of the existing municipal infrastructure, or perhaps even by inviting community organizations to participate in this program in the place of many small businesses so that the labour is local labour, so that abuse is minimized, and so that funds stay in communities? My concern is that this is putting a black mark on many small businesses across Canada, and essentially on the small business community.

Hon. J.-J. Blais (Minister of Supply and Services): Madam Speaker, if you will permit me to answer, the program which was described by the Minister of Energy, Mines and Resources is undertaken in co-operation with the Canadian General Standards Board, which reports to me. We have signed a contract with the Royal Canadian Legion in order to accomplish exactly what the hon. member had identified. The Royal Canadian Legion will be involved in the process of the verification and certification of individual contractors at the local level.

● (1500)

THE CONSTITUTION

REPORTED INTENTION OF UNITED KINGDOM GOVERNMENT TO DELAY ACTION ON CONSTITUTIONAL PACKAGE

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, if I may, I would like to fine-tune the rather indistinct and vague answers given this afternoon by the Minister of Justice by asking the Prime Minister, if I could get his attention for a moment, if he or any member or official of the government, now that the Supreme Court of Canada is seized of the matter, has had any indication at all from the U.K. government that they do not desire in any manner, shape or form to deal with the constitutional package or resolution until the Supreme Court of Canada determines the validity or invalidity of it?

Right Hon. P. E. Trudeau (Prime Minister): No, Madam Speaker, I have not had any such notice from anybody in the United Kingdom, nor to my knowledge has anyone on their behalf said that to anyone on this side of the House.

Mr. Lawrence: I wonder if the Prime Minister, as succinctly and briefly as possible, because I am afraid it passed over me, could explain once again why he is acting in a discriminatory fashion in respect of this Parliament by putting it in a subordinate position in that he is not insisting that the British parliament pass this measure until the Supreme Court of Canada has ruled on it, but he is insisting that this Parliament pass on it.

Mr. Trudeau: Madam Speaker, on the contrary, I am proposing a course of action which would bring certainty to the courts. They would know what this House has decided in a final way. That is what I am proposing. Once the courts know that, they will decide whether it is legal or not.

In the case of the United Kingdom, Madam Speaker, they have no choice, in our view. They will pass whatever they receive.

An hon. Member: Holding their noses.

Mr. Trudeau: And that is what the British Prime Minister has told us and said publicly. She will proceed expeditiously with the introduction of the measure proposed by Joint Resolution of both Houses of Parliament.

PROCEDURE FOR REFERRAL OF CONSTITUTIONAL RESOLUTION TO SUPREME COURT OF CANADA

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, in view of the response by the Prime Minister as to the kind of matter which the Supreme Court of Canada would be seized of, I would like to ask the Minister of Justice, in view of the fact that the Supreme Court of Canada is now seized of the appeal on the Manitoba reference, which is on the proposed resolution prior to amendments by the committee and any that may arise on the floor of this House, and in view of the Prime Minister's so-called magnanimous offer, just how does he propose to have the amended resolution brought to the attention of the Supreme Court of Canada for adjudication?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): First things first, Madam Speaker. Let us vote here, it will be final, and after that we will find a way to transmit that to the Supreme Court of Canada.

REQUEST FOR ADJOURNMENT OF DEBATE

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, with an answer like that I would not ask the Minister of Justice to represent me in a small claims court.

My supplementary is to the President of the Privy Council. Maybe I can get some sense out of this garbage we have been getting from the government over the last little while. The Prime Minister has insisted on the immediate passage of the Joint Resolution on the Constitution and the lodging of the address at the first reading stage—this was confirmed by the Minister of the Environment this morning on "Canada A.M."—in the House of Commons of the United Kingdom, awaiting the adjudication of the Supreme Court of Canada on the Manitoba reference.

Since a judgment of the Supreme Court striking down the constitutional package would require a withdrawal of that address by Parliament and require the introduction of a new constitutional package on the floor of this House, and a new committee proceeding, why does the government House leader not now move the adjournment of the debate to avoid delay, because this will involve a rerun of a six-month debate when the court strikes down the constitutionality of this particular package?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I must say to the hon. member that I can hardly give an answer which differs from that of the Minister of Justice. I am surprised that the Saskatchewan lawyer would even attempt to teach law to the Minister of Justice by pointing out that he would not accept to be represented by the Minister of Justice in a small claims court. As a lawyer he ought to know that no one is allowed to be represented by counsel before a small claims court.

[*English*]

Madam Speaker: Order, please. The House has now reached the point where it may hear questions of privilege. I just want to inform the House that I have several of them, nine on the Constitution, and I have tried to group them. I want to let the hon. members know how I propose to deal with these. The nine on the Constitution deal with the fact that the resolution on the Constitution places hon. members of this House in an unacceptable and improper position. They are worded nearly the same way, and most of them say that it violates the oaths that different members have taken before the bars of the different provinces. Although they did not all come in this

order, I propose to hear first all of the questions of privilege having to do with the Constitution.

I would enjoin the hon. members who want to speak on these particular questions of privilege, since there are quite a number of them, to restrain themselves so that I will not have to, and I ask them to pick their arguments very carefully because I have questions of privilege on other subjects that I have to deal with today.

* * *

POINT OF ORDER

MR. CLARK—THE CONSTITUTION—SUGGESTED PROCEDURE FOR AMENDING PROPOSED RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise on a point of order having to do with government business which may well facilitate proceedings in the House. It arises from an exchange between the Prime Minister (Mr. Trudeau) and myself today in which he posed some questions to me and, as Your Honour knows, it would be improper for me to respond during question period to questions posed to me by the Prime Minister. I would like to raise a matter which may well be of interest to the Prime Minister and the government House leader, because it would elaborate upon a way in which we can resolve the impasse now before the House. It would allow us to get on with other business and resolve this question of the legality of what Parliament is being asked to consider before it is asked to consider it.

Madam Speaker: Order, please. It really has to be a point of order and deal exactly with what the Leader of the Opposition (Mr. Clark) has said, and, of course, it should be as short as possible.

Mr. Clark: Madam Speaker, I am prepared to wager that my point of order will be briefer than most of the Prime Minister's responses.

What we have done today is propose that the government adjourn debate on the resolution now before this House and thereby allow Parliament to get on to other urgent business of the nation. It would also allow the government to send to the Supreme Court of Canada, either by following the appeal procedure or by reference, a question which would determine the legality of the proposal we are being asked to judge. I would appreciate some attention being paid to this serious proposal by the government side.

The Prime Minister responded to my suggestion by posing a question to me. He asked me what questions would go to the Supreme Court. He asked whether or not it would simply be the resolution proposed by the Government of Canada or whether it would have appended to it the amendment proposed by the hon. member for Provencher (Mr. Epp), the amendment on women's rights proposed by my party in the other place, the amendments which are apparently of interest to the New Democratic Party and certain other amendments. That question did not occur to the Prime Minister when he made a reference in relation to Bill C-60, but apparently it occurs to him now. I am prepared to take it as a matter of some seriousness to him.

● (1510)

There is a way to resolve this problem, and that would be to have an agreement among the three parties in the House as to the amendments we would want to have seriously considered in the House, if it were judged by the Supreme Court of Canada that it was legal for the House of Commons to consider this question at all. For the consideration of the government and the House leader on the other side, we would propose consultations now to determine with which amendments the various parties would want to proceed.

Once it was agreed which amendments were of priority to us—certainly there is the one standing in the name of the hon. member for Provencher and there are a number of others that are priority amendments—there could then be an agreement that the reference to the Supreme Court of Canada could include those amendments as well, so that we would know the legality—

Some hon. Members: Hear, hear.

Madam Speaker: Order, please. I am having a bit of trouble—

An hon. Member: He is the Leader of the Opposition, Madam Speaker.

Madam Speaker: Oh, yes, I am very conscious of that, but I am having a little trouble allowing this point of order. It seems to me that these kinds of negotiations are not covered by the rules of the House and that the Right Hon. Leader of the Opposition is continuing debate on this whole question.

If the Right Hon. Leader of the Opposition has any proposal concerning the technical means at our disposal to get out of what other members—not myself—have called the "impasse", I could entertain this as a point of order after question period. But it seems to me that this kind of proposal ought to come out of the debate.

Some hon. Members: No, no.

Madam Speaker: I am afraid it is very difficult for me to see a point of order in what the hon. member is now discussing.

Mr. Clark: Madam Speaker, of course I will be bound by your ruling. I am trying to deal with House business. There was a suggestion put to me by the Prime Minister, which I took to be serious, as to how we could resolve the matter. I am not permitted under the rules to answer his questions, at least until after the next election.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Clark: So I was seeking this opportunity to respond to what I thought was a serious question by putting forward a proposal which I hope might be considered seriously by all parties. It would be the following: that all parties would agree on the amendments which would be put forward to the Supreme Court of Canada to determine their legality; that subsequently the debate in the House would, by agreement, be limited to those amendments submitted as a result of three-party agreement in the House which had been found to be legal and constitutional by the Supreme Court of Canada.

An hon. Member: Blackmail.

Mr. Clark: I suggest it is a way in which we could resolve the impasse with which we are now faced and get on with the business of Canada. It is a way in which we could ensure that the Parliament of Canada is dealing only with questions within the competence of the Parliament of Canada.

I raise it as a matter of House business in the earnest hope that the Prime Minister and the government House leader might consider it a means to expedite the business of Canada by the House of Commons.

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, with your indulgence, I will attempt to deal with what seems to be a matter of negotiation between House leaders on this point of order. If the Hon. Leader of the Opposition (Mr. Clark) is suggesting that there merely be agreement among parties as to what subject would be raised after the Supreme Court has adjudicated, I would point out that obviously that is not enough, because although we know the subject we still do not know in what form it will pass and so on.

If the Leader of the Opposition is suggesting we spell out in detail amendments which would be accepted by this House after the Supreme Court has judged, I ask him how we can spell these amendments out in detail, know how the various members of the House will vote on them, know what parties would align for or against, say, on the property amendment or on the aboriginal rights amendment, unless he asks the House for its opinion. It cannot be the House leaders who would decide the text of an amendment which we would accept the day after the Supreme Court judged favourably. Therefore, the Leader of the Opposition is putting a proposition which seems to me is supporting my point.

Some hon. Members: No, no.

Mr. Trudeau: The only way in which the court can know exactly what will come out of this House is to have it come out of this House.

Some hon. Members: Hear, hear!

Mr. Trudeau: I would also remind the Leader of the Opposition that he quoted in the House—I think it was about ten days ago—a judgment of Beauchesne to the effect that the same subject matter should not be put before two public bodies, presumably at the same time. Now he is suggesting we do exactly that. We have before the House a joint resolution; he is now suggesting that we put it, at the same time, before the Supreme Court.

An hon. Member: We could adjourn.

Mr. Trudeau: Whether we adjourn or not, it is still before the House. We have engaged upon the legislative process; that is the course we are on. If he is suggesting that we go before the Supreme Court at the same time, he is flying in the face of the very judgment of Beauchesne he quoted ten days ago.

Let me just remind the opposition that in the 1930s, when the Hon. R. B. Bennett proposed his "new deal", particularly unemployment insurance legislation, the Liberal Party, which was then in opposition, argued the illegality of it, but they let the matter pass. It went to the Supreme Court and the Supreme Court, in effect, decided that it was illegal.

Mr. Andre: What about 1978?

Mr. Trudeau: This is what we are asking now. I can understand that the opposition thinks it is illegal, just as in the thirties the Liberals thought that the then Bennett "new deal" was illegal; but they did not systematically obstruct. They said, "Okay, we defer our opinions as to the legality; let us submit to the court something precise, something upon which it can judge, and we will rest by that judgment." I am just suggesting we continue that course.

Some hon. Members: Hear, hear!

Mr. Edward Broadbent (Oshawa): Madam Speaker, I would like to reply to what was said by the Prime Minister (Mr. Trudeau) and the constructive proposals put forward by the Hon. Leader of the Opposition (Mr. Clark).

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Broadbent: It seems to me that we might at last be reaching the basis of some serious co-operation in the House.

I listened to the Prime Minister with care. He said that there was a sort of hypothetical aspect to what the Leader of the Opposition raised. I would like to respond to the suggestion; I hope all of us on both sides of the House can take some time to give it thought. If we could reach an agreement that each party could put forward another amendment—and we have an omnibus one covering two subjects only which are well known in the House—it would not require a lot of debate.

The government has indicated that it is interested in four-day time tabling. Each party could put forward an amendment which could be quickly dealt with and spelled out by agreement, in perhaps one day. We could vote now and then there could be a reference before final reading to the Supreme Court. We could have a vote on the amendments and then a reference to the Supreme Court, with the original resolution as amended by votes in the House. Then we could have a final

vote in the House after hearing the judgment of the Supreme Court of Canada.

Some hon. Members: Hear, hear!

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, I should like to speak to two points. The first point is the one of the Prime Minister (Mr. Trudeau) concerning the program of R. B. Bennett in the thirties. The difference between R. B. Bennett's proposition and the proposition we have before us is that in the 1930s, when Parliament moved to pass that program, it was not faced with a judgment of the Supreme Court of a province which held the program to be illegal; that occurred afterwards.

Mr. Nowlan: That is absolutely correct.

Mr. Baker (Nepean-Carleton): This is why I suggest the analogy of the Prime Minister does not apply.

With respect to the program itself, what has concerned us from the outset has been that Parliament would be asked finally to make an adjudication with respect to the matter before it had been considered by the Supreme Court of Canada. It appears that we see a split coming in the irresistible force meeting the immovable object.

● (1520)

With respect to this issue, I must say that we would be prepared to discuss an arrangement which would accommodate the constituencies represented by the various proposals for amendments before the House, provided, of course, that as a bottom line of those discussions it was understood that there would be no finality with respect to this matter until after the Supreme Court of Canada had adjudicated the issues which are before the court, or which may well be before the court.

We must remember, of course, that the Government of Canada must enter as a respondent in the appeal. It must defend itself in the appeal from the ruling of the Appeal Court of Manitoba, remembering that however it is resolved the Government of Canada must find itself in court. Finding itself in court, then, allows me to underscore to the Prime Minister, to the government House leader and to the Leader of the New Democratic Party the importance of the arrangement, which is that no final decision will be taken by this Parliament until the highest court in our country has ruled upon the constitutional validity of the proposals before it.

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, in the proposition which is being put forward at this time there is one problem, and that is that the court would not be faced with a final decision.

Earlier in the question period the hon. member for Saskatoon West (Mr. Hnatyshyn) asked me how we intend to transmit the resolution, or whatever it is, to the Supreme Court. I would like to advise the House of Commons that the Supreme Court of Canada must take judicial notice of anything which has been passed by Parliament. If we accept the proposition put forward by the House leader of the Conservative Party, the Supreme Court of Canada will not be considering something which has been finally decided upon by the House of Commons. That would be one of the problems; the Supreme Court of Canada would be faced with a resolution which would not have been finalized. It would still be a hypothetical question to them because, coming back to the House of Commons after adjudication, someone could propose some amendment and the question of legality could be reopened completely.

If the Conservative House leader wishes to be serious in his proposition, he should recognize that we should help the work of the Supreme Court and give them something final, or have a very definite agreement that when the question has been decided by the Supreme Court, we pass it right away without debate.

Some hon. Members: Oh, oh!

Mr. Broadbent: Madam Speaker, I am not sure if the Minister of Justice (Mr. Chrétien) listened with care. If he did, then I am not at all persuaded by his reply. As I heard the proposal of the Leader of the Opposition, there would be very specific amendments agreed upon by all the parties.

Mr. Baker (Nepean-Carleton): That is right.

Mr. Broadbent: The only nuance that I added to the suggestion, and there seemed to be agreement on this side of the House, was that we could take the votes on the amendments here in the House before the package was sent to the Supreme Court for adjudication. There seems to be unanimity on this side of the House on that point. I simply cannot understand the argument of the Minister of Justice.

If there was a solemn agreement entered into, perhaps by a special House order passed in the House and supported by all parties, then that would be the definitive resolution that we are asking the Supreme Court to pass judgment upon. Surely there is no problem with that whatsoever. As I see it, the only problem is that the government is not responding in a reasonable way to a fair-minded proposition.

Some hon. Members: Hear, hear!

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I would like to respond to one argument that was made by the Minister of Justice (Mr. Chrétien) on this question of the reference and the fact that there may be amendments still outstanding. I would draw to the attention of the Minister of Justice the provisions of the Supreme Court Act respecting references. Perhaps the Minister of Justice may like to read Section 55(1)(d), which reads:

> 55. (1) Important questions of law or fact concerning
>
> (d) the powers of the Parliament of Canada, or of the legislatures of the provinces, or of the respective governments thereof, whether or not the particular power in question has been or is proposed to be exercised;

What is being suggested in the House by the Leader of the Opposition is simply that we, as a chamber, decide what amendments we wish the Supreme Court of Canada to consid-

er as part of the resolution. Having decided that question, having determined quickly and expeditiously in this House what the final form of the resolution will be, it is then completely within the jurisdiction of the government, and I suggest would be desirable, to refer this resolution with the proposed amendments to the Supreme Court of Canada, pursuant to the provisions of Section 55 of the Supreme Court Act, and await their ruling on the jurisdiction question and on what lies within the powers of the federal government as opposed to the provincial governments. Having had a determination on that question, we in this House could then take our responsibilities.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, the two parties of the opposition have put forward two proposals that are not quite identical. To be as constructive as possible I would suggest to my hon. colleagues opposite that the House leaders meet this afternoon at which time we can examine more closely what has been proposed. I note a fundamental difference between, on the one hand, the proposal of the Progressive Conservative Party which gives no indication whatsoever about the length of the debate following the decision of the Supreme Court, which is essential. On the other hand according to the NDP proposal there could be an order of the House and one of the Senate, presumably, whereby when the decision of the Supreme Court has been handed down, the debate in the House would be extremely limited, no amendments would be allowed, and the resolution would be adopted probably within a set period of time, something like 24 hours. That is not clear in the Progressive Conservative proposal.

So, I feel that if hon. members are serious, they will accept the suggestion I am putting to them right now. Today, we have a motion that must be considered, ten minutes have already been used up and about two hours remain under the name of the Minister of State for Finance (Mr. Bussières). We would promise not to introduce today the motion providing time allotment to limit the debate on the Constitution provided the Minister of State for Finance is allowed to have the debate on his motion completed today and that motion put to a vote before six o'clock.

We would not introduce, today, the time allotment motion to limit the debate on the Constitution provided we could proceed with the study of the other motion under the name of the Minister of State for Finance. While the House proceeds presumably, with that study, and not being a victim of an opposition party trying to tie up the system, the House leaders in good faith would look further into the two proposals put forth by their respective party leaders.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, there have been two House leaders' meetings and I am neither alarmed nor surprised by the proposals put forward by the Leader of the Opposition today, nor should my hon. friend be. Of course, I am prepared to meet with my hon. friend to explore the areas upon which we can find agreement, from the point of view of, hopefully, reaching agreement. That has been my position from the outset, and we can begin that meeting, or series of meetings, today.

• (1530)

I note his undertaking with respect to government business. He said he will move ahead with the motion under 75C, which is agreeable, and that he will not call the motion in his name because a point of order is already outstanding with respect to that matter. Perhaps we can sit down and begin the process of exploring a way out of a position in which I regret to say the Parliament of Canada should never have been placed in the first place.

Some hon. Members: Hear, hear!

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, may I indicate that we are also prepared to sit down with the representatives of the other parties to assess this matter. I dare to express the view that we are making progress right here. The Prime Minister's (Mr. Trudeau) principal objection to the initial proposal made by the Leader of the Opposition (Mr. Clark) was that he was asking that a number of subject matter amendments be included in the reference, some of which might be hypothetical because they would not get passed down the road.

My leader offered something which corrected that. We could have a brief debate, one day each, on the various amendments so that we would be submitting to the Supreme Court only those amendments which actually have the support of the House. My leader also suggested that we could agree to a limited debate following the decision of the Supreme Court. I think we could also agree that there would be no further amendments unless amendments were necessary because of the ruling of the Supreme Court to strike certain matters out. I dare to believe we are making progress. I hope it will continue.

Some hon. Members: Hear, hear!

Madam Speaker: If I understand the terms of that proposal, it would be that today we would go to the business of discussing the motion under the name of the Minister of State for Finance (Mr. Bussières). I am in the hands of the House, but if we need two hours to discuss that motion, I would have to be asked by the House to defer the numerous questions of privilege or points of order which might be raised until after that discussion has taken place.

I am in the hands of the House, but if the point is realistic, if that debate requires two hours, and if it is to take place today, it would have to begin almost immediately.

Some hon. Members: Agreed.

Madam Speaker: This is agreed.

Some hon. Members: No, no!

Madam Speaker: I am sorry. I heard, "Agreed." I will hear the hon. member for Nepean-Carleton (Mr. Baker).

Mr. Baker (Nepean-Carleton): I do have a question of privilege which I would like to bring forward. I was conferring with my leader and my colleagues around me, and I confess that I did not hear you, and I also did not agree. If you are proposing to go to orders of the day, or something like that, I would say no.

Some hon. Members: Oh, come on!

Mr. Baker (Nepean-Carleton): I do have a point to raise.

Madam Speaker: That is fine. There is no agreement. I am in the hands of the House. It is simply that I was listening to the proposal. I tried to calculate the time that the House need to agree with that proposal; but if the House does not agree, I have no other course but to follow the proceedings as I usually do. The hon. member for Yukon (Mr. Nielsen).

Mr. Nielsen: Madam Speaker, I do not know how—the question never having arisen before, in my experience—our House leader or our leader can speak for whatever number of questions of privilege you have before you raised by individual members. That will take time in itself to canvass. Assuming that you have six or seven questions of privilege to deal with, there are at least six or seven members who will have to be consulted before we can come to any party conclusion on the matter. But surely neither our House leader nor any one of the officers of the party can take a position on the spur of the moment as to whether the rights and privileges of individual members on routine proceedings will be set aside.

While our House leader, who has a question of privilege filed with you, is speaking, I might take it upon myself to see you, Madam Speaker, to see what questions of privilege you do have, and then to speak to the members of this party, who might be involved. Others in the other two parties might do the same.

Madam Speaker: I certainly was not suggesting that the Leader of the Opposition or the Leader of the Conservative Party in the House would make a determination regarding other hon. members who have questions of privilege. They are individual questions of privilege, if I understand the concept. I was merely implicit, but I would not have gone up to that point, inviting the hon. members to allow me to do that. But if that is not allowed, that is final.

Mr. Pinard: Madam Speaker, there is a way out of this, and it is very clear under Standing Orders. If the hon. members in the party of my colleague, the hon. member for Nepean-Carleton (Mr. Baker), are serious and are in good faith, and I believe that, maybe they will then accept the proposal I have to make. If they are serious in saying they are interested in negotiating a way out of this situation, then you have the power, Madam Speaker, under Standing Order 17(1) to defer all questions of privilege to a time which is suitable to you. Since the debate on the motion of the Minister of State for Finance has on hour and 58 minutes to run, the debate would end at about 5.15, a division would be taken and there would be at least half an hour before six o'clock in which the questions of privilege could be heard.

Standing Order 17(1) allows you to defer all questions of privilege. If we look at Beauchesne's fifth edition, the Standing Orders are reproduced in Appendix 2. If you read it, Madam Speaker, you will see you have the right to do that. If the hon. members are sincere, they will agree that the questions of privilege today should be postponed until after the vote on the motion of the Minister of State for Finance, and then we could have the meeting. But if delay is what they want, they will have delay.

Mr. Hnatyshyn: No delay. I have privileges in this House and you cannot deny them.

Mr. Baker (Nepean-Carleton): Madam Speaker, I think you put the matter very correctly in terms of what privilege is. It is an individual matter and not a party matter. As you know, I have put in a notice with respect to a question of privilege which I want to pursue because I believe it is important to me and to other members of the House. I will do my best to be as short as possible.

The bottom line of rule 17(1) is this:

> Whenever any matter of privilege arises, it shall be taken into consideration immediately.

We have always done our best to take them into consideration immediately after the question period and to dispose of them. Then the rule goes on to deal with notice. Technically, under our rules now, they can be taken during the question period. This procedure has not been followed, because nobody wants to interrupt the question period, I suppose. I am not quarrelling with that decision today. However, the custom in the House has been to proceed with the matter. I think that as we go forward you will find that my privilege is germane to the position we are in the moment. At least, I hope you will so find, Madam Speaker.

Mr. Pinard: The House leader of the Tory party read from Standing Order 17.

An hon. Member: That is the Conservative party.

Mr. Pinard: Let me bring to your attention, Madam Speaker, what is contained in Beauchesne's fifth edition. The Standing Orders are reproduced and on page 305 I read:

> Question of Privilege
>
> 17. (1) Whenever any matter of privilege arises, it shall be taken into consideration immediately or at a time appointed by Mr. Speaker.

The important words are "or at a time appointed by Mr. Speaker". I agree with my colleague that in an earlier edition of the Standing Orders dated June, 1978, those words were not included. But I submit that this is an error in printing, and I have grounds for that.

Some hon. Members: Oh, oh!

Mr. Pinard: If hon. members are serious, they will listen. In the January, 1976 edition, those very words "at a time appointed by Mr. Speaker" are included. When we go to the 1978 edition, as I just mentioned, the words are not there. This is an error, since in the latest edition of Beauchesne, which is subsequent to the Standing Orders of 1978, those words of 1976 are restored.

• (1540)

If I may, Madam Speaker, I would draw your attention and the attention of the Clerk of the House to the fact that at the very beginning of the edition of 1978 there is a foreword which says: "The changes in the Standing Orders since the printing of January 1976 are as follows:". That appears at the very beginning. Then there are five changes and Section 17 is not included. So it is obvious that Section 17 should not have been changed. This is an error of printing and Beauchesne is correct in reprinting what was printed in 1976.

That is the explanation why my hon. colleague, by quoting from the edition of 1978, could not find the words in Beauchesne's fifth edition but which were in the Standing Orders of 1976, words which are not quoted as having been amended at the beginning of the 1978 edition.

This is all very technical, but in fact never in this House was there a decision that permitted Standing Order 17 to be altered in the way it has been altered in the 1978 edition. That is why, Madam Speaker, I am saying that you have the power and the right to postpone, under the Standing Order, all questions of privilege to an hour that is suitable to you.

Madam Speaker: On the point of order, the hon. member for Edmonton West (Mr. Lambert).

[*Translation*]

Hon. Marcel Lambert (Edmonton West): Madam Speaker, in 1976 we tried out something. An order determined that for the remainder of a certain period the Speaker could defer any question of privilege to avoid them during the oral question period. Unfortunately, the temporary order was not renewed and this is why—

An hon. Member: For what reason?

Mr. Lambert: What are the reasons? I do not know, but the order was not renewed nor were the amendments incorporated because the present Minister of Finance (Mr. MacEachen), who was then government House leader, refused to do so. He absolutely refused to refer any procedure matter to the Committee on Procedure and Organization to enable us to refer the recommendations to the House for approval. There are now more shortcomings in the Standing Orders on account of that. It is merely a matter of shortcomings because the Standing Orders of 1978 as printed are correct.

[*English*]

Hon. Erick Nielsen (Yukon): Madam Speaker, I will be very brief. I submit, first of all, that the little green book that I hold in my hand and which you also hold in your hand is the official "Standing Orders of the House of Commons." Nowhere else will they be found than in this book. Similarly with statutes across the country.

I suggest, secondly, Madam Speaker, that any appendix, which is what my hon. friend the government House leader was referring to when reading from Beauchesne, cannot be regarded as the official version of the Standing Orders contained in this green book. There is another explanation than the one given by him; he suggested there was a misprint and that the error occurs in the official edition and not in Beauchesne.

The other explanation and the more logical one is that this Rule 17(1) in Appendix 2 of Beauchesne blends the two occasions upon which privilege is raised. One, we find, is in 17(1) of the official Standing Orders, namely, that it must be heard immediately. The other aspect of it, "or at a time appointed by Mr. Speaker", deals with those questions of privilege that may be raised on occasions not contemplated by 17(1), of which, for instance, notice need not be given if the question of privilege arises out of the question period. The Chair has the power to deal with those at some other time.

The ultimate argument, and I suggest to you, Madam Speaker, the one that you must accept, is that this green book, the "Standing Orders of the House of Commons", is the official rules of this House and cannot in any way be supplemented by any appendix printed in Beauchesne, or anywhere else, for that matter.

Mr. Stevens: Madam Speaker, I rise on a point of order.

[*Translation*]

Madam Speaker: If I may, I shall try to clarify this first point. The 1975 version of the Standing Orders of the House of Commons did indeed include in Standing Order 17 a provision under which the Speaker of the House had to or could hear questions of privilege at the time specified by the Chair. This was included in Standing Order 17 following a temporary order made by the House which remained in effect from 7 April, 1975, to October 17, 1977.

Later on, this provision was removed from the first paragraph of Standing Order 17 because, if my information is correct, the parties involved had not agreed to have it maintained. However, on the basis of this temporary provision which had been included in Standing Order 17, my predecessor, Speaker Jerome, ruled that questions of privilege could no longer be heard during the oral question period, in all likelihood because the question period was going on indefinitely and Members of Parliament could not arrange their schedule on the basis of what was going on in the House.

He therefore determined on the basis of the temporary order which had then expired that questions of privilege would be heard at three o'clock after the Oral Question Period. After a trial period, he once again determined that his decision seemed to be appropriate, that it was likely to promote the orderly

conduct of the business of the House, and he decided to maintain it.

If I were now to decide without the consent of all the parties involved in this House that such or such a question of privilege should be heard at another time than three o'clock, I would have to do an exercise of gymnastics that I refuse to do and declare that, since Mr. Speaker Jerome had ruled on the basis of a temporary order of the House which has now expired, I shall now, on the basis of another order of the House which has also expired and of the precedent created by Mr. Jerome when he took it upon himself to determine at what time the questions of privilege would be heard, decide that questions of privilege will be heard at another time. I believe that this would be a much looser interpretation of this provision of our Standing Orders than the Chair can be allowed to make. In my opinion, the 1978 version is the official version, the one I have followed until now, and if another version appears in another volume and another edition, it could be used as a reference if the House decides to amend this provision and allows me to determine at what time the questions of privilege should be heard, but I would not want to go against a custom, or rather a practice of the House which was set in more or less legitimate circumstances and conditions by my predecessor if we consider that the temporary order of the House on the basis of which he had ruled had then expired, and I would not want to take it upon myself to go further than what the previous Speaker had decided at that time. Now the fact that there are so many questions of privilege to be heard at a time when the House or certain members of the House would like to proceed with the orders of the day certainly is a problem. I must say that I quite understand this legitimate desire of some members and the frustration of others who want to expound on their question of privilege. However, the Chair must be guided strictly by the rules, and unless someone can give me undeniable proof that this is a printing mistake, I shall need the unanimous consent of the House to defer questions of privilege to another time than three o'clock. The hon. President of the Privy Council.

Mr. Pinard: Madam Speaker, for our part, we would agree that the questions of privilege be deferred until after the vote on the motion of the Minister of State responsible for Finance (Mr. Bussières).

Madam Speaker: Do the hon. members wish to debate the proposal? The hon. member for Yukon (Mr. Nielsen).

[*English*]

Mr. Nielsen: Madam Speaker, I thought I made it clear before, and I certainly did to the Chair because you understood me, that there is no way we as a party can defer the rights and privileges of individual members who have filed questions of privilege with the Chair. I intend to speak to you, Madam Speaker, and to find out who those members are on this side. I will then see those members and see what can be done. In the meantime, negotiations between my House leader and the government House leader will not be impeded. As soon as I can get things together with the individual members, then I will come back to my House leader who can convey that information to his other colleagues. I will come to you, and we can take it from there.

● (1550)

Madam Speaker: Obviously, there is no unanimous consent.

Some hon. Members: No.

Madam Speaker: We will then proceed with the questions of privilege. The first one I have is in the name of the hon. member for Nepean-Carleton (Mr. Baker).

* * *

PRIVILEGE

MR. BAKER (NEPEAN-CARLETON)—DECISION OF NEWFOUNDLAND SUPREME COURT

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, my question of privilege was set forth in the correspondence of which I gave you notice as required by the Standing Order. I base it on four matters. My letter to you of April 1, 1981, reads:

> It will be my contention that the use of the House of Commons as part of a process for making amendments to the Constitution of Canada, amendments which have been found illegal as to both substance and process, by the Newfoundland Supreme Court, places all members of the House, and particularly members of the Bar, in an unacceptable and improper position.

Until we have satisfied, if we can, the negotiations—and that is by no means certain at this point—I think the matter is still germane. I meant to say that to you at the outset. I am speaking for myself. This is a matter of personal privilege which may affect others.

I am a member of the Law Society of Upper Canada. As such, upon my call to the bar I took three oaths. The first is the general oath of allegiance, which I took as well when I became a member of the House of Commons. The second was the solicitor's oath. The third, and the most important because it applies to this matter, is an oath which I took in 1957 as a member of the law society as a barrister upon my call to the bar. In that oath are these words:

> You shall not pervert the law to favour or prejudice anyone, but in all things shall conduct yourself truly and with integrity. In fine, the Queen's interest and your fellow citizens, you shall uphold and maintain according to the Constitution and law of this Province. All this you swear to observe and perform to the best of your knowledge, belief and ability.

That was the first oath I took which the proposals before the House still affect. The second arises out of the statute. I will give Your Honour these precedents so that you can look at the matter from my point of view, recognizing that I am an Ontario barrister. There are nine other jurisdictions in Canada and it may affect lawyers differently, but at least from the point of view of Ontario, as a member of the Law Society of Upper Canada the law society act of 1970 applies to me. There are certain regulations and rules under the law society act.

That act sets forth the oaths I have taken. These are matters not just of the law society deciding what should be done, but statutes of the province of Ontario stipulating which oath I must take and to what I bind myself.

The Law Society has produced a professional conduct handbook which is binding upon members of the law society in the sense that it is used by the law society and its members. It is a self-governing profession by the benchers of the law society who judge the conduct of members as members of the bar.

Certain rules bear on the position I hold as a member of the bar and a member of this House. I want to refer to rule 9 at page 26 of the rules of conduct of the law society, which reads:

The lawyer who holds public office should, in the discharge of his official duties, adhere to standards of conduct as high as those which these Rules require of a lawyer in the practice of law.

The commentary of these rules issued under the authority of the law society act, 1970, reads, in part:

The Rule applies to a lawyer who is elected or appointed to a legislative or administrative office at any level of government—

It applies to a Member of Parliament, a member of the legislature, a municipal councillor and so on. The commentary continues:

He must bear in mind that he is in the public eye and therefore the legal profession can more readily be brought into disrepute by failure on his part to observe its ethical standards of conduct.

It then goes on to deal with certain other matters which are not germane to this issue.

Commentary 9 on page 27 of those rules which govern me in the conduct of my private, professional and public duty, read in part:

—if his conduct in office reflects adversely upon his integrity or his professional competence, he may be subject to disciplinary action.

That is the first oath. I repeat briefly part of the oath which I took in 1957 which binds me:

You shall not pervert the law to favour or prejudice any one, but in all things shall conduct yourself truly and with integrity. In fine, the Queen's interest and your fellow citizens, you shall uphold and maintain according to the Constitution—

I am now in this position. Unless there was some arrangement made as an officer of the court—and I happen as well to be an officer of the court and no such arrangement has been made—it is my respectful submission that I would be flying in the face of the oath I took as a barrister if I agreed to the following procedure. I contend it would be a contempt of the Supreme Court of Canada to require me and the government—and the Prime Minister indicated to me yesterday that is what he intended to do, and he did not back off from his position today—subject to negotiation, to ensure that the resolution go through this Parliament in face of a judgment of the Court of Appeal of Newfoundland, which court has unanimously and clearly held that those very constitutional proposals are illegal. That is the first point on which I rely.

The second point flows out of the first but it is separate and distinct. I am an officer of the court. I am an officer of all the courts before which I have a licence to practise, namely, the provincial courts, the county court having federally appointed judges, the Federal Court of Canada and the Supreme Court of Canada.

As I tried to say in the debate when we were discussing the question of judges' salaries, all Members of Parliament have a duty with respect to the courts. This point has been covered also in the documents I will leave with you with respect to the rules of conduct of barristers and the statutes which govern them. I suspect they would probably apply to others across the country, but you will have to examine that. The oath requires that all of us conduct ourselves in a way that respects the integrity of the court.

● (1600)

My second proposition is that it is an affront to the court. It is a practice in which barristers, members of the Law Society, lawyers who happen to be members of this House of Commons and indeed other Members of Parliament are not to persist in and ought to resist. It thereby affects my privileges as a Member of Parliament.

I am subject to certain other things that are affected because of my membership in the bar. It is important to look at that and how it affects me here in the House. I am a member of the Canadian Bar Association. Membership in the Canadian Bar Association has no magic in itself. However, the code of professional conduct of the Canadian Bar Association is binding upon, affects, and is a burden upon barristers, whether or not they are members of the Bar Association, because the rules in the code of conduct are the kinds of rules that will move the minds of the disciplinary bodies of law societies across the country. In other words, that rule of conduct can be pleaded in the event there is an allegation of a breach of it by a member of the bar.

I am going to read from their rules to indicate to you the strictness of application. I quote from chapter IX entitled "A Lawyer in Public Office":

The lawyer who holds public office should, in the discharge of his official duties, adhere to the standards of conduct as high as those which these Rules require of a lawyer in the practice of law.

This is the commentary on that:

The Rule applies to a lawyer who is elected or appointed . . . He must bear in mind that he is in the public eye . . . The lawyer who holds public office must not allow his personal or other interests to conflict with the proper discharge of his official duties.

I suggest that applies to me and, incidentally, also to the Minister of Justice (Mr. Chrétien).

Mr. Blais: I rise on a point of order, Madam Speaker. I am a member of the bar and I have listened with a great deal of interest to the comments being made by the hon. gentleman. I would like to point out that there is about as much foundation for what he is advancing—I am getting to my point of order—as what he advanced on Friday, March 27. There is a point of order that I would like to address at this time.

Madam Speaker: Will the minister please address the point of order and not argue the case.

Mr. Baker (Nepean-Carleton): Let's not waste time.

Madam Speaker: If the hon. member wishes to argue the matter, I can recognize him later, but not on a point of order.

Mr. Blais: On a point of order, Madam Speaker. I am suggesting that the hon. member, in raising a spurious question of privilege, is breaching the order of this House. I would like to set the stage and quote the authorities upon which I base this particular point of order.

Madam Speaker: Order. I just heard the minister say that he was expressing the opinion that this was not a serious question of privilege. That has not yet been determined. The person to determine that in the House is the Speaker. If the minister has a point of order that is perfectly in order, I can hear him, but not to argue the case. That can come later, if I decide I want to hear him on it.

Mr. Blais: Madam Speaker, the point I am making is that there is an orchestration being conducted by the opposition of which the hon. gentleman's spurious or alleged question of privilege is but one part. In order for me to establish the point of order, I have to draw to Your Honour's attention the behaviour of the opposition since Tuesday, March 24. I might point out—

Madam Speaker: Order, please. That is not a point of order. A point of order has to refer to something presently happening in the House. It is true we are discussing questions of privilege every day in this House. If the minister wishes to raise a point of order, it has to be directly related to what the hon. member for Nepean-Carleton (Mr. Baker) is presently saying; but it has to be a point of order, not debate.

Mr. Blais: The point of order I am bringing to your attention is the obstruction of the House.

Madam Speaker: I am sorry—

Mr. Blais: That is happening now.

Madam Speaker: I am sorry. I gave the minister three chances to state his point of order. I do not think he has one. The hon. member for Nepean-Carleton.

Mr. McRae: I rise on a point of order, Madam Speaker.

Mr. Kempling: Here come the heavies.

Mr. McRae: My point of order is simply this. The hon. member has risen as a Member of Parliament dealing with the privileges of Members of Parliament. He has not spoken about this privilege. He spoke only about privileges of members of the Bar Association. That has nothing to do with this House.

Mr. Baker (Nepean-Carleton): Just so the hon. member for Thunder Bay-Atikokan (Mr. McRae) will be clear, I did not couch it in that way. I said exactly the opposite. I said it is a duty that falls on all Members of Parliament, and falls particularly heavily on members of the bar. That is the only contention.

I regret the Minister of Supply and Services (Mr. Blais) is imputing motives to me. I have always spoken very kindly of him. I do not think I am going to be that long, Madam Speaker. If the minister will just contain himself, he can then argue the case.

I think I was at the point of having dealt with the lawyer in public life. I indicated that the proposition put by the Prime Minister in question period yesterday—

Mr. Blais: I rise on a further point of order, Madam Speaker. It is related directly to the comment just made by the hon. member. Your Honour will recall, and it is recorded at page 8714 of *Hansard* for last Friday, the categorical statement of the hon. member for Nepean-Carleton that "we are going to use parliamentary time and we are going to waste it." It is that statement that I want to relate his present behaviour to, in terms of the systematic obstruction of the business of the House. That is the point of order I would like to draw to Your Honour's attention so that you can competently rule on it.

Madam Speaker: Order, please. The minister will have to point out to me where the hon. member has violated a rule of this House. The minister may have an opinion of something that is going on, but that is not a point of order.

Mr. Stevens: Madam Speaker, I rise on a point of order arising from what the minister has just been saying. I would like him to be very specific. Who does he feel is the obstructionist in this House?

Mr. Blais: Madam Speaker, I would point out that the hon. member who has just spoken is part of the attempt to obstruct the business of the House. Because in effect we are not dealing with the obstruction—

Madam Speaker: Order. The minister made that point in another point of order.

Mr. Stevens: Madam Speaker, I have a question of privilege of which I would like to give you notice. I asked who was the obstructionist.

Madam Speaker: Order, please. We are already discussing a question of privilege.

Mr. Baker (Nepean-Carleton): He is giving you notice, Madam Speaker.

Madam Speaker: In the middle of a question of privilege? I do not need oral notice; I need only written notice.

Mr. Stevens: It is coming.

Mr. Baker (Nepean-Carleton): Madam Speaker, I should point out, because the Minister of Supply and Services is also a member of the bar, the difference between the circumstances on Friday and those of today. In the intervening time, the Supreme Court of Newfoundland ruled that what Parliament, all of us, are being asked to deal with is illegal. The court ruled that the approach of the Prime Minister with respect to

federalism and with respect to the Supreme Court is illegal. The court said his approach is wrong. That is the difference.

● (1610)

Yesterday questions were put to the Prime Minister in which he was invited to take a course of action other than engaging Parliament in voting or acting upon an illegality. He said no, he would not depart from his course, and we have no indication today that he will depart from that course. The only indication we have is that we are going to sit down and discuss how we might mutually agree to depart from that course. The position of the Prime Minister has not moved one inch, but the circumstances have changed in that as of Friday there was no decision. Today there is a decision which says that what this Parliament is being asked to deal with is illegal.

My position is that all Members of Parliament have a duty, but it is a breach of my personal privilege when I as a member of the bar have to participate in what appears to be the perpetration of an act by Parliament which flies in the face of a judgment which says that what the Prime Minister is attempting to do is illegal. That is simple. I am a lawyer in public office, and I am subject to certain disciplines. That is the position.

If I could get back to the argument I was making before I was interrupted by the hon. gentleman:

> The lawyer who holds public office should, in the discharge of his official duties, adhere to standards of conduct as high as those which these Rules require of a lawyer in the practice of law.

It says that if he does not, that lawyer would be subject to disciplinary action.

My second point is that the whole code of conduct—which I am prepared to leave with Your Honour if you wish to consider the point, because it may apply to other members of the House—makes it clear that a lawyer in public office has a particular responsibility.

I took an oath as a Privy Councillor. I took that oath on June 4, 1979. Your Honour has taken the oath of a Privy Councillor. The Minister of Justice has taken the oath as a Privy Councillor. The Minister of Supply and Services has taken the oath as a Privy Councillor. A number of members have. The Prime Minister has taken the oath of a Privy Councillor. It is a very serious oath. I am sure Your Honour took a look at it, after it had been read to you by the Clerk of the Privy Council, and said, "My God, what have I taken?" Because what it said in your case, Madam Speaker, is that you could not even tell your husband, for instance, what was happening if your husband was not a Privy Councillor. That oath is a very serious oath. It is different from any other oath we have to take.

Mr. Nowlan: He took one too.

Mr. Baker (Nepean-Carleton): The difference in Your Honour's case, as I know, is that Your Honour's husband is a Privy Councillor as well. Nonetheless, the Privy Council oath is a very serious oath. It puts a burden on certain members of the House. It certainly does on me. That burden does not rest upon certain other members of the House.

I will read the oath in part. I will not read the words that terrified us when we read it the next day; I will read only the part which refers to the judgment.

An hon. Member: Read it all.

Mr. Baker (Nepean-Carleton): My friend wants me to read it all. He can read it for himself some day, if he is so fortunate. The oath reads, in part, as follows:

> You . . . do solemnly promise and swear that you will serve Her Majesty truly and faithfully in the Place of Her Council in this Her Majesty's Dominion of Canada—

There are two small phrases. First:

> You will in all things to be moved, treated and debated in any such Privy Council, faithfully, honestly and truly declare your mind and opinion to the honour and benefit of the Queen's Majesty, and the good of Her Subjects without partiality or exception of persons—

That oath has been taken by the Attorney General of Canada, as argued by the hon. member for York-Peel (Mr. Stevens) yesterday. It places the Minister of Justice in the particular position in which he is. He must advise and take a particular position with respect to all other ministers when he takes that oath, as he did.

Then the oath goes on:

> In general you will be vigilant, diligent and circumspect in all your doings touching the Queen's Majesty's affairs; All which Matters and Things you will faithfully observe and keep, as a good Councillor ought to do to the utmost of your power, will and discretion.

What that means to me as a Privy Councillor is that when I see something which flies in the face of all reason, which holds the Supreme Court of Canada in contempt, which offers the Supreme Court of Canada a *fait accompli,* which asks Parliament to debate something which is now before the court and which has now been held illegal in another court—it is before the Supreme Court on the appeal from Manitoba, but it has now been held illegal by the court in Newfoundland—then as a Privy Councillor I think all of us have some duty to be vigilant.

I have a question of personal privilege which must be considered, and that question is whether I, as a Privy Councillor and as a member of the bar, having taken the oaths I am supposed to have taken, ought to be placed in the position—

Mr. Peterson: Madam Speaker, I rise on a point of order. The hon. member for Nepean-Carleton (Mr. Baker) is wearing so many cloaks of unctuous rectitude that I am wondering if, in the opinion of Your Honour, this is proper dress for a Member of Parliament.

Mr. Baker (Nepean-Carleton): The one coat I am not wearing is a coat of many colours, which my friend is wearing.

I was going to finish. My contention is that those of us who are members of the bar—and particularly myself because this is a question involving me as a member of the bar—those who have taken the oath as Privy Councillors, those who are bound, as I am, by the rules of the law society act of Ontario to which

I must adhere and by the rules of conduct of the Canadian Bar Association, to the extent that they can be pleaded against us in a breach—they have set a standard of conduct—are being placed in an invidious position with respect to the proposition which is being put to the House by the Prime Minister, namely, that we must—not necessarily support or reject, but must—deal with a matter which has been declared to be illegal and on which an appeal is now pending before the Supreme Court of Canada.

Finally, as an officer of the court I am put in a position which is different from the position of those who are not officers of the court. As an officer of the court I am bound by rules to uphold the integrity of the court. My duty to the court is important to me because I happen to be a member of the bar. The Minister of Justice, who is also a member of the bar, has a duty to the court as well. The Minister of Justice and the government—the Minister of Justice particularly because the resolution stands in his name—are in violation of their duty to the court—

Some hon. Members: Hear, hear!

● (1620)

Mr. Baker (Nepean-Carleton): —in putting that matter and suggesting that Parliament must deal with it, as the minister has said. It is still the government's position that we must deal with it before it goes to the Supreme Court of Canada.

Madam Speaker, in conclusion, none of us who is a Privy Councillor or a member of the bar will be in exactly the same position as members who are not if we are put in the position of having to deal or treat with this resolution in any way. The only way our particular rights and privileges can be dealt with—and some members may not feel so bound but I do; otherwise I would not have raised it—is if the matter is withdrawn now until the Supreme Court of Canada deals with it. There is nothing in that suggestion which departs from the idea of meeting and discussing how it would be dealt with later, but it can be withdrawn now. That is the proposition.

Mr. Collenette: Madam Speaker—

Madam Speaker: On the question of privilege?

Mr. Collenette: On this question of privilege.

Madam Speaker: We have several questions of privilege and therefore I do not think I would like to entertain another speaker on this particular one.

The hon. member for Nepean-Carleton understands that whether something is legal or illegal is not within my purview. Whether it is or not, I am sure the hon. member knows he has a privilege in this Parliament and if he, as he says, were forced to do something which is illegal through the actions of this Parliament, he would be protected precisely by that privilege. The House would protect him. That has to be the case because he is a member of the bar, and he would have to be disciplined precisely because he is a member of the bar and a member of the Privy Council. Other members would not be equal in this House in the sense that the hon. member for Nepean-Carleton would be doing something illegal and another member who is not a lawyer would not be doing something illegal.

So the privilege to discuss matters freely in this House is protected; it goes back as far as 300 years ago. I quote from the British Bill of Rights:

—that the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place outside of Parliament.

I understand the hon. member's feelings about this question, but he would be free in this House to debate, amend or vote against whatever he feels is illegal or wrong. The point that he raises might be an argument for a course of action he may choose to follow if and when this question arises in the House, but it is not an argument that I can entertain as a question of privilege.

Mr. Collenette: Madam Speaker, since you have ruled on that question of privilege, may I ask at this time if the hon. member for Yukon (Mr. Nielsen) or somebody else on behalf of his party has checked to see whether or not we have the permission of those members who have given notice of privilege to defer consideration on that matter so we may proceed with the business of the day as described earlier?

Mr. Nielsen: Madam Speaker, I have indeed canvassed those members on this side. I gave the undertaking across the way and to the Chair that I would inform my House leader of the result, who in turn would inform the government House leader and that is what I intend to do. He has been on his feet and that is why I have not been able to do it until now.

* * *

[*Translation*]

POINT OF ORDER

MR. ROY—OMISSION IN OFFICIAL REPORT

Mr. Marcel Roy (Laval): On a point of order, Madam Speaker. During routine proceedings yesterday when you called presentation of reports from standing and special committees, I rose, sought and got unanimous consent to present the third report of the Special Committee on a National Trading Corporation and that report was concurred in. Madam Speaker, I note that the *Votes and Proceedings* indicate that indeed I was given unanimous consent when I presented the report, seconded by the hon. member for Huron-Bruce (Mr. Cardiff), for concurrence of the House.

I note as well that *Hansard* for yesterday does not even mention that this report received the concurrence of the House. I would like to make that correction immediately because it seems that, since the report does not appear as having been concurred in, the operations of this National Trading Corporation may have been interrupted pursuant to our terms of reference.

Madam Speaker: That is a fact, I am being advised that there was an error in *Hansard* and it will be corrected. I thank the hon. member for bringing this to our attention.

[*English*]

Mr. Munro (Esquimalt-Saanich): Madam Speaker, just to clarify, I understand you ruled there was no question of privilege because the hon. member for Nepean-Carleton (Mr. Baker) had claimed that because he was in the legal profession he was being placed in a special position, and he was trying to distinguish himself from other Members of Parliament in that context. Surely—

Madam Speaker: Order. This is a commentary on a ruling, not a point of order and I cannot accept it at this time.

The hon. member for York-Peel (Mr. Stevens) on a question of privilege?

Mr. Stevens: Yes.

Madam Speaker: I am sorry, I have many more before the hon. member's.

Mr. Stevens: Madam Speaker, my question of privilege arises from the notice that I was attempting to give you with respect to the comment made by the Minister of Supply and Services (Mr. Blais). I know the question of privilege that I gave you notice of is coming up later, but I feel we can clear up this question of privilege very quickly.

Madam Speaker: I would think it is a point of order.

Mr. Stevens: No, it is not.

* * *

PRIVILEGE

MR. STEVENS—USE OF WORD "OBSTRUCTIONIST" BY MR. BLAIS

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my question of privilege is this. As we know, the Minister of Supply and Services (Mr. Blais) made certain random comments about members of the House, and presumably of my party, being obstructionists. He said we were obstructing the progress of the House. You will recall I rose on a point of order and asked him to be specific and name the obstructionist that he was referring to. His reply was: "Well, you for one are obstructing; you are an obstructionist." I do not know whether he used the word "obstructionist", but I draw your attention to a precedent on this word "obstructionist" and generally obstructing progress of the House. I refer you to *Hansard* of May 6, 1961, page 4459. Mr. Churchill, the House leader, said:

Those are his words, and the hon. members of the opposition are certainly showing themselves as obstructionists today.

Then Mr. Chevrier said:

I rise on a question of privilege, to take issue with what has been said by the House leader, who referred to our tactics as obstructionist.

Madam Speaker, I suggest this precedent will give you absolutely no trouble. Mr. Speaker said:

I think perhaps the minister would like to modify the word "obstructionist". I will give him the opportunity to do so. As far as the question of privilege arising out of the intervention of the hon. member for Bonavista-Twillingate is concerned, I have disposed of that. Really the discussion was continuing on that basis, and I would ask hon. members to desist.

Mr. Chevrier then said:

I rise on a question of privilege. We have been charged by the House leader and another hon. member with using obstructionist tactics. What we have been doing is supporting the rules of this House and asserting the rights of Parliament. I ask you, sir, to invite the House leader and the hon. member for Calgary South to amend their language when they direct their attacks on us as obstructionists.

The House leader then said:

Mr. Speaker, if the word "obstruction" is objectionable—I do not think it is contrary to the rules—to hon. members on the other side I—

—will make an appropriate substitution.

Madam Speaker, that is the thrust of my question of privilege. We have a clear precedent on the word "obstructionist". I asked the minister who is an obstructionist in this House, and he named me. If you find that I have a prima facie case for my question of privilege, I would put the appropriate motion to you asking the hon. member to withdraw his statement.

Hon. J.-J. Blais (Minister of Supply and Services): Madam Speaker, on that point, I would be pleased to document the facts upon which the allegation relating to obstructionism by members opposite was made.

● (1630)

Madam Speaker: Order, please. We are not discussing whether some people are obstructing or not obstructing. By the way, it is a point of order. The question of unparliamentary language is not a question of privilege; it is a point of order and I will treat it as a point of order.

I think I can rule on it quite easily. The word "obstruct" without any context—and I am forever having trouble with Beauchesne's list; somehow the word is on both lists, the list of words which are unparliamentary and the list of words which are not unparliamentary. I am forever having trouble with that list.

The hon. member quoted a precedent. It depends very much upon the context of the debate in which the word was used this afternoon. It did not strike me as being particularly offensive, because my recollection is that the word was applied to a group of people, not to an individual. I refer to Erskine May which indicates that expressions which are unparliamentary when applied to individuals are not always so considered when applied to a whole party.

In the words pronounced by the Hon. Minister of Supply and Services (Mr. Blais), I did not hear anything unparliamentary. But, of course, there is always the reservation that I will look at the blues, and if it appears to be unparliamentary, I would proceed to get the normal redress for the hon. member.

Mr. Stevens: Madam Speaker, I rise on what you have accepted as a point of order: I am very pleased to hear that you will examine the blues.

The sequence was that I asked a direct question: Would the Minister of Supply and Services (Mr. Blais) be specific as to who is the obstructionist. He came back and named me as the obstructionist. Nothing could be more individually-oriented than what the Minister of Supply and Services has done.

Mr. Hnatyshyn: Withdraw it.

Madam Speaker: I will look at the blues. That is final; I will look at the blues.

Mr. Collenette: Madam Speaker, I rise on a point of order. I do not want to belabour the point, but I want to return to the point I made a few minutes ago. I see the hon. member for Yukon (Mr. Nielsen) is just about to enter the House. I would hope perhaps he has had those discussions, so that we may be able to defer the questions of privilege and proceed to the motion under Standing Order 75C which is under discussion.

Mr. Nielsen: Madam Speaker, as I undertook, I have had consultations with my House leader who, I understand, will be getting in touch with the government House leader.

Madam Speaker: Then we will proceed with the question of privilege in the name of the hon. member for Durham-Northumberland (Mr. Lawrence).

MR. LAWRENCE—CONFLICT OF INTEREST IN DEBATING RESOLUTION ON CONSTITUTION

Hon. Allan Lawrence (Durham-Northumberland): At the very beginning I would like to assure Madam Speaker that the question I am raising is not a frivolous one; it is a very sincere one. I have never, do not now, or will never raise questions of privilege designed merely to delay the House.

Mr. Blais: Oh, come on!

Mr. Lawrence: I can be no more sincere than this. My question of privilege today is a very personal and a very sincere one. I emphasize the word "personal". Perhaps some of the material the hon. member for Nepean-Carleton (Mr. Baker) prepared in respect of his question of privilege may appear, on the surface, to be the same as mine. I understand Your Honour will be hearing from other members today in respect of similar questions of privilege. Whether they are similar or not should be immaterial. Mine is a personal one; my feelings are sincerely held in this regard. I would hope, when the rulings come out on this and if you find prima facie cases have been made, that each one of them will be treated individually by Your Honour.

I would like to outline for the benefit of the House—not for Madam Speaker's benefit because you have already received my letter—the actual notice I gave early this morning. I think I might have been the first one on this point to give notice of my question of privilege. It is dated April 1, this morning, and reads as follows:

> Madam Speaker:
>
> Would you please take notice that I wish to raise a question of privilege in the House today on the government's determination to proceed with their constitutional package in spite of a very clear finding of a Supreme Court of one of the Provinces that this proposal is illegal.
>
> My personal point of privilege is that as a Barrister and Solicitor, as a Queen's Counsel, as an ex-Law Officer of the Crown at both the provincial and the federal level, and a Bencher of the Law Society of Upper Canada I have a sworn duty to uphold the law and indeed could be disbarred and heavily penalized if I didn't do so.
>
> The rule of law must be paramount and we now have found that the very matter that the government is insisting that I debate and form a judgment on is illegal and this puts me in an impossible position as far as my rights and privileges—

as a Member of Parliament are concerned.

The letter continues:

> I intend to raise this in the House today with your permission.

That was my notice to Your Honour today respecting the question of privilege which I would like to come to very briefly and very sincerely in a moment. In case there is any problem in Your Honour's mind about the validity of the notice or the validity of my raising it today, I would like to say that I raised this with you and gave you notice.

Mr. Blais: Madam Speaker, I simply draw to Your Honour's attention, on a point of order, that you have just ruled on a matter which in essence was the same as that which is being brought to your attention by the hon. member. I would suggest that, contrary to his allegations or his swearing that this is not a spurious question of privilege, it is in effect such, and raised in order to delay the process and the business of the House.

Mr. Munro (Esquimalt-Saanich): Spurious, take that back.

Madam Speaker: The hon. member for Durham-Northumberland (Mr. Lawrence) just told me that his question of privilege was slightly different. I am listening to his arguments to hear what differences there are, compared with the one previously ruled upon.

But I caution him that new arguments, if he has any, would be useful in my deciding this. I would ask him not to dwell on the question I just decided, because as he knows one cannot raise a similar question of privilege to the one which has been ruled upon.

Mr. Lawrence: I agree with Madam Speaker's proposition that we certainly should not be repetitious and not raise duplicate arguments. However, I did not quite understand Your Honour's comments at the end of the presentation of the hon. member for Nepean-Carleton to be a ruling. If I am mistaken, I am sure you will correct me. In respect of your comments, I believe you mentioned that no matter what happened, the hon. member for Nepean-Carleton was protected.

Mr. Blais: Madam Speaker, I rise on a point of order. I think Your Honour did not grasp the comments of the hon.

member for Durham-Northumberland (Mr. Lawrence) who maintained that your last order or decision with reference to the hon. member for Nepean-Carleton (Mr. Baker) did not constitute a finding on the question of privilege. I think the hon. member ought to be disabused on that point.

Madam Speaker: Well, the hon. minister may raise all the points of order he wishes; of course he is perfectly free to do that, but perhaps he would allow me to listen to the hon. member for a while so that I can ascertain that. It is more than a courtesy; there is an obligation on the part of the Speaker to listen to questions of privilege. I am trying to do just that, although I have been somewhat distracted. Many members have been sending messages to the Chair. I must listen to hon. members and read the notes at the same time. I must say that it is quite difficult. I will continue to listen to the hon. member for Durham-Northumberland to understand whether he does have a question of privilege.

● (1640)

Mr. Lawrence: I wanted to indicate to you, of course, that any member rising in his place on a question of privilege must obviously prove to you—I know you know this, I am saying it more, perhaps, for the minister than for the Chair—that it is a personal matter and that it vitally and obviously seriously affects that individual's riding. I would like to claim that the question of privilege I am raising with you affects not only me but the other 100 members of both these chambers, who are also practitioners and who are qualified to practice in the law. I would like to submit to you that the question of privilege I am raising does affect them all. By the way, Madam Speaker, you may not be aware of this, and it is somewhat of an oddity, but there are exactly 100 members of the other place and this place who are today qualified to practice law. I think you certainly understand, Madam Speaker, if the hon. member does not, that when I rise in my place, I must speak in a personal way and point out to you what is happening or what has happened which effects my own personal rights and privileges in this House.

Having said that to you, Madam Speaker, I feel, and I hope you will agree, that the notice which I gave to you is in order and that there is no defect or question which arises in relation to it. I did give the notice to you at the very earliest possible time, namely, early this morning, when, for the first time, I received a copy of the judgment of the Newfoundland Supreme Court. Of course, both that decision and the continued determination of the government to proceed with the matter before the House, form the grounds for my question of privilege.

If I may say so, I feel that I have three burdens upon me to prove to you. The first one is that the matter the government is determined to bring before this House, and to which I am objecting, is a matter which, at the very least, is now of questionable validity, as far as the law is concerned. I would go further and say that the matter the government is forcing upon us has now been proven to be illegal and, at the very least, it is not valid in law. That is the first burden which falls upon me to prove to you.

The second, I would say to you, apart from the 99 other practitioners in both of these chambers, and apart from the other members of the House of Commons, puts me in a difficult position, perhaps even more so than other members. I say this because I am sworn to uphold the law of this country. Other members may feel that they are equally—

Madam Speaker: Order, please. If that is the basis of the hon. member's—

Mr. Lawrence: No, I have three burdens.

Madam Speaker: —question of privilege, that is to say, that he has been sworn to uphold the law and he feels that to deal with the resolution on the Constitution is to do something which will cause him to be disciplined as a lawyer before the bar association of his province, then I am afraid it is very much the same question of privilege which was raised by the hon. member for Nepean-Carleton (Mr. Baker). The hon. member for Northumberland-Durham is using the same arguments used by the hon. member for Nepean-Carleton. I cannot hear those same arguments again.

It will be difficult to deal with these questions of privilege, which are similar, without referring to the ruling I have made on a previous one. It will be even more difficult for hon. members than it will be for the Chair. I just warn hon. members that they must choose their arguments extremely carefully in order that I may continue to listen to them.

Mr. Lawrence: Madam Speaker, in the very brief time I have been on my feet I was trying to outline to you a brief summary of the arguments I intend to proceed with. I appreciate that of necessity, you were engaged in a conference with the law clerk, and perhaps you did not hear me argue that I have three burdens upon me, as I understand it, to prove to you.

I will go back to the first burden very briefly, which is that the government intends to force upon me, as a member of this House, a question, to debate and upon which eventually to form a decision, which is of questionable validity in the law today. I claim it is illegal. In any event, as a massive understatement, I would say that it is a matter which has now been held by the Supreme Court of one of the provinces to be invalid and that there is a seizing of this general concept of this constitutional package before the Supreme Court of Canada to decide exactly the same thing. That is my first burden. I must prove to you that it is invalid in the eyes of the law.

My argument bears no relationship whatsoever to that of the hon. member for Nepean-Carleton. I feel that I have a few more onerous responsibilities inside and outside this House, to the government and people of Canada and to the government and people of Ontario, which is my native province, than the hon. member for Nepean-Carleton. I am in a different and

more difficult position than he is by virtue of the oaths I have taken to uphold the law of this province and this country. My question of privilege bears no relationship at all to the penalties, supposed or otherwise, to which I may be subjected in dealing with this matter here. I am now talking about my integrity, my reputation and my responsibility as a citizen of this country, as a Member of Parliament and as a professional man.

Some hon. Members: Hear, hear!

Mr. Lawrence: I am not dealing at all with the penalties which may or may not flow from what I consider to be an ill-advised and now illegal action of the Government of Canada. That is the second burden which I intend to prove to you this afternoon, Madam Speaker.

The third burden upon me is that there is a conflict with my personal rights and privileges in that I am being forced to debate and decide upon this question in this House.

Those are the three burdens that are upon me. If you will be patient and tolerant with me—and I have not taken up very much time in the last little while—I will attempt to go through those three burdens, if I may.

First, may I point out to you that apart from what anyone may claim about hypothetical questions of law, the Supreme Court of Canada, which is the ultimate appellate jurisdiction in this country, is now seized with the question of the validity or invalidity of the constitutional package which is before this House and which forms the basis of the argument which I am now presenting to you. It matters not whether it is hypothetical—

Madam Speaker: Order, please. I ruled on that point when I ruled on the point of order of the Right Hon. Leader of the Opposition (Mr. Clark). The fact that the matter is before the Supreme Court must be ruled out of this particular discussion. I have already ruled on that.

Mr. Lawrence: I am merely pointing out that it is a question of legal validity which is before the supreme appellate court of this country. That is my first point.

● (1650)

Second, there is also the very clear and unequivocal unanimous decision released yesterday—this matter has not been brought before you—by the Supreme Court of Newfoundland. It is not only a unanimous decision, it is a decision—

Madam Speaker: Order, please. Yes, I have ruled on that, too. The hon. member for St John's West (Mr. Crosbie) and the hon. member for St. John's East (Mr. McGrath) raised a question of privilege on that particular point, and I have ruled on than too.

Mr. Lawrence: You have not ruled on the comment made this afternoon by the Prime Minister (Mr. Trudeau) of this country in this Chamber just an hour or so ago—I know you have not, because I have been here since then and the matter has not been placed before you—that the moment, the Government of Canada is not appealing the decision of the Supreme Court of Newfoundland; ergo, the unanimous ruling and the unanimous decision of that supreme court is binding beyond the boundaries of the province of Newfoundland. There can be no question whatsoever but that that decision, because it is not being appealed at the moment, is therefore the rule of law. It is the law of this country.

Madam Speaker: The hon. member has to prove to me that that particular decision is binding on this Parliament to the point where it would not allow the Parliament to proceed with a resolution which some feel is illegal vis-à-vis that particular decision. We have decided that this Parliament is supreme—and that has come in my rulings—and that it can entertain matters of this importance. I did say that matters of national importance ought not to be prevented from being discussed in this House because something pertaining to or relating to that happens to be before the courts. I have ruled on that. That is the sub judice aspect of the question, and the hon. member must find other arguments. I know it is difficult for him, but the questions of privilege I am receiving are all pretty similar, and that is the difficulty. However, I have not created it.

Mr. Lawrence: Madam Speaker, I do not know if the other questions of privilege before you are similar to mine or to those of the hon. member for Nepean-Carleton. Quite frankly, it is irrevelant and immaterial so far as I am concerned. I am claiming that my personal rights and privileges in this House have been abridged, not because of any sub judice rule. If you have already ruled on that, that is up to you, Madam Speaker. I have not researched your ruling carefully, clearly and in depth. But whether I have done so or not, I cannot question it. I am claiming that there is a continued insistence and determination of the part of the Government of Canada to place its resolution before this House and, in particular, to force me, as a representative of the people of my riding whom I attempt to represent in this House, to debate and to make a decision on a matter which is very clearly illegal and invalid according to the existing law of the land. The existing law of the land is the clear decision which was announced yesterday and of which I received a copy only this morning. I am sure no part of it has been read into the records of the House, or presented to you, Madam Speaker. That is the point I want to make so far as the first part of my question of privilege is concerned.

The second burden upon me is the very peculiar situation in which I find myself, because it is not only as a barrister and solicitor qualified to practise within the province of Ontario that I have taken an oath to uphold the law of this land. Again, I come to you with my question of what the law of the land is. I also happen to be a Queen's Council in this province, which also imposes further responsibility.

An hon. Member: That is your handicap.

Mr. Lawrence: I also suggest to you, Madam Speaker, that as an ex-law officer of the Crown at both the provincial and the federal level, I have had to take several extra responsibili-

ties which perhaps exceed or perhaps do not exceed the attitude, the rights and the responsibilities of the hon. member for Nepean-Carleton. However, they affect me, they affect my public responsibility, and they are a continuing responsibility. I know of no way to determine the end of an oath or a special oath in that respect as yet, so far as my practice of law is concerned.

As well, I have taken another oath. I have taken an oath as a member of the Queen's Privy Council for Canada. That was referred to earlier. I suggest to you that that is a lifetime oath. It will always be with me unless this House sees fit to strip me of it in a very peculiar and unique way. That duty and that responsibility which I took is upon me, and it certainly affects me. It may also affect the hon. member for Nepean-Carleton but, by golly, it affects me. I have a very sincere and high regard, not only for that right, but also for the responsibilities imposed upon me.

I would like to make another point which I know the hon. member for Nepean-Carleton cannot claim, but I do. In the province of Ontario there is a very special regulatory and licensing body for those who are qualified to practise law in the province of Ontario. It is called by the quaint old name which you will recognize: the Law Society of Upper Canada. That is the licensing and regulatory body of the people who are qualified to practise law in the province of Ontario.

There is another quaint term, Madam Speaker. The people who guide the fortunes and who guide the administrative policies of the Law Society of Upper Canada and, who are therefore, the people who set the regulations and licensing provisions for those who are qualified to practise law in this province have another quaint name. They are not called the directors, they are not called the board, they are called the benchers of the Law Society of Upper Canada. They also form a disciplinary body so far as people who practise law are concerned.

Madam Speaker, I am a bencher of the Law Society of Upper Canada, an ex officio one, but nevertheless, a bencher of that august body. I have an extra responsibility so far as the code of ethics is concerned, so far as the regulatory provisions are concerned, and so far as the disciplinary regulations of that body are concerned. I therefore have an extra responsibility to this House as well as to the people of this country and to my constituents in particular.

As well, Madam Speaker—and this was dwelt on very briefly by the hon. member for Nepean-Carleton—his membership and my membership in the Canadian Bar Association which also has a code of ethics—

Mr. McRae: What is being argued here, Madam Speaker, is that one Member of Parliament, because he is a member of the bar, has special privileges or special encumbrances which the rest of us do not have.

Some hon. Members: Oh, oh!

Mr. McRae: I cannot accept that. I believe that that kind of argument is out of order.

Madam Speaker: Order. I pointed that out to the House a minute ago in my ruling.

An hon. Member: Yeah, wake up!

Madam Speaker: I will hear the hon. member for Durham-Northumberland now. However, he is repeating the arguments brought forward by the hon. member for Nepean-Carleton. I would ask him to conclude because he has been taking quite a lot of time. I have asked hon. members to co-operate with the Chair and to try to expose their points of privilege inside of five minutes, if it is at all possible—

An hon. Member: He has exposed himself long enough.

Madam Speaker: —because of the great number of questions of privilege.

Mr. Lawrence: Madam Speaker, I hope you are not penalizing any of us as individual members of this House—and I mean this most sincerely—simply because of the stupid and arrogant attitude of the government which is attempting to ram something through this Parliament.

Some hon. Members: Hear, hear!

Mr. Lawrence: I am not the cause of my standing up today to speak to you about my privileges and my rights in this House!

Some hon. Members: Hear, hear!

Madam Speaker: Order. Nor is the Chair. Let us discuss these questions of privilege calmly so that we can get through with the business before us. It includes questions of privilege and many other matters. So the Chair is not responsible for the situation in which Parliament finds itself at the present time. I am patiently listening to all of your arguments. I am only asking hon. members to co-operate. If hon. members do not want to co-operate and try to accept what I am suggesting as a normal schedule to deal with the business we have before us, that is up to them of course. I am just appealing to them.

• (1700)

Mr. Lawrence: Madam Speaker, with all deference I point out to you that if the rights and privileges of any single member of this House of Commons are abridged in any way; if you find that there is a prima facie case, then certainly in your mind and certainly in your predecessor's mind and I hope in the mind of any successor in the high office that you hold, this would certainly take priority and paramountcy as far as the normal business is concerned, or what might be termed the normal business of any government, no matter what its political complexion.

The question of a personal right to raise a question of privilege concerning the very high office that we all have in this House, is a very, very important one. I am not being frivolous. Believe me, I hold very sincerely and very deeply the responsibility I have, not only as a Member of Parliament but

also, Madam Speaker, as an officer of the court of this land. The reason I am indicating to you—

Mr. Kristiansen: Madam Speaker, a point of order—

Madam Speaker: The hon. member for Kootenay West (Mr. Kristiansen).

Mr. Lyle S. Kristiansen (Kootenay West): Madam Speaker, in spite of your continual rulings that the sub judice argument was out of order and not acceptable; in spite of your continual references that the matter of somebody's obligations or duties as a member of the bar or as a member of the IWA, or as a member of the tin canners' society or something else, has nothing to do with our obligations and duties as members of this House, the member goes on and on and on.

Surely, Madam Speaker, there must come a point where the majority has some rights as does the minority.

Members have talked about impeding progress, Madam Speaker. These members are impeding the progress of a number of very important items through this House, not only the matter to which they make constant reference but the other matter on which here was an attempt to get an agreement so that we could proceed today.

Some hon. Members: Oh, oh!

Mr. Kristiansen: I suggest, Madam Speaker, that the hon. member who raised the last question of privilege has been pursuing those matters which you have already ruled out of order to the extent that it could almost be said that he is showing contempt for the Speaker of this House, and I think that is abominable.

Some hon. Members: Hear, hear!

Mr. Lawrence: Madam Speaker, I hope I have achieved the first two burdens that there are upon you. I now come to the third burden, the one that is upon me. That third burden, Madam Speaker, is—

[*Translation*]

Mr. Tousignant: I rise on a point or order, Madam Speaker.

Madam Speaker: The hon. member for Témiscamingue on a point of order.

Mr. Tousignant: Madam Speaker, with all due respect to the hon. member, for whom I have much esteem, we have been hearing for over an hour and a half exactly the same question of privilege word for word as that raised by the previous speaker. I wonder why the hon. member would feel bound by the judgment of the court in Newfoundland and question that of the Manitoba court. Moreover, I would appreciate that the hon. member stop labouring the point that he has many responsibilities compared to those other members who are not lawyers. It seems to me that the hon. member is applying a double standard concerning the oath of office made by the members of this House. It makes me sick to hear this and I would appreciate that he stop doing it.

[*English*]

Madam Speaker: The hon. member for Durham-Northumberland must realize that some other members of the House are becoming somewhat impatient with the fact—

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. The Speaker has to satisfy everybody in the House. The hon. member knows he is repeating arguments which have been brought forward by his colleague. I hate to get up every other minute. I have had to rise several times in the course of the hon. member's intervention. That must be a message to him that something in his discourse is repetitive or not totally in order, considering that I have already ruled upon a certain question. The hon. member is of the bar and he knows all these rules; he knows how they should be applied in order to conform to the question of privilege itself.

Mr. Howard Crosby (Halifax West): Madam Speaker, I have a point of order. Being a great admirer of the hon. member for Durham-Northumberland (Mr. Lawrence) and having been in this House a few years ago on one of the few occasions when the hon. member was successful in bringing a question of privilege to this House which was recognized by the Speaker then in the chair and which was debated at length in this House, I think that when he speaks on a question of privilege, he knows whereof he speaks and we ought to listen to him.

I do not want to leave unchallenged the words put on the record by the hon. member for Kootenay West (Mr. Kristiansen) and the member on the other side of the House. The hon. member for Durham-Northumberland has said that he is a member of that august body, the Law Society of Upper Canada. No more should be said. That society operates under a statute of the province of Ontario which is binding on people in the province of Ontario and which, in particular, is binding on the hon. member for Durham-Northumberland.

In answer to the hon. member across the way, let me say there is a difference. Those members of this House who are bound by provincial statutes with respect to the administration of justice in their province, have an obligation to observe the terms of those statutes and are affected in a different way. To that extent, if he wants to term that a double standard, then there is one.

I happen to be a member of the bar of Ontario and the bar of Nova Scotia so I am very much interested in this question of privilege. I think it should go forward without interruption by those who do not know better.

Some hon. Members: Hear, hear!

Mr. Lawrence: May I—I hope forever—get off this point. Obviously there are people in the House who do not understand that there is discrimination in this House. We are not all

equal in the eyes of the courts of this land. There is a heavier duty, especially upon some of us who are officers of the court, to uphold the law. That may not be accepted by some but it happens to be a fact.

The second point that I want to re-emphasize is simply this: I am not talking about the rights and privileges of the hon. member across the way.

Mr. Kristiansen: Madam Speaker, a point of order.

Mr. Lawrence: I am not talking about the hon. member for Kootenay West (Mr. Kristiansen). I am talking about my rights and privileges. If they also want me to talk about theirs, I shall be glad—

Mr. Kristiansen: A point of order.

Madam Speaker: I am sorry but there is another hon. member who is rising. Does the hon. member have a point of order?

Mr. Kristiansen: Madam Speaker, my point of order is this. The hon. member continues to go on about his special obligations and says that there is somehow a conflict between his role as an officer of the court and his role as a member of this House of Commons. If that is the case, there is always an opportunity available to him to decline one or the other, but in this House, in order for him to be able to claim a question of privilege, it must be his role as a member of the House of Commons which has been placed in dispute, not his capacity in any other realm. I happen to be a member of another organization and I owe loyalty to that organization. If I ever find myself in a position of conflict, I can resign my post here or resign my membership there. The hon. member has the same avenue open to him. I wish he would stop wasting our time, as his House leader said the other day.

An hon. Member: Right on.

Some hon. Members: Hear, hear!

Mr. Lawrence: This is one of the points I was coming to. I cannot resign some of these positions. I cannot resign from my oath to the people and to the monarch of this country as far as being a Privy Councillor is concerned. I am sworn to uphold my oath. There may well be a conflict; that is the point I am making. But the conflict is not of my making whatsoever. There are other people in this House who are now caught in this bind. There is no question about that. But there is no way out of it. Until the Supreme Court of Canada clarifies the validity of the law of this land and the law that we are being forced to discuss and on which we will be forced to make a decision, I suggest that Your Honour should make a ruling that would somehow or other postpone or adjourn the hearings, the debates, the decision that affect so many of us in this House who are faced with this conflict.

That was going to be my summation to you, Madam Speaker, because it is a very special duty; there is no question but that it is a very special duty.

I wonder if the actual terms of the decision of the Newfoundland court have been brought to your attention. If I may, just to emphasize to you the illegality and the lack of validity of the constitutional package that is before the House, I should like to quote a few particulars of that decision of the Newfoundland court which is the resolution—

● (1710)

Madam Speaker: In the interests of the business of the House, I would ask the hon. member not to do so. Whether I read the decision ten times or 50 times, and even if I were convinced and had the same opinion as the court of Newfoundland, it is not for me to decide whether what is going on here is legal or illegal, constitutional or unconstitutional. That is a decision the Chair must never take. It is really irrelevant to this question of privilege. Therefore, it is not necessary to quote it to me.

Mr. Lawrence: Madam Speaker, I hope you understand that I am not attempting to force you, by any means, to make an interpretation of the court's decision or give a legal decision with respect to the law of the land. What I wanted to do was to bring to your attention, in the most forceful language that I could use, the actual terms of the decision of the Newfoundland court—

An hon. Member: What about the Manitoba court?

Mr. Lawrence: —to point out to you that it is the law of the land. My friend across the aisle speaks about the Manitoba court. That decision is exactly the same with respect to the whole question of the validity of the resolution and is now before the Supreme Court of Canada. I did not intend to get into that language. If my hon. friends want me to, I can. It is a fact already that there is a question as to the validity of the constitutional package as far as the Manitoba decision, being brought to the Supreme Court, is concerned. But the existing law of the land today, here in the House of Commons at this hour on April 1, is such that it is the law of the land today. The constitutional resolution which forms the four questions before the Supreme Court of Canada is today the law of the land because, as far as we know, it is not being appealed by the only group which can appeal it, namely, the cabinet and the government of this country.

You have indicated that you do not desire me to go through the actual wording of the decisions. I will not do that, Madam Speaker. I do not know, however, how official notice can be drawn to your attention of the law of the land which forms an integral part of the three points that I feel are a burden upon me to prove to you concerning my rights and privileges. But if you desire not to hear the words nor to see them, that is your decision and, of course, I must abide by it. I must say to you that the decision is in very straightforward language. It is in very clear and unequivocal language. It is the law of the land which I am bound to uphold. Without being impertinent, Madam Speaker, I would say to you that you as well are bound to uphold that law by virtue of the various oaths you have taken during the course of your public life.

Therefore, because I am forced to take part in a debate, to take part in a decision to judge that, I feel that this very clearly affects my rights and privileges to act in a clear and unequivocal way in this House as a Member of Parliament and as a representative of the people who elected me here.

Some hon. Members: Hear, hear!

Madam Speaker: I will rule on that question of privilege before I hear points of order.

Mr. Stevens: Madam Speaker, I wanted to speak on my colleague's question of privilege.

Mr. Cousineau: Sit down.

Madam Speaker: I will not allow another speaker. There are too many speakers to be heard. I am sure that all the other members will canvass the argument.

An hon. Member: It does not matter how many there are.

Madam Speaker: I am prepared to rule on this question of privilege.

I have listened very carefully to the arguments which were put before me. The main request, which the hon. member made of me, was to postpone the resolution before the House of Commons for reasons that it is illegal and that it would place him in a very embarrassing situation with regard to the different oaths he has taken during the course of his life.

In order to postpone this particular measure, I would have to make a determination that the resolution is illegal or unconstitutional. I repeat to the hon. members of this House that it is not up to the Chair to determine the legality or the constitutionality of any particular measure. As a matter of fact, the Standing Orders are quite clear and they enjoin the Speaker not to do that.

The hon. member feels that although some of the terms of his question of privilege were "the same as or similar to"—and those were the words he used—the question of privilege raised before his, he thought that was immaterial because this particular question of privilege, in his words, "was personal". They all are. I did treat the question of privilege raised by the hon. member for Nepean-Carleton as personal. The fact that they are similar, or that they are the same is not immaterial. The only way for me to judge whether there is foundation for a question of privilege, is to look at them one by one.

The hon. member explained to me that a question of privilege should have precedence over all business of this House. That is precisely what I am doing. I am hearing questions of privilege first. We are dealing with these questions of privilege before any other matter which might be before this House. We are giving precedence to questions of privilege. That is exactly what we are doing this afternoon.

The hon. member feels that this resolution before the House will force him to discuss, debate or decide on something which is illegal or in conflict with other loyalties and other oaths he has taken in the course of his life. I repeat to him—and I think I have to correct the hon. member—that as members of this House we are all equal and our responsibilities are equal.

Some hon. Members: Hear, hear!

Madam Speaker: I pointed out in my ruling that if I should discriminate in this House between those members who have taken an oath as members of the bar and those who have not, then that would be discriminatory. All members in this House of Commons are equal with regard to their responsibilities. Whatever responsibilities we have as fathers of five children, 15 children or as members of another society, is an added responsibility which is not, of course, covered by the rules of this House. It is not an argument that I can entertain. I cannot entertain it because it reflects on the equality of all of us in this House. First, in dealing with the point that this measure is forcing the hon. member to do something which is illegal, I say that I cannot determine whether it is illegal. Second, the hon. member is protected by any disciplinary measure which might be taken against him because he has taken part in a debate in the House of Commons. That is a provision which is 300 years old. It is the basis of parliamentary democracy, and contained in The Bill of Rights of 1688. We find that freedom of speech and debate and proceedings in Parliament ought not to be impeached or questioned in any court or place outside of Parliament.

If the hon. member were in any way harassed or brought before any other kind of tribunal because of something that he had done in this House, of course the House would want to protect him. We are all protected against that.

The hon. member has brought forward many arguments. He said this would be an attack on his integrity if he dealt with the matter which is before the House. The hon. member knows that in this House he has the opportunity of protecting his integrity by debating a question, by trying to amend to measure before the House, by arguing, by amending it and finally by voting against it. It is open to the hon. member to protect his integrity and to make sure that he does not have the kinds of conflicts he has evoked.

The hon. member has perhaps given us many arguments which might cause him to vote against this measure, but he has not given arguments that I can consider under the aegis of a question of privilege.

Therefore, I rule that the hon. member for Durham-Northumberland does not have a question of privilege.

• (1720)

MR. KILGOUR—SUGGESTED ILLEGALITY OF THE RESOLUTION ON THE CONSTITUTION

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, we are obviously both going to think that my question of privilege will be very similar to the ones you just dealt with. May I start with your ruling. You indicated that you disagree with the hon. member for Durham-Northumberland (Mr. Lawrence) with respect to his question of privilege because it requires you to rule whether the measure is legal or illegal. With the greatest of respect, Sir Edward Coke established

many hundreds of years ago that nobody's head is above the law, including the king. With respect to the questions of privilege of members of Parliament, I wish to quote the following passage from page 67 of the nineteenth edition of Erskine May:

> Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law.

Because of the resolution brought forward by the government, we in this body have fewer rights than those outside this chamber. Your Honour tells those of us who are candlestick makers, lawyers or whatever, that we can vote no to the resolution. The simple fact is that party discipline overrules any votes that might be taken in terms of the government party.

An hon. Member: Nonsense.

Mr. Kilgour: One of the weaknesses is that party discipline has become virtually absolute in this House of Commons. You might ask: what about the hon. member for Montmorency (Mr. Duclos) or the hon. member for Edmonton East (Mr. Yurko) who have indicated they are going to vote against their parties? The result is those members opposite will vote for it because the Minister of Justice (Mr. Chrétien) and the Prime Minister (Mr. Trudeau) told them to vote for it, whether or not their constituents are opposed to it.

Mr. Evans: On a point of order, Madam Speaker. That is clearly making inferences about other Members of Parliament and is absolutely out of order.

Mr. Hawkes: On a point of order, Madam Speaker. We have before this chamber the records of the constitutional committee. They are now part of our proceedings. I think you will find that when amendments were proposed in committee, the Minister of Justice (Mr. Chrétien) indicated which way government members would vote. They did in fact vote that way. That is confirmation of the statement made by the hon. member for Edmonton-Strathcona (Mr. Kilgour).

[*Translation*]

Mr. Rossi: Madam Speaker, the hon. member on the side of the opposition has risen on a question of privilege and he has said nothing to this point which would justify his doing so. You have made a ruling, Madam Speaker, and the hon. member should address the question of privilege.

[*English*]

Mr. Chrétien: I would like to reply, Madam Speaker.

Madam Speaker: I am sorry, this is not a debate. If the minister has a point of order, he should indicate that to me. If he rises on a point of order, I can recognize him, but he cannot debate across the floor.

Mr. Chrétien: Madam Speaker, I rise on a question of privilege. The hon. member said I gave instructions to the members of my party in committee. I did no such thing. I would like to tell the House of Commons that of all the amendments I presented on behalf of the government, nine out of ten were approved by the hon. member for Provencher (Mr. Epp). He even did that in the House because they were good amendments which improved the charter of rights. What is happening in the House of Commons at this time is an affront to Parliament and to you, Madam Speaker. For the last five days we have been deprived of the opportunity to deal with the business of the House of Commons because of questions of privilege—

Madam Speaker: Order. In the first part of the minister's intervention, he had a point of order. In the second part, he was debating, so I have to call him to order.

Mr. Thacker: On a point of order, Madam Speaker. I cannot let that pass. The Minister of Justice (Mr. Chrétien) is indicating that he had not talked people into changing their minds, but he has. On Friday they agreed to property rights, on Monday they did not.

Madam Speaker: Order. The hon. member is debating.

Mr. Kilgour: Madam Speaker, I am happy to see the members are paying attention. Further to what I said, the hon. member for Montmorency, for whom I have the utmost respect, said on Sunday night that 70 per cent of his constituents were against this resolution. The fact that he is the only one who has enough courage to stand up and say that he is going to vote against it, in my respectful submission, means that those members opposite have given up all sense of conscience, all sense of what their constituents feel—

Some hon. Members: Order.

Madam Speaker: Order. The hon. member has to argue the question of privilege. Whether there are party whips on or off is not relevant to the question of privilege. I wish to remind hon. members that when discussing a question of privilege, I have to apply more strictly than in ordinary debate the matter of relevancy of arguments.

Mr. Kilgour: Let me take a hypothetical situation.

Some hon. Members: Order.

Mr. Kilgour: An analogy is the only way to make this point because members opposite do not understand the point that is now directly before the House. Let us suppose we had a resolution which proposed that all women in Canada be shipped to the moon.

An hon. Member: Let's hope not.

Mr. Kilgour: That simply points out, Madam Speaker, the fact that you could not vote for that resolution, nor could any female Members of Parliament. I am trying to point out the fact that you can have motions or resolutions which patently

touch individuals or groups of Members of Parliament. We cannot vote for those resolutions because they violate our personal oaths which were referred to by the hon. member for Durham-Northumberland. They violate a concept of propriety, a concept of equality of the sexes, or whatever. I appreciate the fact that you may feel that the cases of the hon. member for Durham-Northumberland, the hon. member for Nepean-Carleton (Mr. Baker) and my own are not distinguishable. I submit that every day in this land there are cases of impaired drivers. There are about 10,000 such cases a year in the courts and every one is distinguishable on the facts. I submit, on the same basis, that the cases of the hon. member for Durham-Northumberland, the hon. member for Nepean-Carleton and myself may be distinguishable on the facts. May I simply put my own situation which I believe is different from that of the other two members to whom I just referred.

May I first refer briefly to the letter I wrote Your Honour. I quote:

> The subject matter is that the government's constitutional package is requiring me to violate the oath I took when admitted to the bars of British Columbia, Manitoba and Alberta, all of which require me to uphold the rule of law.

Mr. Blais: On a point of order, Madam Speaker. The hon. member is basing his argument on exactly the same foundation alleged by all the other lawyers, the glorified gentlemen in the opposition. I suggest it is another piece of evidence in the obstruction puzzle for which the opposition is laying the groundwork.

● (1730)

Mr. Kilgour: The barrister's oath in Alberta says, and I quote:

"That I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II—"

Madam Speaker: Order. I have made it quite clear that arguments regarding oaths of members of the bar of any province are not relevant. I have assured hon. members that if they were doing something in this House which was in conflict with those particular oaths, they would be protected by the House, so I cannot accept that argument. I ask the hon. member not to develop it. It has been developed twice, and I have said twice that it is not relevant.

Mr. Kilgour: Madam Speaker, I will leave that one.

The hon. member for Nepean-Carleton referred to the code of professional conduct of the Canadian Bar Association. He referred to the chapter dealing with the lawyer in public office. If I may, I wish to refer to the chapter dealing with the lawyer in the administration of justice. Will Your Honour permit me to speak about that?

I point out to hon. members opposite who are lawyers, but may not be aware of it, that the chapter says, and I quote:

> The lawyer should encourage public respect for and try to improve the administration of justice.

It talks about a basic commitment to the concept of equal justice for all within an open, ordered and impartial system. The important part is this:

> —judicial institutions will not function effectively unless they command the respect of the public . . . because of changes in human affairs—

And so forth. It talks about a duty to the court.

Mr. Cossitt: Madam Speaker, I rise on a point of order. I am sorry to interrupt the hon. member, but just a moment ago the Minister of Supply and Services (Mr. Blais) rose on a point of order and, if I heard him correctly, he used the word "obstruct" or "obstructionist". According to page 109 of Beauchesne's rules, that has clearly been established as an unparliamentary word, and the references are *House of Commons Debates* of November 19, 1957 and May 6, 1961.

Madam Speaker: Order. I already ruled on that at a time when the hon. member probably was not in the House. The word "obstruct" is in both lists of Beauchesne, so my second method of determining whether that is unparliamentary is to look at the context and to look at some other precedents which I quoted from Erskine May. When the word "obstruct" or "obstructionist" is applied to a group of people or to a party and not to a person, it is not considered to be unparliamentary. I have such doubts about the use of that verb, which is so useful in a debate, that I would say that it is only in very, very rare circumstances that it would be considered to be unparliamentary.

Mr. Stevens: Madam Speaker, I rise on a point of order. I intended to rise on a point of order just after the hon. member for Edmonton-Strathcona (Mr. Kilgour), but now that this matter has been touched on again, let me remind Your Honour that you indicated, in response to my last point of order concerning the unparliamentary statement made by the Minister of Supply and Services (Mr. Blais), that you would consult the blues. I have had an opportunity to consult the blues now, and, in addition to what I have already put on the record, I point out that the Minister of Supply and Services made a second unparliamentary statement in reference to me.

In response to my question, "Who does he feel is the obstructionist in this House," he replied, "Madam Speaker, I would point out that the hon. member who has just spoken is part of the attempt to obstruct the business of the House because—" And then he went on. That phrase was found to be unparliamentary on November 19, 1957 at page 1295. At that time a Mr. Broome was speaking in the House of Commons. He said:

> Our hon. friends over there on the other side of the House are doing as much as they can to harass—

And so forth.

> —and to obstruct the operation of government—
>
> MR. SPEAKER: Order. I would remind the hon. member that we are speaking on an amendment which has to do with health . . . May I also say that I do not consider it to be according to the best parliamentary practice to impute motives to hon. members and say that their actions are simply to obstruct. I would ask the hon. member to revise that statement.

MR. BROOME: Mr. Speaker, I apologize to hon. members. They are not obstructing.

Now that we have two clear precedents that the minister in his one statement used two unparliamentary words or statements, I ask that he be asked to withdraw those statements and apologize to the House.

Mr. Blais: Mr. Speaker, I have attempted all afternoon to put on the record some of the facts upon which the allegations I made are founded. Your Honour did not find that I should do that. I would be pleased to do that at this time in order to show that there has been a systematic attitude taken by the opposition in order to prevent the House and the government from carrying on their normal business.

For the past five days we have been unable to carry on government business. The opposition has systematically, with every premeditation, interrupted the procedures of this House with spurious points of order and spurious questions of privilege in order to prevent us from proceeding. If Your Honour wants me to document it, I will point out that there have been until today 25 questions of privilege, none of which were recognized by Your Honour. There have been 21 points of order, none of which were determined to be valid, and over a long—

Madam Speaker: Order, please. Does the hon. member for Leeds-Grenville have a new point of order?

Mr. Cossitt: Arising from what was said, I presume it would be a new point of order, yes.

Madam Speaker: I think I can rule on that one. Beauchesne says it is not out of order to say that a member has obstructed the business of the House or that a speech is an abuse of the rules of the House. That is from Beauchesne page 130, the fourth edition.

In addition, the context in which something is said has to be taken into account. The hon. member for York-Peel (Mr. Stevens) said that he looked at the blues. The idea is that I should look at the blues. I will do that, but in the meantime I am referring this commentary of Beauchesne to hon. members. I will look at the blues. I will spend the whole evening looking at the blues, and I will determine whether the hon. Minister of Supply and Services has used unparliamentary language.

Mr. Stevens: Madam Speaker, in addition to looking at the blues—I hope you do not spend all night looking at them but just a brief time—may I also ask you to look at the fifth edition of Beauchesne. Your Honour referred to the fourth edition, but I think the more recent edition makes it very clear that the two references to which I have referred are both unparliamentary.

Madam Speaker: I am happy to assure that the officers of the Table will put before me all the references that are relevant.

Mr. Cossitt: Madam Speaker, I rise on a point of order. My point of order arises from what I consider to be—after referring to Beauchesne—a further unparliamentary expression used by the Minister of Supply and Services when he used once—maybe it was twice—the word "spurious". I refer to Beauchesne at page 113. The debates of the House of Commons for October 13, 1966, at page 8598 and October 18, 1966, at page 8784 establish that the word "spurious" is unparliamentary. I ask whether I am correct in this regard and, if I am, that the minister be asked to withdraw his remark.

Madam Speaker: The word "spurious" is considered to be parliamentary. According to Beauchesne's list, that has been so since 1958. At any rate, it is used very often in the House, and no one has objected to it, so I suppose the practice is that the word "spurious" is parliamentary.

Mr. MacKay: Madam Speaker, I rise on a point of order. I have been listening fairly closely to the exchanges, and I want to say that it is my understanding that the word used by my hon. friend, the Minister of Supply and Services (Mr. Blais), was "scurrilous". If that is the case, that word was used and withdrawn by the House leader of the New Democratic Party.

However, my point of order really relates to the remarks the minister made with respect to a systematic attempt—outside the rules, as he indicated—by hon. members on this side of the House to obstruct the business of the House. We all know that you, Madam Speaker, have publicly stated that the conduct of hon. members on this side of the House has been perfectly in order. I would suggest to you, Madam Speaker, that the Minister of Supply and Services by making that kind of statement has contradicted what you have said publicly, and I think he should withdraw that remark.

• (1740)

Some hon. Members: Hear, hear!

Mr. Blais: Madam Speaker, the term I used is defined as meaning immaterial or unsubstantial, and the word was "spurious" not "scurrilous". In addition, I never said that they did not use the rules in order to obstruct; I know that they are. However, I would draw to your attention page 440 of Erskine May where it is stipulated quite clearly that members are being disorderly when they are obstructing the business of the House, even though they use the rules.

Some hon. Members: Hear, hear!

Mr. MacKay: I wish to apologize to my hon. friend. I now see what he was referring to; it is the points of order that he has been making all afternoon.

Madam Speaker: For the record, I just want to say to the hon. member that I said publicly that none of the members of this House were violating the rules. I would not allow myself to have any kind of opinion on the proceedings of this House. I did notice in the same article, though, that some hon. member had said that some of my judgments or rulings were nonsense, but I am sure they were misquoted.

Mr. Andre: Madam Speaker, on a point of order in regard to the remarks by the Minister of Supply and Services (Mr. Blais). He was inaccurate in one part and I am sure after I bring it to his attention he, being the gentleman that he is, will be more than willing to rise and withdraw those particular remarks.

He indicated that spurious points of order were being raised and that not one was legitimate. I bring to his attention the point of order I raised on March 24, at page 8557 of *Hansard*, on which Your Honour rendered a decision on March 25 which indicated that indeed my point of order was in order and that the government's supplementary estimates were out of order. So I hope the minister will withdraw his remarks that my point of order was spurious.

[*Translation*]

Mr. Blais: As the saying goes, Madam Speaker, the exception proves the rule, and that was the exception. Indeed there have been 21 points of order which were unacceptable to the Chair. One was acceptable and Your Honour took the right decision under the circumstances.

[*English*]

Mr. Nielsen: I just want to inject one sentence here—

An hon. Member: That is still too much.

Mr. Nielsen: —because I am not going to comment on something that the Chair has reserved. I would just point out to the minister that when he was sitting on this side of the House a very short time ago, he and his honourable gang of 231 members raised 130 questions of privilege and points of order. And, of course, he is saying none of them were spurious, it was not obstructionism; no, not at all. There is a name for that kind of conduct and those kinds of words, but I have too much respect for Parliament to use unparliamentary expressions in describing them.

Some hon. Members: Hear, hear!

Mr. Blenkarn: Madam Speaker, the impression has been given to this chamber by the Minister of Supply and Services (Mr. Blais) that we have not co-operated. I point out to the minister that last evening two very important reports of special committees of this House were filed and tabled by a deliberate effort of the House leader on this side. Not only that, Madam Speaker, this House managed to begin consideration of a closure motion improperly brought by the government, but nonetheless a closure motion. All in an effort to expedite the terms of—

Madam Speaker: Order, please. Members are debating this point of order. Let us close the matter. I will look at the blues and we will see whether there was anything unparliamentary said. Members can express opinions about everything that goes on in this House, that is quite legitimate. The hon. member for Lethbridge-Foothills (Mr. Thacker) on a point of order.

Mr. Thacker: With respect to this afternoon's procedure, Madam Speaker, concerning my question of privilege, may I please ask you when I might expect to be heard?

An hon. Member: Wait in line.

Madam Speaker: I will deal with points of order one at a time. I cannot give the hon. member a time when he should be in the House. There is no question of turns. It is up to me which hon. member I recognize.

Mr. Kilgour: Madam Speaker, I referred to some quotes from the code of professional conduct for lawyers. I am embarrassed to admit that I used to work for the department that the hon. Minister of Justice (Mr. Chrétien) represents.

An hon. Member: Is that before you were fired?

Mr. Kilgour: It is humiliating to me that the department has been reduced to such a low point. Everyone in that department takes an oath—I think they did when I was there—that they will uphold the law. Everyone in this House, every school boy and school girl, knows that what has happened is that a matter has been found to be illegal—and I am not asking you to rule on that—by five out of eight appeal court judges in two provinces. The Prime Minister (Mr. Trudeau) is the one who is trying to stay one step ahead of the law by getting every member in this House to vote for a proposition which is obviously of questionable legality. But I am not asking you to rule on that, Madam Speaker, because you feel very strongly that you must find on these points of privilege. What constitutes a question of privilege? What privileges do we have in this House? It seems to me that by your ruling or that of previous Speakers, we have less privileges here than the people out there. An example was referred to yesterday in Stewart's at page 58 of the Speaker having been notified by the hon. member for Kenora-Rainy River (Mr. Reid) and two other hon. members that they wished to raise questions of privilege as a result of an allegation in a Montreal newspaper that the hon. member for Kenora-Rainy River had leaked tax information. It goes on to talk about how this was found to be a question of privilege.

Well, Madam Speaker, if you are going to rule that the lawyers in here cannot be bound by their oaths or their understanding of what their duties as lawyers are—and that ruling affects 100 members—what about the doctors or the women in the example I gave to you? Are we supposed to take the view that: no, we go ahead, we can vote against it? If that is what the privileges of members amount to, they do not amount to anything, in my respectful submission. In other words, anything can go on in this place. The vessel which contains the privileges of a member is empty. What privileges do we have in here if those of us who feel strongly that this gang across the way are trying to make us vote on something which is patently illegal at this point in our judicial history, can only vote or be absent when the matter comes up?

A long time ago Sir Edward Coke showed that nobody's head was above the law, including the king's. It seems to me

that if this is the ruling you are going to make, we have gone full circle to the point where Members of Parliament can be forced to do anything, that only this so-called Prime Minister across the way is above the law. That is the effect of what he is trying to get the hon. members here to do on this motion. It boggles the mind. I have often said that I made a mistake in taking a course in logic at university, because in my respectful submission there is no logic, if that is what the privileges of members amount to, if Your Honour rises and says that you do not want to rule on the legality of the matter because the rules indicate that you should not.

● (1750)

I believe you said earlier to the hon. member for Durham-Northumberland that we are all equal and lawyers should not have special privileges. Every member in the House who has gone to high school, university or law school knows that there is a concept in the country known as the rule of law. In my respectful submission, the Minister of Justice and Minister of State for Social Development does not have the faintest understanding of the concept, the Prime Minister does not have the faintest understanding of the concept, but every boy and girl outside this room knows the rule of law.

Hon. members opposite laugh; I see the hon. member from Fort William is smiling. He thinks it is a big joke. The consciences of those people are so small that they will vote for this, they will push through closure and force us to vote on a matter which, I submit, is illegal as of yesterday.

If those of us in this chamber who are lawyers were asked for advice by clients concerning the situation as it was yesterday and as it is today—and the matter will be going to the Supreme Court in approximately a month—we would be disbarred if we advised them to go ahead and do what hon. members opposite want us to do; certainly we would be sued for professional negligence.

Mr. Irwin: That is absolute nonsense.

Mr. Kilgour: I hear a member opposite saying that it is absolute nonsense. Apparently the hon. member for Sault Ste. Marie (Mr. Irwin) is a lawyer, although I have seen no sign of it. If he were to so advise a client, in light of what happened yesterday in the Newfoundland court, he would not have any clients; I suggest he would be guilty of professional negligence. It is that simple. Members opposite do not understand because the whip has told them to vote for it.

I should like to give an extreme example in the hope of making my point clear. If members opposite were asked to vote in favour of a resolution asking that the ceiling on this side of the House be lowered to ground level—

Some hon. Members: Yes!

Mr. Kilgour: I hear them saying, "Yes"; they would vote for it. What I am trying to say is that Your Honour's ruling ignored the point of party discipline which is emasculating the House.

Mr. Chrétien: Sit down, you are mixed up.

Madam Speaker: Order, please. The hon. member is repeating arguments which have been brought forward by other hon. members. I ask him to summarize his point so that I can determine whether or not he has a question of privilege.

Mr. Kilgour: This afternoon we were invited by the Prime Minister to pass this resolution, to send if off in final form so that the court might consider it.

In all three provinces where the matter is presently being heard, there are constitutional questions acts which allow their lieutenant governors in council to refer the matter directly to their courts of appeal. This has been done.

I should like to refer to Section 54 of the Supreme Court Act which reads in part as follows:

(1) The Supreme Court shall have, hold and exercise exclusive ultimate appellate civil and criminal jurisdiction within and for Canada—

Two of the appeal courts have made their decisions; one has been appealed to the Supreme Court of Canada. The matter referred to those courts will be heard at the end of this month, but today the Prime Minister told us that we should pass a different package so that it can go in final form to the court to be heard.

It all comes back to basic legal concepts. How can any honest lawyer not say that it is perfectly clear, if we have any respect for the rule of law, that we should wait until the Supreme Court of Canada decides whether or not this question is legal? Either we respect the rule of law or we respect the rule of the Prime Minister. If the rule of law has any weight in the country, if what Sir Edward Coke decided 400 years ago has any weight—

Mr. Kristiansen: How long ago?

Mr. Kilgour: —we can wait one month to see whether what is going on here is legal.

No one is asking Your Honour to decide whether or not the question is legal. Why do you interpret our allegation that the package offends the privileges of members, particularly those who have legal training as requiring you to decide on whether or not it is legal? It offends the hon. member for Okanagan-Similkameen (Mr. King) who does not have legal training.

[*Translation*]

Mr. Tousignant: On a point of order, Madam Speaker.

Madam Speaker: The hon. member for Témiscamingue (Mr. Tousignant) on a point of order.

Mr. Tousignant: Madam Speaker, I appreciate that the hon. member opposite entertains high expectations. He wants to get closer to the front benches in the not too distant future. He takes this opportunity to do some practice but he is the third speaker on that side of the House who has delivered the same speech and debated the same issue. They are now holding a unilateral constitutional debate and we on this side of the House have no opportunity to take the floor. We are debating the constitutional question, solely and strictly. Therefore the

hon. member opposite ought to stop telling us about his responsibilities toward members of the bar. He is the third one who has done that.

Mr. Kilgour: Madam Speaker, I disagree completely with the hon. member opposite. This is a matter of abiding by the rule of law. You do not have to decide whether the matter is legal or not, but rather, in my opinion, whether there is a valid question for the Supreme Court of Canada to rule on. I think that if you agree with this, you can say that the rights and privileges of the members of this House are involved and that the Speaker cannot force the hon. members to vote on this motion and to proceed in this regard. With all due respect, I am asking you as a Member of Parliament and as a lawyer like many others to extend the application of our rules. Yesterday evening, I asked whether you could give a larger definition of the word "obstacle." Would it be possible to also extend the meaning of our rules? If not, as I noted earlier, we are placed in a rather ridiculous position. May I call it six o'clock, Madam Speaker?

[*English*]

Madam Speaker: The hon. member still has a few minutes. If he wants to conclude before six o'clock, he would have to do it now.

[*Translation*]

Mr. Kilgour: Madam Speaker, as I said yesterday, you are not a lawyer and you do not have much experience in legal matters. Every day of their life, judges decide matters from a rather narrow position. Could we extend this position? In my opinion, it would be much better for this House if you could take a larger view than you have done so far. I believe that it was not necessary in the interests of the members of this House that you make a ruling from a rather narrow position. Madam Speaker, may I call it six o'clock?

Madam Speaker: I believe that if the hon. member could conclude in two minutes, we could obtain the agreement of the House so that—

• (1800)

[*English*]

I will hear the hon. member for a few minutes more, if he is able to conclude. I think he should be able to conclude since he has been talking on this point for quite a while. I will hear him for a few minutes, but not for too long.

Is that agreed?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Stevens: On a point of order, Madam Speaker—

An hon. Member: Six o'clock!

Madam Speaker: It being six o'clock, I do now leave the chair until 2 p.m. tomorrow.

At 6.01 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Thursday, April 2, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

THE CONSTITUTION

RIGHT TO LIFE OF UNBORN CHILDREN—MOTION UNDER S.O. 43

Mr. S. J. Korchinski (Mackenzie): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Since the proposed Constitution does not give consideration to the rights of unborn children, and since the abortion rate last year was 65,000, the lives so exterminated representing the size of my constituency and another city of 10,000, I move, seconded by the hon. member for Edmonton-Strathcona (Mr. Kilgour):

That the Prime Minister immediately announce his intention to exact a protection for unborn Canadians within any charter or, if there is failure to do so, that this House condemn the Prime Minister and his government for the endorsation of human destruction and that he remove himself as head of Canada's government since this country does not deserve the condemnation of practising genocide.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EXTERNAL AFFAIRS

POLAND—SUPPORT FOR INDEPENDENCE—MOTION UNDER S.O. 43

Hon. Steven E. Paproski (Edmonton North): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the Soviet-led Warsaw Pact manoeuvres in Poland, which were to have concluded on March 26, have now been extended indefinitely; whereas Moscow issued a statement that the U.S.S.R. will not tolerate chaos in Poland; whereas our Secretary of State for External Affairs (Mr. MacGuigan) lacks the resolve to initiate action by the NATO countries for a show of solidarity against any possible outside intervention in the affairs of Poland, I move, seconded by the hon. member for Saskatoon West (Mr. Hnatyshyn):

That this House sends its support and prayers to the people of Poland and strongly urges that all outside countries refrain from interfering in Poland's domestic affairs.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Paproski: The Liberals said "No" for the third time.

* * *

FINANCE

SALES TAX ON EXPLOSIVES USED IN CONSTRUCTION INDUSTRY—MOTION UNDER S.O. 43

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Since it is perfectly clear that the government's proposed 9 per cent sales tax levy on explosives used for construction purposes discriminates against regions such as British Columbia and Newfoundland, discriminates against this one aspect of the construction industry, and discriminates against certain types of jobs such as logging and highway construction, I move, seconded by the hon. member for Winnipeg-St. James (Mr. Keeper):

That the federal government reconsider its decision to levy a sales tax on explosives used in the construction industry.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ADMINISTRATION

CONTROL OF GOVERNMENT SPENDING—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. I move, seconded by the hon. member for Vaudreuil (Mr. Herbert):

That this House endorse the recommendation of the President of the Treasury Board that legislation introduced in the House have a cost estimate for the implementation of the legislation so this House may better control government spending.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATURAL RESOURCES

CALL FOR ESTABLISHMENT OF JOINT COMMITTEE TO STUDY DEVELOPMENT OF NORTHERN RESOURCES—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The Yukon, the Mackenzie Valley, the Beaufort Sea and Arctic Island hydrocarbon and mineral resources are being increasingly delineated. The ownership rights, further discovery and delineation, development and transportation of these vast resources to markets present Canada with a major challenge and will set the stage for the future well-being of the northern half of this nation. Therefore I move, seconded by the hon. member for Western Arctic (Mr. Nickerson):

That a joint committee of the Senate and the House of Commons be established to examine and report on the ownership rights of such resources, the programmed development of such resources, the appropriate transportation systems for delivery of such resources to markets, and the desirable nature of community development in the high Arctic.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

• (1410)

NATIONAL PRAYER BREAKFAST

ADDRESS BY MR. TOM SKINNER—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise on a matter of some importance under the provisions of Standing Order 43. At the National Prayer Breakfast this morning Mr. Tom Skinner of Washington, D.C., delivered an extremely inspirational and outstanding address to all those assembled. The remarks and observations of Mr. Skinner were so moving and so appropriate, and because I feel his comments would be of value to every member of this House, I move, seconded by the hon. member for Welland (Mr. Parent):

That this House give unanimous consent to having the complete text of Mr. Skinner's address incorporated into the *Hansard* for today, April 2, 1981.

Madam Speaker: I am afraid it is not possible to have speeches which are made outside the House printed in *Hansard*.

AGRICULTURE

HERD MAINTENANCE PROGRAM—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I rise on a matter of urgent and pressing necessity. Because the government deliberately encouraged farmers in western Canada to purchase the necessary feed so that they would not sell off their livestock herds when the drought first occurred in western Canada, and because of the impractical criteria set by the government resulting in the rejection of one third of the applications, I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That the Minister of Regional Economic Expansion, who is responsible for PFRA, meet with representatives of the appeal board to establish practical criteria so that the 8,000 outstanding appeals may be accepted into the program as requested by the appeal board.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BUSINESS OF THE HOUSE

THE TAKING OF VOTES—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, in light of the fact that Mr. G. Davidson, a district manager with Consumer and Corporate Affairs in Winnipeg, has announced in a letter dated March 13 the government's intention to have bait, including minnows, sold by number and not by weight, as is presently the case, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That the Minister of Consumer and Corporate Affairs, in the same insane tradition, introduce a motion that all outstanding votes in this House be conducted by a count of fingers, toes, and, where necessary, both sides of a member's face.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADIAN WHEAT BOARD

DISSEMINATION OF INFORMATION ON MARKET ASSURANCE PLAN—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): Madam Speaker, since the Canadian Wheat Board is trying to sell a new grain marketing plan, called the Market Assurance Plan, to western farmers, but has failed to provide sufficient details and specifics of the plan to enable farmers to make an accurate assess-

ment of the program, I move, seconded by the hon. member for Kindersley-Lloydminster (Mr. McKnight):

That this House condemns the Canadian Wheat Board's inept attempt to inform farmers of the details of the Market Assurance Plan and that this House calls upon the minister responsible for the Canadian Wheat Board to take responsibility for the Market Assurance Plan in the name of the farmers he purports to represent, and ensure that they are provided with accurate and complete specifics of the plan, and also with alternative plans which have been put forward, so that the farmers themselves can decide which program, if any, they want.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

CALL FOR GOVERNMENT ACTION TO AID BIGSTONE INDIAN BAND OF WABASCA, ALTA.—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, whereas over 150 members of the Bigstone Band of Wabasca, Alberta, including some elderly people and some children, have completed the first leg of their 240-mile march to Edmonton to protest the high rates of unemployment, poverty, poor housing, inadequate health services, and lack of funding for economic development, which continue to plague their everyday lives; and whereas the government's response to the plight of these native people has been almost non-existent, despite Telex messages from the Chief to the Prime Minister's office; and whereas the Bigstone Band is representative of the problems which exist for native people all across Canada, I move, seconded by the hon. member for Wetaskiwin (Mr. Schellenberger):

That this House direct the government to demonstrate its good faith and its pledge to honour and protect the special rights of Canada's first people in the Constitution by acting immediately to rectify the severe destitution now facing the Bigstone Band and, indeed, all native people in this nation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1415)

NATIONAL ENERGY PROGRAM

CALL FOR ROLL BACK—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise under the provisions of Standing Order 43 to alert this House to an economic crisis of alarming magnitude. We have already pointed out that the 100th oil drilling rig has left Canada and crossed the United States border. Today I have learned that the sale of drilling licences in Alberta, which were valued at $280 million for 1.5 million acres in the first quarter of 1980, have dropped to $62 million for 555,975 acres in the first quarter of 1981, a decrease in dollar value in the order of 78 per cent. I therefore move, seconded by the hon. member for Calgary South (Mr. Thomson):

That the Prime Minister himself personally intervene to roll back the negative National Energy Program which is wreaking economic and social ruin and havoc in Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

REQUEST FOR PUBLICATION OF DEPARTMENT OF JUSTICE LEGAL OPINION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is directed to the Prime Minister and it relates to the so-called Kirby document, the strategy document that was set out by the government in the summer of last year, which indicated the way it could get its constitutional package through. I wonder if the Prime Minister could tell the House whether the government has an opinion from the Department of Justice that:

—a law passed by the U.K. parliament to patriate the Constitution, with an amendment formula and other changes, could not be successfully attacked in the Canadian courts.

I would also like to ask the Prime Minister, in light of the unusual interest in a situation where action by the British parliament could not be challenged by the Canadian courts, whether the Prime Minister would take the unusual step, in these unusual circumstances, of publishing that legal opinion of the Department of Justice.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I indicated to this House before that I have seen the so-called Kirby document but I had not read it. I therefore cannot answer the question as to whether there is any legal opinion to that effect. However, it seems to me that if the Leader of the Opposition had any fears in that regard, they would have been dissipated by the proposal I made earlier this week to the effect that we would not, in fact, go to Great Britain, if the Supreme Court of Canada ruled against the constitutionality of the motion now before the House.

Some hon. Members: Hear, hear!

Oral Questions

QUERY RESPECTING FEDERAL-PROVINCIAL MEETINGS

Right Hon. Joe Clark (Leader of the Opposition): I would feel considerably more comfortable about that matter if the Minister of the Environment, speaking for the government, had not indicated that the government intended to file any resolution which passed this Parliament for first reading in Great Britain before any decision was taken by the court. I would like to request the Prime Minister to inform himself on the question of the Department of Justice judgment and decision, and then, after he has informed himself, to consider whether he might publish that document so that the country and the public would know about it.

On March 27, in answer to questions which I had been putting to him regarding the possibility of a meeting with first ministers, the Prime Minister said:

—I will initiate discussions with them—

He was referring to the other first ministers.

—as soon as Canada has its own Constitution and as soon as Canadians have given themselves the means to improve that Constitution.

Did the Prime Minister intend, by that answer, to preclude meetings with the premiers before the constitutional resolution goes to Britain?

Right Hon. P. E. Trudeau (Prime Minister): The Leader of the Opposition says he would feel more comfortable if the Minister of the Environment did not say certain things. I would like the Leader of the Opposition to feel comfortable. I would tell him that it is quite clear from my exchange with the House leader of the New Democratic Party that that aspect of it was negotiable. My first offer was to ensure that we would not press the British Parliament to pass the measure until the Supreme Court ruled. However, in answer to a specific question from the hon. member for Winnipeg North Centre, I said that it is quite acceptable to us—if that is what the House prefers that it would not be sent there at all.

So, now that the Leader of the Opposition feels comfortable, perhaps he will consider this very real offer of having the legality of the matter settled by the courts. I thought that was the whole purpose of the Tory obstruction, that they assumed we were doing something illegal. I am offering to let the courts determine whether it is legal or not before the British parliament acts on this matter.

● (1420)

In so far as the legal document which the Leader of the Opposition alleges might exist is concerned, I put to him once again that his fear, based on something that might have been said in a leaked document, is that once the British parliament has acted, then the Supreme Court of Canada would be powerless. I have made an offer to this House which would guarantee against that fear, that the British Parliament would not act until the Supreme Court had judged. Therefore there is no ground on which to concern oneself about a legal document saying that once Britain had acted the Supreme Court could not act. The whole intent of my offer is to put the Supreme Court first and the British parliament after, if indeed the Supreme Court decides the motion is legal.

Mr. Clark: Madam Speaker, I am pleased that the Prime Minister is prepared to put the Supreme Court decision first in relation to the British Parliament and trust that he will be prepared to put the Supreme Court decision first in relation to the Canadian Parliament so that we will know that we are dealing with legal matters here.

Some hon. Members: Hear, hear!

Mr. Clark: My question had to do with another important element of the constitutional resolution now before us, and that is the willingness of the Prime Minister to meet with the first ministers of the provinces prior to this resolution's leaving this country and going to Great Britain. I would like to know whether the Prime Minister's answer of the other day to me was designed to preclude any meeting with first ministers on constitutional matters or to discuss this resolution precisely prior to this resolution going to Britain.

Second, while I am on my feet, I wonder if the Prime Minister could tell us whether there are any elements of the proposal he now has before the House of Commons that he would not be prepared to have discussed at a meeting of first ministers.

Mr. Trudeau: Madam Speaker, the Leader of the Opposition seems to make something in the fact that I am putting the Supreme Court first before the British Parliament but not before the Canadian Parliament. Surely that is the way he has been asking that things proceed. He wants to make sure that our action here, before it is sent to Britain, is judged to be within a law, and legal. Surely he is not asking that we should put the Supreme Court before Parliament on any matter it is legislating. Surely the Leader of the Opposition should remember that the whole basis of our system is that the Supreme Court judges upon laws which are made by this Parliament and the legislatures of the land.

Some hon. Members: Hear, hear!

Mr. Trudeau: I suggest that it is our duty in this House to pass laws as best we see them, relying on the people to judge them politically, and relying on the courts to judge them legally. It is the division of powers which is the essence of our system, that we do our job as legislators—that is what I am asking we do—and then we let the Supreme Court do its job as judges.

Mr. Clark: Madam Speaker, the Supreme Court judges upon legality, and we in this House of Commons want to know that what we are being asked to approve is legal. That is very clear.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Chrétien: Go back to school, Joe.

Mr. Clark: If the shouting on the Liberal side will subside, let me bring the attention of the Prime Minister back to the first ministers. Twice now I have asked, and now for a third time I ask the Prime Minister about the possibility of a meeting between himself and the first ministers to discuss the best means of resolving the constitutional problems the country faces, and particularly the constitutional resolution before the House.

First, did the Prime Minister intend his answer to me the other day to preclude a meeting with first ministers before the constitutional resolution goes to Britain?

Second, is there any element of that constitutional package which he would not be prepared to have discussed in a meeting of first ministers?

Mr. Trudeau: Madam Speaker, the Leader of the Opposition says this House of Commons has the right to know if what it is doing is legal before it does it.

Mr. Andre: The Newfoundland court says it is illegal.

Some hon. Members: Answer the question.

Mr. Trudeau: Hon. members opposite keep saying, "Answer the question".

An hon. Member: You don't do it.

Mr. Trudeau: I do not do it because you do not let me do it.

Some hon. Members: Oh, oh!

Mr. Stevens: Poor Pierre.

● (1425)

Mr. Trudeau: I think we are well accustomed in this House to the practice of every member of the opposition making statements in preface to a question which, in my view, can be discussed and answered, then a question is added to the preamble. In past days, when I have been answering the sometimes very long preambles to questions, I got shouts from the opposition that I should be answering the questions. I am first answering the preamble, which the opposition has been allowed to make, and then I deal with the question. If you allow the preamble, Madam Speaker, I take it you will allow the answer to the preamble.

Mr. Clark: Now the question.

Mr. Trudeau: Not now the question. First the preamble, my friend.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Trudeau: The Leader of the Opposition, in preface to his question, says the House wants to know before it does it if we are doing something legal. This would be the way to ensure the paralysis of Parliament.

Some hon. Members: Oh, oh!

Mr. Trudeau: If every time a measure is introduced into this House, somebody, whether it be a province, a private individual, or some other litigant challenged the legality and put the matter before the courts—

Mr. Andre: But what you are doing is illegal.

Mr. Trudeau: —then this House would sit back and say let the courts decide. I suggest to hon. members opposite that they are failing to accept the division between the judicial responsibilities and the legislative responsibilities.

Some hon. Members: Hear, hear!

Mr. Crosbie: Like Bill C-60.

Mr. Trudeau: The Leader of the Opposition talks about a first ministers' conference. He will remember that in the resolution before the House there is a provision for first ministers' conferences over the next two years. At this first ministers' conference we can discuss any item they want to put on the agenda. We can even discuss changing the resolution which would be adopted by this House, in a way which would be changed by the amending formula provided for in the resolution. That is why I said it can be negotiated. It can even be changed. The Leader of the Opposition can conduct his next campaign, if he is still around, on a mandate—

An hon. Member: You are getting desperate.

Some hon. Members: Oh, oh!

Mr. Trudeau: —to withdraw the charter of rights from the Constitution, if that is what he desires. But I think I explained at some length, a couple of weeks ago, that after some 54 years of waiting for federal-provincial conferences to obtain—

Some hon. Members: Oh, oh!

Mr. Crosbie: Waiting for what?

Mr. Trudeau: Waiting for what? The hon. member for St. John's West does not know what we have been waiting for.

Some hon. Members: Oh, oh!

Madam Speaker: Order, please.

POSITION OF BRITISH GOVERNMENT

Hon. Jake Epp (Provencher): Madam Speaker, I direct my question to the Minister of the Environment. In his appearance on "Canada AM" yesterday, the Minister of the Environment said that the Canadian government would insist that the Canadian resolution be placed on the Order Paper of the British Parliament, in effect giving that resolution first reading in Britain before the Supreme Court of Canada could rule on the legality of the proposal.

Has the Minister of the Environment had any communication with the British government on that matter. Can he tell us whether the British government has given him any indication

of its willingness to place the resolution on the British Parliament's order paper before the Supreme Court of Canada has ruled? Could he confirm he had that information?

Madam Speaker: Order, please. I am afraid that question would be more properly addressed to another minister. I understand the Minister of the Environment was sent as an emissary. But this is not his ministerial responsibility and the hon. member's question would be better addressed to another minister.

Some hon. Members: Oh, oh!

Mr. Crosbie: Why did he get his nose stuck in it then?

Mr. Epp: Madam Speaker, you have given me an admonition that I cannot ask that question of the minister, yet the Secretary of State for External Affairs and the Minister of the Environment were emissaries, on behalf of the Prime Minister, to Britain to present that constitutional proposal earlier in the summer. On that basis, I wonder whether they were not speaking on behalf of the government. Definitely the minister of the Environment was speaking on television as a minister of the Crown. But if you keep that restriction on me, Madam Speaker, I would like permission to ask the question of the Secretary of State for External Affairs.

Could the Secretary of State of External Affairs indicate whether or not the Minister of the Environment had had communications or whether he had had communications in which the British said they would be willing to place this matter on the Order Paper prior to the Supreme Court of Canada having made a judgment on it?

• (1430)

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, we have not asked any such hypothetical questions of the British government. We have not sought any such answers, so we have not received any.

Mr. Epp: Madam Speaker, obviously the Secretary of State for External Affairs has now totally repudiated the word of the Minister of the Environment. He has not been able to confirm it. The Minister of the Environment very clearly stated that was the position of the government. The minister says they have not asked for any such communication and therefore have not received any. I refer him to the meeting with St. John Stevas on November 10 as well as the meeting with the Right Hon. Mr. Pym on December 19. At the meeting with Mr. Pym, the Secretary of State for External Affairs was pushing the case that there should be a decision on the part of the British before the court decision in Canada. In other words, he was advocating that the British do an end run around the Supreme Court as well as the Canadian Parliament. Has the minister had further communication from any British minister along the lines of December 19 that the British would not be willing to do the end run which he advocated on December 19?

Mr. MacGuigan: Madam Speaker, the hon. member is trying to create a false opposition between myself and my colleague. My colleague was speaking about the Canadian government, and the hon. member is asking about the British government. We have not discussed in any serious fashion, with the British government, questions of the kind he is raising.

AMENDMENT OF CONSTITUTIONAL RESOLUTION AND REFERRAL TO SUPREME COURT OF CANADA

Mr. Edward Broadbent (Oshawa): Madam Speaker, following on the point of order raised by the Leader of the Opposition yesterday, I made a proposal which I thought would achieve some consensus with regard to the concern expressed by all the parties in this House to get us out of this constitutional impasse. Before asking my question I would like to make it clear that this party believes in the general proposition that in the federal state it is our responsibility to legislate and the Supreme Court's function to pass final decision on the legislation.

Given the particular circumstances of dealing with a constitutional resolution that has been challenged in one court at the provincial level, negated in fact, although it has been affirmed in another, I would like to ask the Prime Minister a question. Following the meeting of the House leaders which took place today, is the government prepared to accept a proposal which would limit time on the remaining stages of the debate to cover at least two amendments, the one before the House by the Conservative party, the important one on native rights and achieving greater equality for women which we in this party plan to move, to be followed by a decision on that final package by the Supreme Court of Canada and then, prior to sending the package over to Britain, have the final vote on the package, as adjudicated upon by the Supreme Court, here in the House of Commons?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I think that the suggestion of the Leader of the New Democratic Party derogates somewhat from the statement of principles that he made in introducing his question. If it is our duty to legislate and the duty of the courts to adjudicate, then it would seem that the proposition we made, of legislating and then having the courts adjudicate, would be the proper procedure.

I am ready to look for some way to get out of the stalemate. If it could be made clear, if that course is accepted by other parties and ourselves in the House, that we do not consider this as a precedent but merely an exceptional procedure invoked because we are doing something that has no precedent because, I repeat, we have been failing for 54 years by following precedents, and second, if we could make sure that we agree with what the Leader of the New Democratic Party describes as his party's proposals on native or aboriginal rights and women's rights, that could easily be done because, in happier days when we were hoping to make some progress, there had been some exchange of texts as to what would be acceptable regarding women's rights and Indian rights.

If that could be made clear and if I could have the assurance from the Leader of the New Democratic Party that he would not entertain, after the Supreme Court ruling, assuming that it is favourable, another long debate on other long amendments which would change the nature of the subject matter referred to the Supreme Court, I would say on behalf of our party that we would be prepared to accept a House ruling stating those very things, if we could get agreement from all parties in this House.

Some hon. Members: Hear, hear!

POSITION OF OFFICIAL OPPOSITION

Mr. Edward Broadbent (Oshawa): Madam Speaker, on behalf of my colleagues, and I would hope all members on this side of the House, we see that as a genuine concession by the Prime Minister in the direction of consensus building.

Some hon. Members: Oh, oh!

Mr. Broadbent: My Conservative colleagues—some, not all—are laughing. Yesterday the Leader of the Opposition said:

> Of course, we will be bound by what the courts decide and if they upheld Mr. Trudeau, we would be able to act pretty quickly in Parliament.

Given that fact, and the fact that today the Prime Minister has indicated the government's willingness to accept this kind of proposal which would enable us to terminate this serious debate and get on with other matters, I would ask the government House leader, and I have to put this question to him because of the rules of the House, whether, following the discussions this morning, there has been any report back from the official opposition as to whether they will accept these conditions.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker. I would point out to the hon. member that we are not in the habit of making public the nature of discussions held during meetings of parliamentary House leaders. However, since the question is being raised by the leader of a party and since no one would be harmed if I were to reveal what was discussed, I can say that this morning's meeting was held to clear up a few points and no one has made a decision yet.

I believe it is still possible that we will meet again later today to find out the reactions to a much more definite and much clearer proposition than the one made yesterday, including that suggested and proposed by the Progressive Conservative Party. For the time being I am unable to say whether that party accepts or rejects the proposition made by the New Democratic Party. In any event it is not up to me to answer for them, they can do that, but if they would prefer to hold more talks I am at their disposal and at the disposal of the New Democratic Party House leader; another meeting might be called later today to hold discussions and further negotiations in an attempt to reach agreement.

[*English*]

Mr. Broadbent: Madam Speaker, since the Conservative party has proved itself quite adept at raising points of order, perhaps at the appropriate time today the Leader of the Opposition will use that opportunity to outline his party's position.

* * *

THE ECONOMY

DECLINE IN REAL WAGES—MINISTER'S ADVICE TO EMPLOYEES

Hon. John C. Crosbie (St. John's West): Madam Speaker, I would like to turn now from the subject of the Prime Minister and the Leader of the New Democratic Party hijacking the country, to a different question.

Some hon. Members: Hear, hear!

• (1440)

Mr. Crosbie: My question is to the Minister of Finance. We have been waiting 13 months, the whole term of this government, for some economic action from the government. The minister's department has reported that over the last four years real wages have declined in excess of 6 per cent, and has suggested that the government attempt to convince the public of the necessity of accepting something less in real wages in the current circumstances. In light of this advice from his department to him, and in light of the minister's firm stance against inflation, is he continuing to advise employees against attempting to get wage settlements which exceed the inflation rate or that provide for any catch-up? Is that part of the minister's policy to fight inflation?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I believe the threat of inflation is still the foremost economic difficulty the country faces. It is still my view that it is necessary to exercise restraint in wage settlements unless we want to give further impulse to even higher inflation in 1981. That view has been made clear more than once by myself, and it is obviously evident to all concerned that acceleration in wage settlements would lead inevitably to even greater pressure on the cost of living index.

Mr. Crosbie: Madam Speaker, the minister then is stating it is the government's policy and its advice to the labour segment of our society, or everybody who is employed, that he does not want wage or salary settlements this year in excess of the rate of inflation or to provide for catch-up as part of his anti-inflationary stance.

On February 23 the minister made a statement in Montreal to the Canadian Club in which he said that Canadian workers had no "inalienable" right to better wages, pensions or benefits, and that this could only come from "increased economic growth". Economic growth last year was only 0.1 per cent, and

this year is only forecast to be 1 per cent to 2 per cent. In view of this, is it the minister's advice to the country that since we are not going to have greater economic growth this year, and we did not last year, people should postpone their attempts to get better wages, pensions and benefits?

Mr. MacEachen: No, Madam Speaker, because there have been wage settlements that have already taken place which provide for increased wages. The President of the Treasury Board in the administration of public pay policy has authorized increases for employees in the public service. We are not suggesting that there not be better wage settlements than in the past, or no increases. That is not the suggestion. The suggestion is that in current circumstances, in the interests of the welfare of the country and all the people of the country, wage restraint is absolutely essential if we are to avoid a further acceleration in inflation. That is the point I have been making.

* * *

FINANCE

GOVERNMENT CASH POSITION

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my question is also to the Minister of Finance. I would draw to his attention the Bank of Canada's weekly financial statistics as of March 26. I thought the minister might care to explain to the House why his coffers appear to be running over with cash to the extent they are. We note that as of that date he had $6.4 billion on deposit with Canadian chartered banks, up almost $3 billion compared to a year ago. Will the minister explain why he is running such a high cash position with the various banks of the country at a time when it is costing him 13 per cent, sometimes almost 14 per cent, on the money he has to borrow?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I would be glad to tell the hon. member, as he probably recalls, that the cash balances held by the government are subject to very important seasonal fluctuations. Because of these seasonal fluctuations I believe he will see that the weekly financial statistics which are to be released today will show that cash balances of the government have been reduced to $4.8 billion, a reduction of $1.6 billion in one week. These seasonal reductions will take place as a result of a number of factors which occur at this time of the year.

Mr. Stevens: Madam Speaker, I am pleased that the House has received this little advance release, if you like, that cash balances are still $4.8 billion. Would the Minister of Finance not agree then that any suggestion in relation to certain government measures that there is great urgency for the passage by this House of the bill authorizing further borrowing is a little stretched and, in fact, may be a deliberate misrepresentation?

Mr. MacEachen: Madam Speaker, I would not agree with that because, as his seat or desk mate will recall, one of the important functions of the Minister of Finance is to plan an orderly marketing program of government instruments, and it is quite impossible to plan, for example, the May 1 normal going to the market unless we have the authority from the House of Commons. If we do not have that authority, I believe this will create unnecessary uncertainty and possibly imperil the capacity of the government to undertake foreign exchange transactions and such like.

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ENERGY

OIL PRICING POLICY—REPORTED INTRODUCTION OF TWO-TIER SYSTEM

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources.

Yesterday the Calgary *Herald* had a report that the minister is considering a new two-tiered pricing system for oil. Is the minister considering such a system and, if so, what is the proposed price for the new oil? In addition, could the minister tell the House what impact this system will have at the gas pump?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, if I were considering such a possibility or concept, there would be nothing new to it because I have already indicated in this House that, in the course of my negotiations with the government of Alberta last year, I offered at that time an approach which would have implied a higher price for new oil. That proposal was rejected at that time. Since then I notice that several members of the industry have picked up that proposal and have suggested it has a lot of merit.

I can tell the hon. member that I am not considering any specific proposal at the present time, nor is the government considering any particular proposal. Obviously I will examine the matter further before my meeting with my colleague in Winnipeg on April 13, but I have reached no conclusion in this respect, and obviously the government has not at the present time. The whole report in this regard is totally speculative and has no foundation in so far as it could refer to my intentions or the government's intentions at this stage.

COMMITTEE CONSIDERATION OF BILL C-48

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I am sure the minister will know that a two-price system will mean higher prices and a broken promise. Let me ask him about another broken promise, if I may.

The government rammed Bill C-48 through this House and into the committee stage by the use of closure. At the time his colleague, the Deputy Prime Minister and Minister of Finance, said we in committee could hear all the witnesses we

wanted, yet next week the government is closing down that committee's hearings. Does the minister intend to impose Bill C-48 on the northern people without hearing from them and without consulting with them? Will he put an end to the steamrolling of Bill C-48 and allow the members to go up north and listen to the native people?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, there are so many inaccuracies in the hon. member's question I do not know quite where to start. There was no closure in respect of Bill C-48; there was an allocation of time under Standing Order 75C. As far as the hearings are concerned, the committee has heard a very large number of witnesses on Bill C-48 from industry, people from the north, and all kinds of experts from Canada and abroad. Certainly this bill during this session has been the subject of discussion by the largest number of witnesses, second to the constitutional resolution, obviously. As far as the proceedings of the committee are concerned, the committee is the master of its own business and it is improper for me to comment on its activities.

* * *

● (1450)

[*Translation*]

MANPOWER

COMMUNITY SERVICES PROGRAM—REQUEST FOR SUPPLEMENTARY FUNDS

Mr. Normand Lapointe (Beauce): Madam Speaker, my question is for the Minister of Employment and Immigration. Considering that highly creative projects presented under the program of Canada Community Services projects have been temporarily shelved, can the minister say whether his department will soon release additional funds to make it possible to carry out those projects presented by people who are particularly affected by unemployment such as women, the handicapped and young graduates who would use such projects to meet precise social needs?

[*English*]

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I thank the hon. member for the question, and I am pleased he found that particular program to be beneficial to those who really need the assistance. For his information, we have signed something close to 500 projects across this country; of the participants in those projects, two thirds of them are women, large numbers are disabled, and many of them are young people, so I think the program has reached its objective. Because of the program's success we have an additional $1 million in supplementary estimates for it, and if the hon. member has some good projects he would like to propose, I would certainly be very pleased to receive them.

FINANCE

INDEXING OF INCOME TAX AND SOCIAL TRANSFER PAYMENTS—GOVERNMENT POSITION

Mr. Harvie Andre (Calgary Centre): Madam Speaker, my question is to the Minister of Finance and is supplementary to those of the hon. member for St. John's West and the hon. member for York-Peel. Last fall, with inflation considerably less than it is today, the minister considered, but did not put in his budget, a limit on the indexing of personal income tax and social transfer payments. The January 9 Finance Department document stated that, despite political difficulties, that policy appears to be worth keeping under consideration.

Will he tell this House whether he is again considering the imposition of a limit on such indexing, and give the House his assurance that he will not consider this in the future given its unfair application to the taxpayers and the recipients of old age pensions and so on?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I refer the hon. member to the budget statement itself when I dealt with the question of indexation and I said there, as I recollect, this was a subject that one might return to later. That situation has not changed and the words used in the October budget still apply.

Mr. Andre: So the minister is saying that still remains a threat to Canadians.

TAX BASED INCOMES POLICY

Mr. Harvie Andre (Calgary Centre): Is the minister considering a tax based incomes policy with reference to price and wage guidelines, or does he agree with another part of the January 9 discussion paper which states that such a policy would cause more problems than it would be worth? Could he tell the House what his views are with regard to such a policy, and does he also go along with the view expressed in that discussion paper that this is unfair?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I have not reached the conclusion to introduce TIP, as it is called, and if and when I do the House of Commons will be the first to know.

* * *

THE ECONOMY

GOVERNMENT POLICY TO COMBAT INFLATION

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, on March 24 the Prime Minister stated in this House that the causes of inflation were "mainly energy prices and higher food prices and interest rates". Surely the Prime Minister is aware by now that when energy and food prices are removed, inflation is still running at a rate of 10.2 per cent.

In view of this I ask him to comment on these facts, interest rates clearly being an area that he could control, and tell the

House whether he intends any new economic policies to control this killer inflation rate which is so devastating to our senior citizens and other low-income people?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the hon. member seems to suggest that we could control food prices and—

An hon. Member: Interest rates.

Mr. Trudeau: —and therefore bring the inflation rate down to 10 per cent.

An hon. Member: No, interest rates.

Mr. Trudeau: The hon. members did not listen to their own questioner and so, Madam Speaker, I cannot deal with it.

REQUEST FOR ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, the Prime Minister has just taken the reverse aspect of that particular question and did not answer it at all. The Gallup poll shows that inflation is a major concern of over half the population. Indeed, a recent poll shows that it is of major concern to over 70 per cent of Quebecers. Based on that, and the fact that over 60 per cent of the people disagree with his method of patriation of the Constitution, why will he not adjourn debate on this motion until the Supreme Court of Canada takes a decision on its legality, and concentrate on measures to fight inflation on which he will have the full support of this side of the House?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, now I do agree with the preamble to the question. The hon. member suggests that we should get on to other business—

Mr. Crosbie: You should.

Mr. Trudeau: —particularly the financial matters. We attempted all day yesterday to get on to the borrowing bill which the hijacking of Parliament by the official opposition prevented us from doing.

An hon. Member: There is another question of privilege.

Mr. Trudeau: I hope that they will be a bit consistent. If they want us to deal with other things, as we attempted to do yesterday, I hope they will permit us to do it today, unless of course the Leader of the Opposition is prepared to answer the suggestion made by the Leader of the New Democratic Party, which of course would be the perfect answer to the concern of the hon. member. If we can have agreement in this House on a House order in the direction indicated by the Leader of the New Democratic Party, then indeed we could dispense with this whole matter, I believe he has said in a couple of days, and then indeed we could get on to other things and tackle inflation.

FISHERIES

COSTS OF QUALITY IMPROVEMENT PROGRAM—ASSURANCE SOUGHT OF RETURN TO FISHERMEN

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, my question is to the Minister of Fisheries and Oceans. The growing opposition in Atlantic Canada to the quality program announced by the government, and in particular the Newfoundland Fishermen, Food and Allied Workers have officially come out in opposition to the program simply because they feel that it loads the cost of quality programming on fishermen and offers no guarantee that they will benefit from increased quality.

Could the minister give some assurances to the fishermen in Atlantic Canada that his department is looking at ways to see that the price to fishermen increases as a result of their providing better quality?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I do not see many ways that I could intervene in negotiations as to price between fishermen and processors, but I know one thing: if we do not make sure that our place in the markets is protected and ensured by consistent quality of the fish we export, then I can predict to the hon. member that the price will drop because we will be the first to suffer from tightened market conditions.

Mr. Miller: No one in the industry questions the advisability of increasing quality. What the fishermen are saying is that they will have to increase their investment capital and manpower in their vessels, and yet there is no collective bargaining in three Atlantic provinces which would guarantee them a fair price. I am asking the minister if he is suggesting that all they have is hope for an increase in the price of their product, or is there some other mechanism whereby he can assure them that if they put that money in they are going to get some money back?

Mr. LeBlanc: Madam Speaker, there is more than hope; there is reality. Of the $8 million in the boat subsidy program for the year starting yesterday, $2 million has been put aside for improvement of holding facilities, icing equipment, carrying equipment, gutting machines, etc., to be used on fishing vessels. Two million dollars is already committed to this program, and more will be added if the fishermen so require.

• (1500)

As to the three provinces the hon. member mentioned where fishermen have not yet been given the legal right to organize and to bargain for fish prices, I can only give fishermen one piece of advice: they should throw out the three Tory governments in those provinces.

HOUSING

EFFECT OF INFLATION ON INDUSTRY AND HOME OWNERS

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, my question is directed to the Minister of Public Works, the minister responsible for the housing crisis in the country. Inflation is now at 12.2 per cent, and with its accompanying ballooning of mortgage interest rates, obviously is causing severe financial distress and wreaking havoc with Canadians holding mortgages which must be renewed, and with the housing industry.

Will the minister confirm that the Canadian housing industry, on a yearly basis, is in the deepest slump since the 1930s? Will he agree that the inflation created by government deficits and oceans of new money being printed to cope with this deficit are the major cause of the housing disaster facing Canada?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, in so far as my ministry responds to the part of the question dealing with the condition of the housing industry in Canada, I might say that about a year ago some of the statistics might have been approximately accurate, that is, the slump of the industry and the difficulties of the industry. But I am sure the hon. member and many hon. members have seen in recent months, particularly in the first quarter of this year, improvement in the industry, as reflected by the increase in the number of starts. Indeed, according to industry spokesmen—I am thinking of the urban development industry and, for example, the HUDAC spokesman; leaders in the industry—obviously the record of the first quarter of this year shows an improvement in the industry and optimism in the industry which was not apparent, as I have indicated, 12 months previously.

Mr. Cook: Madam Speaker, in an effort to be sweetly reasonable—

Some hon. Members: Oh, oh!

Mr. Cook: —what new policy does the minister have to fight inflation as the main obstacle to expanding and building more houses? Will the minister try to persuade the government to get off its constitutional obsession, so that we can deal with both inflation and the housing problems?

Mr. Cosgrove: Madam Speaker, with some modesty, I might say that sweet reasonableness is one of the attributes I attempt to project and to apply to all my duties and responsibilities.

Some hon. Members: Hear, hear!

Mr. Cosgrove: I would think anyone applying those standards in any objective manner would have to agree that the signals in the industry are to an upturn, there is optimism in the industry and, in part, that reflects the previous action of the government in the last 12 months, for example, in increasing social housing starts, in the budget provisions with respect to MURBs, and in the better use of government machinery under the Canada Mortgage and Housing Corporation to be a more effective provider vis-à-vis the housing needs of Canadians generally.

* * *

POINTS OF ORDER

MR. CLARK—THE CONSTITUTION—SUGGESTED PROCEDURE FOR AMENDING PROPOSED RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I rise on a point of order concerning House business and flowing from the fraternal discussions between the Leader of the New Democratic Party (Mr. Broadbent) and the Prime Minister (Mr. Trudeau). I want a little clarification on what exactly the Prime Minister indicated he would find acceptable, particularly since it was not clear to me in the statement of the Leader of the New Democratic Party whether or not he was talking about votes on amendments in the House prior to any package going to the Supreme Court of Canada.

Mr. Broadbent: Yes.

Mr. Clark: He now says, "Yes". To come back to the proposition I raised yesterday which caused discussions among House leaders that have now been carried on publicly—I must say it was somewhat to our surprise that those discussions should be carried on publicly on the floor of the House, but that process having been started, we will carry it on—let me ask the Prime Minister whether he would be prepared to accept a position which contained the following elements. First, there would be a grouping of a limited number of amendments agreed to among all parties in the House. Second, that the constitutionality of those amendments, as well as the constitutionality of the government's own resolution, would be determined by the Supreme Court of Canada before Parliament votes on any question relating to the constitutional resolution.

Some hon. Members: Oh, oh!

Mr. Clark: Third, that the debate in Parliament be adjourned until a decision by the Supreme Court of Canada to allow Parliament to get on with the other urgent business of the nation. Fourth, that no new amendments would be introduced to any resolution after the Supreme Court of Canada has rendered its decision on the legality of the government's position and on the legality of any amendments which might be proposed by other parties in the House.

Would the Prime Minister be prepared to respond positively to a proposal containing those elements?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, this is a rather strange point of order. It began with asking me to clarify the suggestion of the Leader of the New Democratic Party (Mr. Broadbent) that I accepted. I can only

suggest, since we are on a point of order, that the Leader of the New Democratic Party answer that. I have answered his suggestion affirmatively. Let us deal with that; let us hear the point of view of the Leader of the Opposition (Mr. Clark) on that proposal. If it is accepted, it solves the matter; if it is not, then we will see if there is any further room for compromise.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, the Prime Minister has heard our proposal and the proposal of the New Democrats. He knows there is one fundamental area in which they disagree. The New Democrats and the Liberals, together again, appear to be prepared to have the House of Commons vote on a matter which the courts of Canada have declared illegal.

Some hon. Members: Oh, oh!

Mr. Clark: We are not prepared to have the House of Commons vote on a matter which has been declared illegal by the Supreme Court of Newfoundland.

An appreciable distinction between the two proposals concerns whether or not it is appropriate for Parliament to vote on matters which a court has found to be illegal. We believe it is not appropriate for Parliament to vote on a constitutional matter which has been found by a court of this country to be beyond the constitutional competence of Parliament. That is our position; that responds to the position put forward by the New Democratic Party.

I return to my question to the Prime Minister. Would he be prepared to accept a proposal such as the one I put forward yesterday and again today containing the elements I have enumerated, a proposal which would allow us to determine the question of legality, to consider the appropriateness of all important amendments, to adjourn this debate immediately so that we could get on with the important business of Canada, and to ensure that there was a Constitution in Canada which adhered to the constitutional law and practice of the country? Also, perhaps the adjournment would provide an opportunity for the first ministers of the nation to get together to see if there might be some greater room for agreement on the Constitution of Canada.

Some hon. Members: Hear, hear!

Mr. Edward Broadbent (Oshawa): Madam Speaker, neither the Hon. Leader of the Opposition (Mr. Clark) nor myself had the dubious pleasure, perhaps, of going to law school, but I would like to—

Some hon. Members: Oh, oh!

Mr. Clark: Thank you very much.

Mr. Broadbent: Well, I never went to law school, Madam Speaker. However, I want to say in all seriousness to the Leader of the Opposition that I was responding in my comments yesterday to the suggestions I heard for the first time from the Leader of the Opposition. The responses were made on the floor of the House immediately after I heard them. There was no conspiracy either with members of his party or with the party opposite.

• (1510)

However, I would like to say, since he asked a question here on a point of order concerning our attitude with respect to voting on amendments, that the position I put forward on behalf of my colleagues was that, yes, there should be a vote on amendments. There are important matters affecting the native people of Canada; they want to know where we stand. There are important matters affecting the women of Canada; they want to know where we stand. There have been matters which my party have attempted to debate for six weeks in the House of Commons. We would like a vote taken on those. Presumably the official opposition, which has one amendment before the House, would like to have a vote on it or it would never have moved the amendment.

Mr. Clark: That was before the Supreme Court decision.

Mr. Broadbent: I want to come now to the final point of law. As I understand it, we are proposing to vote on the amendments but withholding the vote on the final resolution, as amended, precisely to deal with the point raised by the Leader of the Opposition, that at this point in our history, in the moral sense—

An hon. Member: What about the legal one?

Mr. Broadbent: —we should obtain the acceptance of the Supreme Court of the legitimacy of the way in which we are proceeding, given the fact that the court in Manitoba ruled one way and the court in Newfoundland ruled the other. We have made the proposal, although according to strict constitutional law I do not think it is necessary. But I think in terms of political and moral legitimacy it is necessary, which is the point the Leader of the Opposition is making.

Some hon. Members: Hear, hear!

Mr. Broadbent: All I am asking the Leader of the Opposition to do is to be logical on this issue and allow a vote on his amendment, a vote on our amendments—

Some hon. Members: Oh!

Mr. Broadbent: —and then suspend final judgment until we hear from the Supreme Court.

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the Leader of the Opposition motions for me to stand up. I will answer very clearly, Madam Speaker. I accept the proposal of the Leader of the New Democratic Party.

Some hon. Members: Hear, hear!

Mr. Trudeau: Can the Leader of the Opposition stand up and say, yes or no, whether he accepts it? Let us hear his answer.

Some hon. Members: Hear, hear!

Some hon. Members: Yes or no?

Mr. Clark: Madam Speaker, I regret that the Prime Minister missed my first answer. We cannot accept a proposal which would have the House of Commons voting on matters which the Supreme Court of Newfoundland has declared to be beyond the competence of this Parliament.

Some hon. Members: Hear, hear!

Mr. Blais: It's not so!

Madam Speaker: Order, please. Do I understand the Right Hon. Leader of the Opposition is asking for the floor again?

Mr. Clark: Madam Speaker, I am asking for the floor simply because in these exchanges between the Leader of the New Democratic Party and the Prime Minister we have yet to receive an answer from the Prime Minister to the question I put to him in respect to the proposal, the elements of which I have outlined today. I would like to have that response from him.

Some hon. Members: Yes or no?

Mr. Trudeau: Madam Speaker, to look at things in order, I suppose that the Leader of the Opposition would require not only agreement from myself but agreement from the New Democratic Party.

Some hon. Members: Why?

Mr. Andre: He is in bed with you. He will do whatever you want.

Mr. Trudeau: I am asked why, Madam Speaker. Because if the New Democratic Party are not part of the deal, they can, if they wish, and if they are as destructive as the Tories, hold up the work of this House for weeks, just as the Tory party is.

Some hon. Members: Oh!

Mr. Trudeau: That is why we are looking for a compromise that everyone can agree to.

The Leader of the Opposition wants a yes or no answer. It would depend on what happened after the Supreme Court decided. The Leader of the Opposition has not dealt with that. Once the Supreme Court decides and if the decision is that the matter is legal, would he then agree to pass in the House the whole package within, say, 48 hours?

Some hon. Members: Hear, hear!

Some hon. Members: No!

Mr. Clark: Madam Speaker, I take it that is the only question in the Prime Minister's mind in relation to our package. Is that correct?

Some hon. Members: Answer the question! Yes or no?

Point of Order—Mr. Epp

Mr. Clark: Could I have an indication from the Prime Minister whether that is the only reservation, the only question he has in relation to the proposition—the time element after the matter comes back from the Supreme Court?

An hon. Member: Up, Pierre!

Some hon. Members: Up, up!

Madam Speaker: Order, please. I want to point out to the House that the Chair is rather uneasy since these are the kind of negotiations that do not usually take place in the presence of the Chair. These are the kind of matters that are not usually conducted in open debate. I have tolerated it for a while in the hope that, perhaps, something speedy could be accomplished. It might be wiser to continue the negotiations in another place, but the House may do as it wishes.

Mr. Epp: I have a point of order, Madam Speaker.

Madam Speaker: The hon. member for Provencher on a point of order.

MR. EPP—DISALLOWANCE OF QUESTION ON CONSTITUTION ADDRESSED TO MR. ROBERTS

Hon. Jake Epp (Provencher): Madam Speaker, my point of order arises out of the question period today. You will recall that I asked a question of the Minister of the Environment (Mr. Roberts) regarding the Constitution. Your Honour ruled that I was not in a position to ask that question of the Minister of the Environment in view of the fact that the Constitution does not fall within his area of ministerial responsibility.

Some hon. Members: Not again!

Mr. Epp: Madam Speaker, I direct the attention of the House to page 6224 of *Hansard* for January 15, 1981.

Some hon. Members: Oh!

Mr. Epp: Could I have order, please?

Madam Speaker: Order, please. Might we have some quiet in the House, please?

Mr. Epp: Madam Speaker, I refer you to page 6224 of *Hansard* for January 15, 1981. On that day the Right Hon. Leader of the Opposition (Mr. Clark) used the following words in his question:

> This matter has been discussed between the prime ministers in June. Could the Minister of the Environment in his capacity as envoy on constitutional matters inform the House?

The Minister of the Environment then proceeded to answer the question, which was strictly on constitutional matters as they related to his duties, as given to him by the Prime Minister (Mr. Trudeau), and to his contacts in Great Britain.

My question today was exactly on that point, on the Constitution and the contacts the minister, as the envoy of the Prime Minister, had in Britain regarding the possible conversation

between members of the British cabinet and the Minister of the Environment. On January 15 you allowed the minister to answer exactly with respect to that issue. Today you chose not to do so.

I would like the Chair to give me an indication whether I can ask the minister those questions in the future, in view of the fact that he has been able to answer them before, and it is public knowledge that the Prime Minister instructed the "Mark and John Show", the two apostles, to go to Britain.

● (1520)

Madam Speaker: Yes, I remember that incident, but I cannot call it a precedent because I did not make a ruling. These sort of things happen very quickly in the House of Commons, and having happened there is very little that the Speaker can do. However, the Speaker may not interfere if the minister chooses to answer the question. On this particular occasion, the minister rapidly answered that question; that was his choice. However, this point remains very clear in Beauchesne, Citation 361:

A question may not be asked of a minister in another capacity, such as being responsible for a province—

That is a very clear rule. It is also up to the minister to decide whether he wants to answer a question.

What I did today was not to disallow the question put to the minister; I simply suggested that it might more properly be addressed to someone else. The hon. member received an answer to his question from another minister. But the rule is there for his guidance. The Chair cannot really prevent a minister from answering or force him to answer a question.

Mr. Epp: Madam Speaker, on the same point, if you could give me further instructions, are you saying that, despite the ruling in Beauchesne if a minister chooses to answer, and if he is quickly enough on his feet, he can answer?

Madam Speaker: It is his own choice whether to answer. It is the minister's choice to answer a question or not to answer. It is very hard for me to determine all of the specific responsibilities of the minister. This particular question was long enough that I was able to react, and it seemed that it might more properly have been addressed to another minister. I simply suggested to the hon. member that he might address it to another minister.

In the particular circumstance of today, the Minister of the Environment chose not to answer the question I suppose, though I cannot answer for him, because he felt it was not within the realm of his specific ministerial responsibilities; but another minister took up the question.

Mr. Epp: Just one more point, Madam Speaker. If I interpret your ruling correctly, it is very difficult for an hon. member on this side of the House to ask a minister a question in an area in which he has answered before. The minister has made public statements which have been repudiated in this House by his colleague, the Secretary of State for External Affairs (Mr. MacGuigan). Therefore, it is impossible, in view of that ruling—despite the fact that the minister has already answered once—to discover who is speaking for the government in this House and what communications have taken place. It is a ruling which places all of us in a Catch-22 situation.

Madam Speaker: I think the hon. member is more confused than he need be. He did occupy a cabinet post and he does know that ministers may make statements outside the House on any aspect of government policy, be it the Constitution or any other matter. Therefore, the Minister of the Environment may quite properly make statements on the Constitution outside the House, but it does not then necessarily follow that because the minister has made a statement outside the House, hon. members in the House may be allowed to ask questions on that statement if it is not within the realm of his ministerial responsibilities.

The rule is quite clear. If an hon. member asks a question, a minister may answer it. But ministers may answer only those questions which are within the realm of their responsibilities, and they are the judges of what matters fall within the realm of their responsibilities. I think that is quite clear.

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, on the same point of order, I believe this is important to what you said. I recall having asked questions of former solicitors general which they chose to answer despite the fact that they no longer occupied the portfolio.

I want to point out to Your Honour that while you were engaged in this interesting point of order with my colleague, the hon. member for Provencher (Mr. Epp), the Minister of the Environment (Mr. Roberts) was also listening very closely and he indicated, to me at least, that he did not agree with your interpretation that he did not want to answer the question. From his clear gesture, I understood—he is nodding his head now—that he really wished to respond to the question, which raises a whole new dimension here. Just as a former solicitor general responded to me when I was asking what I thought to be an important question, the Minister of the Environment indicated that he, too, wished to follow that precedent. It would appear that he was inadvertently prevented from having this opportunity.

Therefore, my point of order is that I believe the minister should now be given the opportunity to indicate to the House whether he does wish to exercise his option and answer the question.

Madam Speaker: Well, first of all, the question period is over. Secondly, to answer the hon. member's point of order, I suggested that the question might more properly have been addressed to another minister. If the Minister of the Environment had then risen in his place, I do not feel that I could have prevented him from answering the question; but he did not. Instead, the question was addressed to the Secretary of State for External Affairs (Mr. MacGuigan), and he chose to answer it.

If another question is posed in other circumstances, I might again point out to the House that that question could perhaps be more properly addressed to another minister. However, that does not preclude a certain minister from rising in his seat to answer the question. For the time being, we cannot come back to this question because question period has concluded.

I will hear the Minister of the Environment, but only on a point of order; I will not allow him to answer the question.

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): I understand, Madam Speaker. If I have caused any problem, I am sorry to have done so. I had no particular desire to answer the question, but I would have been quite happy and prepared to respond to it, as a matter of politeness to the hon. member opposite. There is really no need for me to do so since one of my colleagues gave the answer. However, if someone else wants to pose another question at some other time, I would be happy to hear it and possibly respond in a way which might be helpful.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Knowles: Madam Speaker, when the Right Hon. Leader of the Opposition began the exchange a while go, he referred to it as having started under the heading of House business. I had assumed that somewhere in that exchange the usual Thursday questions would be asked. I do not wish to jump ahead of my friend, the hon. member for Nepean-Carleton.

Mr. Baker (Nepean-Carleton): Go ahead!

Mr. Knowles: You are very kind.

Mr. Baker (Nepean-Carleton): You are standing, so go ahead.

Mr. Knowles: May I ask the government House leader if he can tell us what the government plans for business today, if we get there? At the same time may I make the plea, despite the fact that agreement did not seem to get reached earlier this afternoon on how we handle the Constitution, that we have further meetings of House leaders to see if we can resolve the one or two points of difference which still stand?

Mr. Pinard: Madam Speaker, I think we will have some relief today, if the opposition has been sincere, and I think it has been. We will not deal with the motion to allocate time to the debate on the Constitution today, so I suppose there will then be no problem and no delaying tactics. What I propose to do—and I mentioned this earlier to my colleague, the hon. member for Nepean-Carleton—is to deal with a motion in the name of the Minister of State for Finance to allocate time to the debate on the borrowing authority bill. Since less than two hours remain to debate that motion, it is possible that it will be voted on before the end of the day and we will have to deal with something else.

I say now publicly that we will not deal with the motion to limit time on the Constitution debate, but instead we will deal with the borrowing authority bill after the motion to limit time for debate on that bill has been voted on. That is the only item on the program today. We will deal with that very important motion on a very urgent bill which should have been passed by both Houses yesterday but is still pending because of the delays we have faced within the last days.

Since hon. members of the opposition have been saying all along that if another item of business is brought under the order of the day they would then show their seriousness and let it proceed, I am publicly saying that that is fine. Today we will not deal with the motion to allocate time on the Constitution. We will deal merely with the motion on borrowing authority and the bill itself.

• (1530)

In so far as the business for tomorrow and next week is concerned, obviously it would have been much easier to establish the order of business if we had concluded an agreement as suggested by the Leader of the New Democratic Party; but if I understood the Leader of the Opposition, he rejected the offer made by the Leader of the NDP.

Consequently, I think we will have to wait and see when the motion is voted on today and when there is an order of the House allocating two days to deal with the borrowing authority bill. I am prepared to discuss with the House leaders having the report stage tomorrow, for example, assuming that a vote is taken today and that part of the debate proceeds after that vote on the borrowing authority bill. I am prepared to discuss a proposal that the report stage of the borrowing authority bill proceed tomorrow. If there is a vote, we could agree to postpone it to next week. I am even prepared to discuss a proposal that the bill be read a third time Monday, assuming always that there is a vote today to limit the debate to two days.

If hon. members opposite are sincere, we will face no hijacking for the next three days and will make progress on a very urgent and important item of business.

Mr. Knowles: Madam Speaker, I wonder if the government House leader would also answer my question about further House leaders' meetings on the issue of the Constitution debate. Even though the differences today might have been rather sharp, their number is only one or two. Since we do want to get out of the impasse and get on, a further meeting might be useful.

Mr. Pinard: Yes, Madam Speaker, I am always pleased to meet with my colleagues. That seems to be a constructive suggestion. If it suits my colleague the hon. member for Nepean-Carleton, I am willing to have that meeting in 15 minutes in my office.

Mr. Baker (Nepean-Carleton): Madam Speaker, I am always happy to meet in House leaders' meetings with my colleagues in the hope that we can make some progress.

Point of Order—Mr. Waddell

POINTS OR ORDER

MR. WADDELL—ALLEGED MISLEADING REPLY OF MR. LALONDE

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, it may be a pleasant change of pace to hear a point of order from down here; perhaps not.

My point of order is this. The Minister of Energy, Mines and Resources (Mr. Lalonde) may inadvertently have misled the House in reply to a question I put to him in question period with respect to the meetings of the Standing Committee on National Resources and Public Works. The minister indicated to the House that the committee had been hearing from many witnesses and from northerners. Perhaps the minister did not know this, but the fact is that in 11 meetings we heard from government civil servants and bureaucrats; in nine meetings we heard from the major multinational oil companies; and in only two meetings did we hear from the people who will ultimately be affected by the bill and have to live with it with respect to the whole development of the north. I see the minister in the House, and I would not want him inadvertently to mislead the House.

The second point is that the committee voted unanimously for my motion to visit the north at the request of northern people, and then on the instructions of the minister his department—

Madam Speaker: Order. I am afraid the hon. member is debating the question. Whether he finds the answer the minister gave him during the question period complete or not, that does not constitute the basis of a point of order or a question of privilege. I am afraid the hon. member is simply prolonging the question period, and trying to enter into debate with the hon. minister on this question. The hon. member will have many other occasions in the course of the proceedings to do that, but I ask him not to pursue it now.

Mr. Gordon Taylor (Bow River): Madam Speaker, my point of order will be very short. I can deal with it in just two sentences. If the policy of not permitting an hon. minister to answer a question—

Madam Speaker: Order. That question has been settled. I have ruled on it.

Mr. Taylor: Madam Speaker, there is a point—

Madam Speaker: Order, please.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa-Vanier): Madam Speaker, I have just heard that the leaders of the various parties will be meeting to discuss a possible agreement. Madam Speaker, as a member of this House I should like to ask you, in your capacity as Speaker of the House, to reserve the right of any member to be informed first of any agreement which the parties may reach because, as I see it, parties do not have the right to speak. Members have the right to speak. I would also like to reserve the right to rise on a question of privilege should we as members of the House, be denied the right to introduce amendments to this resolution.

Madam Speaker: Hon. members will understand that negotiations which may be held between party leaders will surely be discussed afterwards with the members. This is something which does not concern the Chair in any way. The hon. member wanted to raise a question and did so, but it is certainly not a point of order.

Mr. Olivier: Madam Speaker, I would simply like to say that I wanted to raise the same point of order before the House. I will therefore follow the advice you have just given.

[*English*]

Mr. Taylor: Madam Speaker, the whole question period could be stymied if one minister said to another, "You announce this program on television and then you cannot be questioned in the House of Commons". The entire question period would break down. There have been rulings on that in other legislatures. I very simply ask Your Honour to give cognizance to that fact, because that is doing something indirectly which cannot be done directly.

Madam Speaker: If the ruling is faulty, we can change it, but I certainly cannot change it. I can only follow it.

I merely want to read Citation 361 of Beauchesne for those who have not read it:

> A question may not be asked of a minister in another capacity, such as being responsible for a province, or part of a province, or as spokesman for a racial or religious group.

The interpretation of that rule has always been that ministers may answer questions on matters relating to their ministerial responsbility. However, the Chair cannot force a minister to answer. The whole question period could consist of questions and no answers at all, and there would be nothing the Speaker could do about it. Ministers are free to answer or not answer questions. That is the practice; the rule is there to confirm it and that concludes the point of order.

* * *

PRIVILEGE

MR. KILGOUR—SUGGESTED ILLEGALITY OF THE RESOLUTION ON THE CONSTITUTION

Madam Speaker: I am now ready to rule on the question of privilege raised by the hon. member for Edmonton-Strathcona (Mr. Kilgour).

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, I will be brief. I apologize to the Chair for not speaking more concisely yesterday. It is my habit to speak concisely about matters.

Madam Speaker: Order. I thought I had given the hon. member enough time to expose his question of privilege. I felt that if he allowed me, I would rule right now on his question of

privilege. I know it was six o'clock, but he obviously had come to the end of his argument. As a matter of fact, he indicated that he was at the end of his argument. If anything, all I could allow would be that he finish his last sentence.

Mr. Kilgour: Madam Speaker, I thought about this last night and I think I can state the essence of my point—in a somewhat different way from the way I stated it yesterday—in about two minutes, if you will permit me.

Some hon. Members: Order.

[*Translation*]

Madam Speaker: I realize it is a good thing to sleep on it and that is probably what happened. But it was yesterday that the hon. member argued his question of privilege. Of course he still had the floor at six o'clock and I had to interrupt him because the sitting was over. However, I remind him that I will give him exactly two minutes.

[*English*]

Mr. Kilgour: Madam Speaker, I believe the position of the Chair is that you cannot find that we lawyers have a question of privilege, because to do so you would have to find that the matter is illegal. Your Honour said that we have the right to vote or not to vote. My respectful submission is that the way that ruling stands at the moment—

Madam Speaker: Order. I am sorry, but the hon. member is commenting on the ruling I made. Would the hon. member please resume his seat. I made that ruling quite specifically and answered those arguments, so the hon. member cannot come back on that ruling. I have determined that those arguments are not relevant to the question.

Mr. Kilgour: Madam Speaker, in the minute and a half I have left, let us suppose the Supreme Court of Canada ruled that this measure was illegal.

Some hon. Members: Order.

Mr. Kilgour: It seems to me that by the jurisprudence referred to by Your Honour and by Your Honour's ruling, if the absurd notion of the Prime Minister (Mr. Trudeau) that what the courts say does not matter here were upheld, with the utmost of respect Your Honour would then be in precisely the same position. If the Supreme Court of Canada ruled that this proposal was illegal and we were asked to vote on it—we would not be forced to vote—the position is that no one would attack us for voting. In my respectful submission, unless Your Honour takes a wider, newer or more expansive view of the privileges of members, that is precisely the position members of Parliament will be in.

I suppose Your Honour is going to cut me off. I thank you for listening so attentively.

● (1540)

Madam Speaker: I am ready to rule on the hon. member's question of privilege. However, yesterday when the hon. member offered me a hypothetical argument as to what would happen, for instance, if this House were to make a motion to send all of the women of this House to the moon, I was about to jump to my feet and say that that motion was quite in order, except that I might want to know whether there is a Parliament up there!

Some hon. Members: Oh, oh!

Madam Speaker: Of course, hon. members would not know why I want to know whether there is a Parliament up there. I can tell them I want to know so that I can decide whether I want a job or want to be relieved of one! That is my secret.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Madam Speaker: The hon. member began his argument by quoting from Erskine May. He read the first paragraph on page 67 of the nineteenth edition. Following that, he enjoined me to take a broader look at what constitutes privilege. He did refer to my inexperience in legal matters. I confess to that. Although I confess to inexperience in legal matters, I am beginning to have some experience in parliamentary procedure, and that is the business I am in.

Some hon. Members: Hear, hear!

Madam Speaker: If the hon. member has such experience in legal matters, I am surprised, that he did not read the whole paragraph. I will read it to him.

Mr. Kilgour: That is because of experience.

Madam Speaker: That is because he is experienced, quite right!

Some hon. Members: Oh, oh!

Madam Speaker: I can tell the hon. member that he is protected from any damage which might occur to him should he be forced by this House to do a number of things that he finds illegal or improper.

The second paragraph on page 67 of Erskine May reads:

> The particular privileges of the Commons have been defined as: "The sum of the fundamental rights of the House and of its individual members as against the prerogatives of the Crown, the authority of the ordinary courts of law and the special rights of the House of Lords".

In other words, May says that the hon. member is protected by parliamentary immunity. That is what it is all about. Members in this House can say whatever they feel they should say, and they are protected if they say it within the precincts of this House.

Incidentally, the hon. member had two questions of privilege; he argued them both at the same time. He argued the one about his oath, which would put him in conflict with what he is doing in the House. The second one had to do with the rules of the Bar association, which he would have to contravene if he were dealing with the constitutional motion.

The question of the oath has been answered. On the second point, the hon. member wants me to apply the rules of the Bar associations of the different provinces to this House. This House is run by the rules of the House, not by the rules of the Bar associations.

I have to tell the hon. member that he does not have a question of privilege on that basis. He did not bring forward any new argument to convince me that he has a question of privilege.

I want members to take note that I have ruled on both those questions of privilege.

REPETITIVE QUESTIONS OF PRIVILEGE

Madam Speaker: I have something to say about the number of questions of privilege that I have on the same matter. I think it was demonstrated yesterday, as speakers rose to defend their questions of privilege, that it is difficult for members to argue them without referring to my previous rulings and also without repeating the arguments which other colleagues have already put forward in their presentations.

Because I cannot allow members to comment on my rulings or refer to them during the debate which follows, I realize that members will be obliged to repeat those same arguments. In fact, three members in a row have repeated the arguments, and the Chair is placed in the peculiar position of having to listen to the same argument on each question of privilege that is raised. The Chair must listen to all members who give notice of a question of privilege. There is no doubt about that according to our Standing Orders. However, the Standing Orders do not provide that the Chair must listen to the same questions several times over. If I read the wording governing questions of privilege, it would be quite obvious to them that in this case we have questions of privilege that are all similar. I do not find it said anywhere that the Chair must listen to the same question of privilege several times over.

Because it will be difficult to pursue these questions of privilege without repeating the arguments and referring to the rulings that I have made, I am going to ask the hon. members who have submitted questions of privilege on the matter of the Constitution to withdraw them voluntarily.

I think hon. members realize that they themselves will have difficulty defending them, and it will be practically impossible to deal with these questions of privilege because of the constraint I will have to put on members regarding the repetition of arguments and reference to my rulings. Therefore, I ask those members who have submitted questions of privilege to withdraw them voluntarily. I will commence with the question of privilege of the hon. member for Lethbridge-Foothills (Mr. Thacker).

Hon. Erik Nielsen (Yukon): Madam Speaker, before putting that proposal to hon. members, because of the rather unusual course which the Chair might be embarking upon, may I suggest that perhaps the more proper course to follow would be to hear members individually.

I say that for two reasons. First, while it is totally improper for an hon. member to question or comment negatively on the Chair's ruling, there is certainly no stricture on an hon. member to comment favourably on the Chair's ruling. We are doing it all the time by referring to precedents.

Second, and perhaps more important, the Standing Order requiring notice to be given of questions of privilege requires that notice be accompanied by a brief statement of the subject matter of the question of privilege intended to be raised. Given that a notice you have contains a brief statement—I do not know what kind of statement is contained in the notice but I assume it is brief, consisting of one or two sentences—it seems to me that the fairer practice might be, rather than embarking upon a totally new precedent which may prove to be undesirable in the future, at least to hear the hon. member who has given notice until such time as the Chair determines it is, in fact, the same question with which the Chair has already dealt. Therefore, it seems to me it would be fairer for the hon. member who has given notice to be allowed to develop his submissions to you to the point where the Chair finds there is duplication.

I think it would be extremely undesirable if the Chair were to rule now that there was a discretion in the Chair simply to read the notice, accompanied by the brief statement required under our rules, and to rule on the acceptability of a question of privilege merely on the basis of the notice and the brief statement.

● (1550)

I therefore urge you, Madam Speaker, to hear the hon. member at least until the Chair has formed an opinion one way or another that there is a duplication, at which time I totally agree that the Chair would be justified in saying the matter is intruding upon subject matter that the Chair has already rendered a ruling upon. I think the hon. member should be allowed to proceed to that extent.

[*Translation*]

Mr. Jacques Olivier (Longueuil): Madam Speaker, I rise on a point of order. I am sorry to take up some of your time with this matter, but I believe that it is extremely important to remind the House of what you have just said in effect that when the similarity among several questions of privilege is such that only a few words differ, it is obvious, normal and also logical for you to make a ruling on all of them at the same time.

I believe that if you could not make a ruling on all of them at one time, the privileges of the House as a whole might be threatened since every hon. member is a legislator, and as such, has the right to speak on legislative measures and not only on points of order or questions of privilege.

The problem, Madam Speaker, is that if you are not given the right to make a ruling on a group of similar questions of privilege which contain about the same words, we shall be prevented as legislators from playing the role for which we

have been elected. This is why I support your decision, Madam Speaker, and I ask that you apply it.

[*English*]

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I find the intervention of the hon. member for Yukon (Mr. Nielsen) a little offensive at this point. You indicated that you were about to proceed with a ruling. That is not subject to any questioning.

Mr. Nielsen: No.

Mr. Paproski: The Speaker did not rule.

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I know the parliamentary secretary did not intend intentionally to mislead the House by that observation. I am sure Your Honour will confirm you were indeed inquiring of members who had filed notices of questions of privilege whether they wanted to withdraw their question of privilege. It is for the members, at the request of the Speaker, to make a decision. With respect to the intervention of the hon. member for Olivier, the person who shares an apartment with the Minister of Energy, Mines and Resources (Mr. Lalonde)—

[*Translation*]

Mr. Olivier: Madam Speaker, on a point of order—

Madam Speaker: Order, please!

Mr. Paproski: Sit down!

An hon. Member: When the Speaker is standing you have to sit down.

Madam Speaker: We are already on a point of order and there cannot be two at the same time. I shall ask the hon. member for Saskatoon West (Mr. Hnatyshyn) to conclude his point of order, and afterwards, if the hon. member for Longueuil wishes to rise on another point of order, I shall be able to hear him.

[*English*]

Mr. Hnatyshyn: Madam Speaker, initially I have to apologize to the hon. member for Longueuil (Mr. Olivier). He is a distinguished member of this House. He is a handsome, intelligent and concise man and I do not want to offend him by calling him by his own name.

The point I want to make is that if members are not allowed at least to make an initial statement with regard to their question of privilege, that would be an unfortunate precedent. In the course of carrying out your duties, Your Honour has the discretion at a particular point in time to ask an hon. member to get to the point. Indeed, you may not be satisfied that there is a question of privilege. If we look ahead to the consequences of not allowing members to have the opportunity to make an initial statement on their question of privilege, we may regard that as an unfortunate precedent. I wanted to clarify this because the parliamentary secretary did interject and I wanted to explain the point to him.

Mr. Jack Shields (Athabasca): Madam Speaker, the hon. member for Longueuil yelled across the floor for me to shut up, which is unparliamentary language. I would ask the hon. member to withdraw it.

Madam Speaker: That is not an unparliamentary expression, although I am not sure that it is in the best of taste.

Mr. Hnatyshyn: That is what you get for living with Lalonde.

Mr. Paproski: You don't say that in your apartment.

Madam Speaker: I understand from the intervention made by the hon. member for Yukon (Mr. Nielsen) that he is expressing a view on this subject. I want to say that I did not intend to rule from the written notices. That is not allowed by our rules. It is allowed in the rules or practices of the Parliament at Westminster, but not in our rules. I was not suggesting that I would walk into the House and rule on questions of privilege on the basis of the statements I had received. In the same manner, I do not suppose that the hon. member for Yukon wants to speak for all members who have submitted notices of questions of privilege. Therefore, I will ask them individually.

The only thing I was asking was whether these members would voluntarily withdraw their questions of privilege, taking into account they would be in quite great difficulty. I am giving them notice now that I will not accept an argument that has already been given and I will not accept any negative comments on my ruling—and I thank the hon. member for making the difference between the negative and the positive—It will be difficult to defend those questions of privilege because, as I said, they are similar.

I will ask the individual members if they want to withdraw. If they do not, that is their own decision. I will ask them individually if they wish to withdraw and then I will proceed. Does the hon. member for Lethbridge-Foothills (Mr. Thacker) want to withdraw?

Mr. Blaine A. Thacker (Lethbridge-Foothills): With respect, Madam Speaker, I would normally comply immediately with a request from the Chair, but in this instance, and because I did not hear all of the rulings given yesterday, only part, I believe I have a couple of points that would be a niche in the rulings you have given. My comments will be very brief, lasting perhaps five minutes. I am hoping they will give a perspective that Your Honour would appreciate and which would help you in your over-all ruling.

Madam Speaker: I understand the hon. member does not want to withdraw. I want to remind the House that the circumstance that the Chair should have so many questions of privilege to hear is quite unprecedented. Never in the history of Parliament have we not been able to reach the orders of the day for such a long period. I am told that never in the history

of any Parliament has the Speaker had to be in the chair for so many consecutive hours. Apparently that has never happened in any Parliament that we know of, so the circumstances are really unprecedented.

Mr. Nielsen: The pipeline debate.

Madam Speaker: The hon. member is referring to the pipeline debate. Not even during that period did that happen. However, there are rules regarding the question period; questions should be short, answers should be short. There are rules in the Standing Orders about the length of debate; sometimes it is 40 minutes, 30 minutes or some other length of time. There are rules which are quite strict and they are followed by this House. There are rules about the number of times a member can speak on a particular question. However, there are no rules on matters of privilege.

Therefore, I will use my discretion, in view of the unprecedented circumstances in which the House finds itself, to determine that no member will speak more than five minutes. A member must make the point to me in five minutes that he has the basis for a question of privilege; I remind members they need not debate a question of privilege but need only indicate to me that they have the basis for a question of privilege. Members may debate it once I have determined there is a prima facie case of privilege, but they need not do that in the course of presenting their question of privilege.

I now inform all hon. members that I will give them five minutes. I will then have to cut them off in fairness to all members. That is a discretion I am exercising because of the circumstances.

• (1600)

Mr. Nielsen: Madam Speaker, because the Standing Orders and all of our precedents make no reference whatsoever to any time limit on questions of privilege or points of order, I would hope that by now exercising a discretion to impose a stipulated time limit the Chair is not setting a precedent or altering our Standing Orders to that extent. I would have felt very much better if you had come to that conclusion and not told us anything about it. To let it stand in *Journals* as a ruling from the Chair that there is to be inserted in our Standing Orders a precedent which limits an hon. member rising on a question of privilege to five minutes, I think, is very undesirable.

I am sure you may well wish to consider that you may have misdirected yourself in the interpretation of what you have just said if members conclude that there is now and henceforth a five-minute limitation on questions of privilege. I do not think the Chair intended to alter our Standing Orders to that extent. As I say, I would have felt much happier as a member if you had come to that conclusion silently and determined that was what you were going to do, and then give a member five minutes to discuss his question.

I do not think there should be any doubt whatsoever here that our Standing Orders are in any way so altered that we are now to understand there is a specific time limit on members of Parliament who wish to raise questions of privilege. I have raised questions of privilege over a period of time.

Some hon. Members: Oh, oh!

Mr. Nielsen: Hon. members should read the rules, because we are here embarking on entirely new ground when we speak about time limitation on questions of privilege. I have raised matters that have been accepted and referred to standing committees which took a good deal longer than five minutes to develop in order to convince members of the House on all sides they were deserving of sending to standing committees.

I hope that you, Madam Speaker, would at least say from the chair, if it is your intention to deal with these questions of privilege which you consider to be overlapping a ruling you have already made by giving the hon. member a fair warning that if he cannot develop it in five minutes you will be disposed to conclude that he cannot develop it at all, that there is no practice or custom of this House, and no Standing Order or precedent, which imposes any specific time limit.

The discretion is entirely with you, Madam Speaker, as to how long you have to listen. I suggest it would be far better left at that. If you had not heard after listening for five minutes to these overlapping questions sufficient to convince you that there was a different dimension to the question of privilege or that it was a new question of privilege, then you would, of course, exercise your discretion. I certainly hope you will reaffirm that you are not injecting into our precedents a new rule, order or practice which means that in every case there is to be a five-minute time limit on questions of privilege raised by members.

Madam Speaker: There is no doubt that I did not say this would constitute a precedent, and I did not say it would apply to other questions of privilege on matters other than the one we are now discussing; that is to say, those questions of privilege which deal with the Constitution, the wording of which is similar. This certainly does not in itself change the Standing Orders, which say nothing on this matter, by the way. Since Standing Orders say nothing, somebody has to say something and I guess that is the Chair.

If the hon. member would rather I apply the five-minute limit and not warn members they will not be having a great deal of time to expose their arguments, I could have done it that way. I thought it was much fairer and easier for members if I gave them that warning. If the hon. member would rather this whole thing remain unsaid, I do not mind "unsaying" it. I am just telling the House now that I intend to use this discretion and I will be quite firm about it.

Mr. Nielsen: Madam Speaker, may I just quickly comment that the Chair has very skilfully and quickly clarified the matter to my complete satisfaction.

MR. THACKER—ALLEGED ILLEGALITY OF CONSTITUTIONAL RESOLUTION

Mr. Blaine A. Thacker (Lethbridge-Foothills): Madam Speaker, I rise to speak on this question of privilege in respect of which I hope you will find a prima facie case. I hope never in my lifetime or in yours will we again face what we are facing today. We are, indeed, in tough times. The government, as a result of this resolution, has put us in the position that we are really in a fight for the hearts and minds of Canadians.

I am sure, Madam Speaker, you are feeling the loneliness of high judicial office, because you really are on your own. You have joined an elite group of men and women across this country who are occupying positions at a high judicial level. I am sure you have a much clearer understanding of Beckett and his relationship to the Crown.

The issue before you in my question of privilege is whether or not Parliament can pass a law which in its present form is illegal. I submit to you that in your high judicial capacity you stand fifth in line in this nation, starting with the Governor General, the Prime Minister (Mr. Trudeau), the Chief Justice of the Supreme Court of Canada, the Speaker of the Senate and then you as Speaker of this House. In that very unique and high position you are bound to know, by virtue of the concept of judicial notice, that the present constitutional resolution is illegal.

Up until two days ago we were involved in this battle for the hearts and minds of Canadians. The government has a view as to what it wants to do in terms of an amending formula, an entrenched charter and a referendum. We on this side, of course, have a different view of what Canada is as we perceive it. Even when the Manitoba Court of Appeal made its ruling the resolution was still legal because it had not been declared illegal. However, as of two days ago when the Newfoundland Court of Appeal ruled, that constitutional provision became illegal. You are bound by that through judicial notice.

It follows from the Newfoundland decision that all of us find ourselves in a very unique capacity; some in their capacity as ordinary members of the House, some in their capacity as lawyers, some as former members of a cabinet and members of the Privy Council, existing cabinet ministers and you, Madam Speaker, in your high capacity, fifth in order in this nation in terms of precedent. It is within that context that we find ourselves involved in this question of privilege.

I stand by that position in asking you to find a prima facie case and refer the question to a committee. If you were to find a prima facie case, all these questions of privilege would go before a committee where we could debate this whole matter. This is a precedent and a first in the entire history of this country, as I understand it, in that we have a resolution which has been referred to the Supreme Court while it is still being debated in the House.

The perfect analogy, which I do not believe you have considered yet, would be Bill C-60. As you know, it came before this House and went to a committee. There were some problems and it was referred to the Supreme Court of Canada. The Supreme Court found it to be illegal and the bill then died. The analogy with the position we are in today would be, if the day after the Supreme Court of Canada declared Bill C-60 ultra vires of Parliament the government had reintroduced Bill C-60 in the House, in effect asking members to continue to debate the bill even though the Supreme Court had declared it illegal.

• (1610)

I think under those circumstances we would all be in a terrible dilemma in terms of constitutional law, yet that is exactly the point that we find ourselves at today. You have pointed out, Madam Speaker, that we are protected and, in terms of ordinary criminal law or civil law, that is true; but it is not true in terms of our general reputation in the community. Just as members who are clerics, men of God who have made a direct oath to their faith that they will uphold laws—

An hon. Member: Five minutes.

Mr. Thacker: —that are higher than the legal standard. We have a very low political standard in this country, a legal standard that is somewhat higher, and a moral standard which is much higher; and I think we would all agree we should operate at the moral standard. Many people operate at the legal standard, and there are some who operate only at the political standard.

I am saying to you, Madam Speaker, that if you find there is a prima facie case this question can go before the committee; the whole concept that has been declared ultra vires could be dealt with, and I would think out of that would flow a new Standing Order, a new understanding among us as to how we would handle this legislation. Therefore, if you do find a prima facie case, I will make the appropriate motion.

Madam Speaker: I want to say to the hon. member that despite my high office I am not bound by judgments such as the one to which the hon. member has been referring. I am not bound to concur that something that is going on in this House is legal or illegal in the face of a judgment made by a court.

The hon. member referred to Bill C-60 and its submission to the Supreme Court of Canada. I want to remind him that it is not the Speaker who determined that a reference concerning that bill should go to the Supreme Court of Canada. Although he cites that particular case, I think he defeats his own argument since that was not the Speaker's action but somebody else's, and quite properly so.

As for anything done by this House that would cause damage to his reputation, I am sure he is quite able to defend his reputation to his constituents should he be attacked in the way that members normally are attacked in the course of debate in this House. I can do nothing to protect his reputation; that would be perhaps extending my responsibility quite a bit. All I can do is protect my own. I cannot find a prima facie case in the hon. member's question of privilege.

I now call upon the hon. member for Annapolis Valley-Hants (Mr. Nowlan), who is not in the House.

Mr. Nielsen: Madam Speaker, he is unavoidably detained and hopes to be here in time to raise his question.

Madam Speaker: Then I will call on the hon. member for Cambridge (Mr. Speyer). Does the hon. member wish to withdraw his question of privilege?

Mr. Speyer: Madam Speaker, I would like to have the opportunity to make certain submissions to you with respect to this matter.

Madam Speaker: So the hon. member does not withdraw?

Mr. Speyer: No, I do not withdraw.

MR. SPEYER—ALLEGED ILLEGALITY OF CONSTITUTIONAL RESOLUTION

Mr. Chris Speyer (Cambridge): Madam Speaker, this matter arises out of a treatise in Erskine May with respect to the jurisdiction of the courts in matters of privilege. To focus in on my question I would refer Your Honour to page 178 of that treatise, which says:

> In cases affecting parliamentary privilege the tracing of a boundary between the competence of the courts and the exclusive jurisdiction of either House is a difficult question of constitutional law which has provided many puzzling cases, particularly from the seventeenth to the nineteenth centuries. The history of this question affords many contradictory precedents in Parliament and divergent opinions and decisions in the courts. It is a question which has involved the courts in heated conflict with one or the other House of Parliament and has produced more then one temporarily insoluble rupture between the House of Commons and the House of Lords. In the course of this long controversy much light has been thrown on the nature of privilege and the relations between the judiciary and the legislature, although, no doubt, some unsettled questions still remain.

The question I wish to raise is that in every democratic country with a federal system, whether it be a republican system as in the United States or a parliamentary system such as we have here, there exists a system of checks and balances. In the United States the differences between the offices of the executive, the judiciary and the legislature are more clearly defined. Here there are certain rules that the governed have over the governors. Two of those are the Constitution and the courts.

It was said by Walter Bagehot in England that Parliament is supreme. Well, that is just not so in Canada. Parliament is not supreme in the sense that it can only pass legislation on matters within its competence. The history of our country is that we have a system of checks and balances, that the courts will render unconstitutional any action taken by Parliament beyond its jurisdiction.

Similarly, the provincial legislatures are not supreme; they can only act within their own competence. I submit that what has happened here, by reason of the judgment of the Supreme Court of Newfoundland, is that there is an opinion that the course of action taken by this government is null and void, is unconstitutional, and what you are asking hon. members to do is continue a debate on a proposal that has been found to be unconstitutional. I say to you that that is now beyond our jurisdiction and subject to the final decision of the Supreme Court of Canada.

To briefly trace the history of the government's argument in this matter, as Your Honour is aware, and as the Prime Minister (Mr. Trudeau) and the Leader of the Opposition (Mr. Clark) have brought to the attention of this House and the country, the position of the federal government in the Manitoba appeal was this. There were three questions posed, four in Newfoundland. The factum submitted by the Attorney General of Canada in Manitoba stated that its position was that in view of the tentative nature of the contents of the proposed resolution, the answer would be speculative and premature. With respect to questions one and two it said that the courts did not have jurisdiction to determine this matter because it was not right. Indeed, the Prime Minister indicated in the last few days that Chief Justice Freedman acceded to that.

On the other hand, we know that the position of the federal government is that it wants to get this proposal to the United Kingdom as quickly as possible, and its reasons are very clearly stated in the infamous Kirby memorandum which deals with the possible legal challenges to unilateral action. I wish to quote this paragraph so that my point comes into focus. It reads:

> As to the question of validity, it is the view of the Department of Justice that a law passed by the U.K. Parliament to patriate the Constitution, with an amendment formula and other changes, could not be successfully attacked in the courts. It seems abundantly clear that the legal power remains for the U.K. parliament to enact such a law for Canada, and it also seems clear that they will do so whenever so requested by the Parliament and Government of Canada.

● (1620)

The point I am making is that once the matter gets to the Parliament of the United Kingdom, it is beyond the scope of the Canadian courts to deal with it because it is replacing one British statute with another British statute. That is the intention of the government. On the other hand, certainly the courts of this land in Manitoba and Newfoundland have taken completely different positions. They tried to oust the court's jurisdiction by another method. The method was by saying that the proposals right now are tentative in nature and that any answer would be speculative and premature.

In these circumstances, this matter is beyond the power of Parliament at this point in time, because there is an attempt to oust the jurisdiction of the court. The court has always had the power of judicial review. Judicial review has always been a safeguard in any parliamentary democracy.

In the course of the last few days a decision was rendered by the Supreme Court of Newfoundland to the effect that this proposal is ultra vires. The Government of Canada is asking us as parliamentarians to continue to debate something which is illegal. In my respectful submission, that is beyond the scope of our powers, and I ask Your Honour to so rule.

There are a number of other matters which I should like to bring to Your Honour's attention in this regard.

Madam Speaker: The hon. member should conclude in about two minutes.

Mr. Speyer: A few days ago the Prime Minister attempted to make a distinction between Bill C-60 and the current proposals with respect to the matter of a reference. He said that Bill C-60 dealt specifically with Section 91 of the British North America Act and, therefore, it should have been referred to the court. On the other hand, he distinguished this matter because it did not refer to any matters involving the British North America Act. That is a totally nonsensical type of distinction; certainly it is a distinction not worthy of him. I bring it to Your Honour's attention because it seems to me that in these particular circumstances a decision must be rendered by the Supreme Court on constitutional matters which are pending right now.

I return to the initial matter which I brought to Your Honour's attention, that is, that it is unfair for any member to be participating in a debate in circumstances where we are dealing with an illegal matter with respect to a certain province of this land.

I know Madam Speaker has ruled on the question of sub judice. I respect that ruling, but may I say that the whole foundation of the notion of sub judice is that there should be no intimidation of the courts. At a time when the courts are seized with such an important matter, public debate on this matter should cease. The matter is now within the scope of the courts.

Madam Speaker: Order, please. I have ruled on that matter, and the ruling is quite clear. The matter cannot be considered sub judice for the various reason I gave in my ruling. I ask the hon. member not to discuss that.

Mr. Speyer: Madam Speaker, I certainly respect that comment, but the federal government must be in a position to refer the matter to the Supreme Court. It is no longer responding to a case which has been initiated by the provinces. It is now petitioning the court for relief. It is in a situation where it will be asking the Supreme Court for relief by overturning the verdict rendered the other day in Newfoundland.

In these circumstances, it is unfair and improper to ask us to continue debate on this important matter. This concludes my remarks.

Some hon. Members: Hear, hear!

Madam Speaker: The arguments of the hon. member have boiled down to asking the Chair to determine that there is something clearly illegal in what is going on between members of Parliament and the proposal before Parliament. The hon. member referred to one court which brought down a judgment. It is quite obvious that another court has brought down a differnt judgment and he would want me to be the judge of which of those two courts is right.

The hon. member referred to checks and balances. One of the checks and balances of our system is that there are several courts. If one court has determined or found a matter one way and another court has found it in another way, there is other recourse. It is not for the Chair to determine what should or should not go to the Supreme Court; it is not for the Chair to determine legal or constitutional matters. Therefore, on the basis of the argument submitted by the hon. member, I cannot find that he has a question of privilege.

Mr. Lambert: Madam Speaker, I rise on a point of order. I do not know where I am on Your Honour's list, but I have a very serious problem involving my inability to control the departure time of a most important Air Canada flight. I was wondering, with the consent of my colleagues, if I could be heard at this time.

Some hon. Members: No.

Madam Speaker: Usually I take questions of privilege in the order in which they reach me. I would not want to be unfair to other members. Not all hon. members who have questions of privilege are in the House, so I cannot ask them whether they want to defer in your favour. I will do my best to recognize the hon. member as soon as I can.

Mr. Nowlan: Madam Speaker, I appreciate this has been a difficult time for all of us, but I apologize to the House. Things were somewhat mixed up. I was on the telephone and I was advised that Your Honour had called on me. I have no hesitation in taking my chances at the end of the line or, if it is permissible, in standing down so that my hon. friend can present his question of privilege.

Madam Speaker: I took it that there was no consent because not all members who have questions of privilege are present in the House. Therefore, I will try to accommodate the hon. member for Edmonton West (Mr. Lambert) as soon as I can. I recognize the hon. member for Annapolis Valley-Hants (Mr. Nowlan) on his question of privilege.

MR. NOWLAN—ALLEGED ILLEGALITY OF CONSTITUTIONAL RESOLUTION

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, obviously—

An hon. Member: Just keep it short.

Mr. Nowlan: In view of the ruling of the Chair, obviously one will have to keep it very short. As I said, I apologize for being on the telephone when Your Honour called my name. I understand that you have exercised your discretion in an attempt to keep questions of privilege to five minutes because of the multitude of them.

I was in the House when the Chair indicated that we were engaging in a very unusual procedure and that it was an extraordinary situation. I quite agree with those words, but as was said yesterday and on other days, that is really not the fault of hon. members or the Chair; I suppose it is the fault of the entire process.

This precedent of five minutes will come back to haunt all hon. members in the House. It is difficult to try to develop any type of legal argument on something as substantive as a rule of law.

Some hon. Members: Oh, oh!

Mr. Nowlan: I hear the interjections. Do not push, my friends, for unless there is good will one can pervert a prostitute, or the role of anybody, if one wants to; but the point of the matter is that we will not do it. The reason this matter is so unusual and extraordinary is that we all know, regardless of where we sit in the House—even the Prime Minister (Mr. Trudeau) must admit this—that there is a cloud on the status of the resolution before the House. Certainly a most conservative assessment of it would indicate that it has a taint to it. The fact of the matter, in terms of the rule of law which we are trying to explain in certain points of order and questions of privilege, is that as a member of the House for a few years I am being put in the position of being contaminated by debating and/or eventually voting on a tainted resolution, in view of the judicial expressions of the Supreme Court of Newfoundland and also some of the judges of the Supreme Court of Manitoba.

I should like to refer to one of the eminent constitutional authorities in Canada, Robert MacGregor Dawson, in his book entitled "The Government of Canada". At page 88 he attempts to define the rule of law, which reads as follows:

● (1630)

The following comment of Professor Corry on the rule of law in Great Britain is equally applicable to Canada:

> "For a long time now, Parliament has been granting to officials special powers to take action not justified under the ordinary law and it has been limiting the right of the citizen to have the actions of officials scrutinized by the judicial power. Yet there has been no general removal of officials from judicial surveillance and it remains true in most cases that anyone who asserts that he has been wronged by the action of a government official—

That is the basis of my question of privilege.

> —can bring that official before the courts of law to answer for his conduct. The official may justify himself by pointing to an act of Parliament which gives him a special privilege to do what he has done. But he cannot turn aside the complaint merely by asserting an exalted official status and an inscrutable executive expediency in what he has done. The state can throw away the conscript's life but it cannot conscript him in the first instance on the plea of high policy or public expedience except as supported by a law sanctioned by Parliament. The rule of law, although qualified today by the grant of special powers to officials, remains an indispensable instrument for ensuring that government remains servant."

That is basically the core of what I would like to argue here in the few minutes you have allowed me, Madam Speaker. Here, in effect, the exalted officials are really those in the government who have put before the House a resolution that the judicial process, the check and balance in our system, has said is wrong. Whatever pejorative you wish to use, there is a taint to it. By members being forced to debate or vote on it before that taint is cleansed, they are being contaminated.

I agree with Your Honour, there has never been a position as extraordinary as this, at least that I have heard about. I have talked to several constitutional authorities in the last couple of days. I asked them if there was ever such an experience in the British House, although you cannot apply the British case because they are not a federation. But in the history of the Parliament of Canada with respect to debating and voting on a proposition which has been ruled illegal by the superior court in one province and by a divided judgment in another, this is certainly an extraordinary circumstance. That is the reason members have presented you with so many questions of privilege, because the matter is so fundamental.

You can turn on the national news and see people in El Salvador shooting each other—there is no rule of law. In Iran they revolt and rebel because there is no rule of law. In Poland the people have a general strike in order to tell the government there is something wrong with the rule of law. The only bullets we have, Madam Speaker, are words. That is what we have been using. That is why members on this side have been exercised with respect to this fundamental issue.

Some hon. Members: Hear, hear!

Mr. Nowlan: We cannot call the Prime Minister and cabinet ministers before the bar of the House. But according to the rule of law, as set out by MacGregor Dawson and Corry, there is something wrong where members have to debate a question which two courts of the land question, one unanimously and one by divided decision.

The time allotted to me has almost run out, Madam Speaker, and I will not trespass. In conclusion, there is another element which has not been mentioned. With respect to the rule of law, what happened to Mr. Nixon, to the south of us, after he took on his oath? He did not observe the very simple oath of the presidency, which is almost as simple and as short as our oath as members, which says that we will do things according to law. Yet the very chamber which makes law is now forced to debate, and perhaps vote on, something which has been determined to be illegal.

This is the other element which has not been mentioned yet, Madam Speaker. Let us assume that this House makes a determination on the resolution. What is to prevent the government of the day, or of the next day, bringing in an amendment to the Supreme Court Act to change the composition of that court, doing what Franklin Delano Roosevelt tried to do in the "new deal" process—he wanted to stack the court? It is fundamentally wrong for this House to be placed in the invidious position of putting, in perpetuity, fundamentals into a new Constitution when the next day the Prime Minister could change the whole composition of the court to make sure he gets the proper interpretation from the court.

The other point is, we do not know what is before the court. By Parliament ruling and voting now on the resolution, we could be prejudicing other—

Mr. Orlikow: Time!

Mr. Nowlan: —matters that are in process in other jurisdictions. For those reasons, Madam Speaker, I believe you must, in an extraordinary way, go to the basic rule of law which

keeps this country intact, not just the laws of people in transitory positions of power.

Some hon. Members: Hear, hear!

Madam Speaker: The hon. member wants me to apply the rule of law; all I have to apply are the rules of this House. If the hon. member bases most of his argumentation on the fact that he will be contaminated by this whole process, then I suggest to him that it is open to him to decontaminate himself by arguing, which he does quite ably, and by amending, debating and by voting against whatever is proposed to this House. That is the proper course for him to follow. He does not have a question of privilege.

* * *

POINT OF ORDER

MR. KILGOUR—ALLEGED ILLEGALITIES IN FEDERAL LIBERAL PARTY FUND RAISING—RETRACTION OF REMARKS

Mr. David Kilgour (Edmonton-Strathcona): On a point of order, Madam Speaker. Approximately 15 minutes ago a copy of yesterday's *Hansard* of the Senate was provided to me and I would therefore like to deal with a very serious matter—

Madam Speaker: Order, please. I have notice of a question of privilege with respect to this particular matter. I must know whether that question of privilege is being withdrawn.

The hon. member for Lincoln (Mr. Mackasey).

Mr. Mackasey: Madam Speaker, I would appreciate it if the hon. member would be permitted to proceed with his point of order, so that I may decide whether or not I can withdraw my question of privilege.

Madam Speaker: The hon. member for Edmonton-Strathcona.

Mr. Kilgour: Madam Speaker, I will be as brief as I can, but this is a very serious matter.

On March 31, you will recall, since you were in the chair, that I made a statement with respect to a matter which I considered to be a question of privilege. I read some correspondence into the record and Your Honour ultimately ruled that I did not have a question of privilege. I would like briefly to refer to a statement made in the Senate by the senator about whom I referred. For purposes of clarity, I wonder if I would be allowed to read that statement into the record?

Some hon. Members: Agreed.

Mr. Kilgour: The senator referred to the correspondence and said:

> To clarify the record, I am in no way involved in, and I therefore have no knowledge whatever of, the financial or administrative affairs of the Liberal Party of Canada in Alberta. As an ordinary member and supporter, my only financial involvement is that of a modest contributor, which is on public record with the Chief Electoral Officer. In the past six or seven years I have at no time sought contributions for the Liberal Party in any manner whatever. In 1974 and 1975 my principal activity in connection with financing of the party related to the organization of fund-raising dinners. I have never, never engaged in the conduct, related by the honourable member for Edmonton-Strathcona.

I apologize unequivocally to the member of the other place, Senator Hastings. If the senator had only told me in reply to the letter I wrote to him asking for his comments, I can assure hon. members that I would just as soon have jumped from a bridge as make the statement I made. My information is obviously false. Without hesitation, and with the indulgence of all members, particularly the member in the other place, I unequivocally apologize to Senator Hastings for any unfortunate inferences which may have been drawn from my remarks.

Some hon. Members: Hear, hear!

Hon. Bryce Mackasey (Lincoln): Madam Speaker, I rise on the same point of order. I wish to express my satisfaction with the gesture made by the hon. member opposite today. I think it is a sign of maturity, which is a useful quality for a member of this House to have. I think it would be helpful if more people were prepared to do what the hon. member has just done, which is to retract without hesitation his allegations, which were extremely serious.

Madam Speaker, I just want to read the one paragraph which the hon. member omitted to read from the letter. Senator Hastings said in that letter:

> The allegations contained in his letters of March 12 and 26, and his slurring remarks last night in the other place, are totally false and devoid of substance. As a member of the Parliament of Canada, I am conscious of the duties and responsibilities relating to the public office I hold. I can only hope that, as a member of the same Parliament, the honourable member for Edmonton-Strathcona is aware of his duties and responsibilities.

● (1640)

I think the hon. member is aware of his duties and responsibilities, as evidenced by his retraction. I have no intention of pursuing the matter any further by way of point of privilege.

* * *

PRIVILEGE

MR. HNATYSHYN—ALLEGED INTRUSION ON RIGHTS OF MEMBERS

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I now, at long last, appreciate the opportunity of raising a new and novel question of privilege which, I am glad to report, is unique in that it bears absolutely no relationship to the previous seven or eight questions of privilege. Indeed, it is of very great importance to every hon. member of this Canadian Parliament. I am sure you will find there is a prima facie case. I have prepared an appropriate motion to accompany this particular matter when you so find.

I would like to introduce my question of privilege by bringing to the record the statement which I made to you, Madam

Speaker, pursuant to Standing Orders, by way of a letter dated April 1, 1981. It reads:

I hereby give you notice of my intention to raise today a question of privilege relating to my privilege as a Member of Parliament and the privileges of all Members of Parliament by the stated and actual interference and intrusion of the Prime Minister as head of the executive between the will of the Parliament of Canada represented by the Joint Resolution on the Constitution now before the House and the parliament of the United Kingdom and Northern Ireland.

Madam Speaker, I simply want to bring your attention to the fact that this House is debating a resolution which is of very great consequence and importance to the future of this country. During the course of arduous debate, we have witnessed very strongly held views and positions on matters which hon. members on both sides of the House have identified with, and to which the people of Canada are now giving serious consideration. The matter which is being debated is on the minds of all parliamentarians.

During the course of debate issues raised have caused many questions of privilege to come forward. It is not as if we were dealing with any other item of legislation; but rather, we are dealing with matters pertaining to the very foundation of our country. We are in unusual times, as has been stated on many prior occasions. We must look very carefully at this matter to determine whether we are proceeding in a proper and appropriate manner.

What has caused me concern with respect to the present situation is that we are debating a resolution. I want to look at the very nature of the motion before us in the name of the Minister of Justice (Mr. Chrétien). This resolution will form part of a joint resolution of the House and the Senate and I imagine it will in due course receive—in whatever form it is presented, if it is determined to be constitutional or legal by the courts—the assent of the representative of Her Majesty in Canada and thereby constitute an address to Her Majesty the Queen.

I therefore want to refer to the actual text of the resolution which expresses the nature of that particular address. The address has taken the words of the resolution itself:

To the Queen's Most Excellent Majesty:

Most Gracious Sovereign:

We, Your Majesty's loyal subjects, the—

Then there is a blank space to insert, of course, the "Senate".

—House of Commons of Canada in Parliament assembled, respectfully approach Your Majesty, requesting that you may graciously be pleased to cause to be laid before the parliament of the United Kingdom a measure containing the recitals and clauses hereinafter set forth:

Attached to that is the proposed legislation which will be presented in first reading stage, as the Minister of the Environment (Mr. Roberts) stated on "Canada A.M.", plus the proposed Canada Act, including the various elements respecting the constitutional provisions, amendments and the charter of rights.

This particular address is from Parliament to Her Majesty the Queen or, to put it another way, from one Parliament to another Parliament. When the matter is finally resolved, it will reflect the will of the Parliament of Canada; it will not reflect the will of the Crown per se. It will not reflect the will of the cabinet of this country per se. It will not reflect the will of the Prime Minister (Mr. Trudeau) or any member of cabinet holding a position in the executive of our country. It is an address which will be sent from the Parliament of Canada to the Parliament of the United Kingdom and Northern Ireland.

I want to begin with that very basic premise, because it is important to understand the nature of the legislation we are dealing with and its important consequences for the operation of Parliament, of which the House of Commons is a part. This address is not a request for action by the Prime Minister or the executive. It is a request which has been sent directly from the House of Commons and the Senate; from the Parliament of Canada, directly to Her Majesty the Queen.

Having stated that very basic premise, I now want to refer to some of the actions which the Prime Minister and the members of the executive of this country have taken, and indeed some of the activities and statements made on the floor of the House of Commons.

I refer to *Hansard* of March 31, 1981, to give examples of the intended and the actual actions of the Prime Minister of this country. During the course of the question period, in response to questions as to how this address to the Parliament of the United Kingdom would be handled, the Prime Minister said, as reported at page 8786:

If the hon. members opposite do not want to improve the resolution another way, my offer will still stand; that we get a resolution to the Supreme Court of Canada in return for which the government would certainly undertake—

The following words are important:

—not to press the United Kingdom to pass the resolution until it has seen the judgment of the Supreme Court of Canada—

Further on, on that same page, in referring to this resolution he said:

—then we will undertake not to press its passage in the United Kingdom until after the Supreme Court of Canada has judged.

The Prime Minister again returned to this matter on that same page:

I repeat, if the Supreme Court should judge against it, we will of course not press the United Kingdom to pass it in all stages . . . but will merely ask the United Kingdom to continue its passage.

In response to a question from my colleague the hon. member for Provencher (Mr. Epp), in referring to the intention of the government vis-à-vis this resolution to be sent to the United Kingdom Parliament, the Minister of Justice said, as reported at page 8787:

—we will wait for the decision of the Supreme Court before deciding to press the matter in England—

The point I suppose I wanted to—

Madam Speaker: Order, please. I do have to interrupt the hon. member, in all reasonableness. I understand from his argumentation that he does not particularly appreciate the process through which this resolution is being carried.

[*Translation*]

He has the right to do so.

[*English*]

That is his own prerogative. But he must speak about privilege. How is his privilege affected by the fact that one process has been chosen rather than another? Who has the liberty of choosing the process? Certainly the Chair cannot decide that.

• (1650)

[*Translation*]

Mr. Olivier: I rise on a point of order, Madam Speaker. Once again, I am sorry. In view of what you mentioned this afternoon, I believe that the hon. member opposite has not been able to show in five minutes that he had anything new to say about the question of privilege. I believe that the more the hon. member opposite goes on, the more what he says is similar to what others have said on other questions of privilege. I therefore believe, Madam Speaker, that you would be justified in cutting off the hon. member and recognizing someone else.

Madam Speaker: According to the decision of which I have already informed the House, the question of privilege raised by the hon. member for Saskatoon West (Mr. Hnatyshyn) is somewhat different from the others which were worded in nearly the same terms and to which I applied a five minute limit. For the information of the House, I want to point out that the question raised by the hon. member for Saskatoon West is somewhat different. I shall now read it, but I find it is rather vague. I could not understand exactly to what the hon. member was referring. Since he started speaking, I have not been able to understand either how his privileges are affected, but I shall read the question to the House.

[*English*]

The hon. member states that the privileges of all hon. members are affected by the, and I quote:

—actual interference and intrusion of the Prime Minister as head of the Executive between the will of the Parliament of Canada represented by the Joint Resolution on the Constitution now before the House and the parliament of the United Kingdom and Northern Ireland.

[*Translation*]

That is the wording of the question of privilege raised by the hon. member for Saskatoon West. It is different from that of the seven or eight other questions of privilege I received on this subject. That is why I have not applied the five-minute rule, however, I must warn him that I shall not give him too much time because I still have other questions of privilege to hear.

[*English*]

Mr. Hnatyshyn: I appreciate that admonition, Madam Speaker.

As I say, this is a new and quite different question of privilege from the ones which have been raised before. I want to get through it as quickly as possible, but I have citations to quote to substantiate the point I want to make. Perhaps the hon. member for Longueuil (Mr. Olivier) could get his apartment mate, the Minister of Energy, Mines and Resources (Mr. Lalonde), to explain it to him after hours.

Madam Speaker: I see that the hon. member is going to quote Erskine May to me.

Mr. Hnatyshyn: Yes.

Madam Speaker: I want to see where the hon. member's privilege is breached. I know Erskine May nearly by heart on this particular point. Would the hon. member please resume his seat.

Mr. Hnatyshyn: I am sorry.

Madam Speaker: There is a limit. It is not a matter of my patience; I will have patience until the end. I know I am here till the end of the session, so whether it is one hon. member speaking or another, it does not affect me personally. But there has to be some kind of credibility to the office of the Speaker and the Chair, and the Chair should not be subjected to listening to arguments which do not at all relate to breaches of privilege. I know Erskine May practically by heart on this particular matter of privilege. The hon. member has spoken since 4.40. I would like him to tell me in what way his privilege is breached. That is what I need to know.

Mr. Hnatyshyn: Madam Speaker, Erskine May deals specifically with the question of privilege I am going to raise. I indicated to Your Honour in my letter that when the House does pass on this constitutional resolution addressed to Her Majesty the Queen and the parliament of the United Kingdom, there is absolutely no provision for—in fact there is adequate and some detailed prohibition against—interference with the parliamentary process. It does not lie upon the Prime Minister or any member of the executive to hold the address in his or her back pocket or to determine whether this resolution shall pass at any particular time. It is a matter for the two parliaments to determine exactly when that matter will appear on the legislative order paper of the House of Commons in the United Kingdom. Any interference—

[*Translation*]

Mr. Olivier: On a point of order, Madam Speaker. I fully agree that hon. members are entitled to raise questions of privilege. The member opposite is launching a debate rather than raising a question of privilege. In addition, he is holding your authority up to ridicule by failing to respect the decision you have made this afternoon. That member, Madam Speaker, is challenging your authority in the House through his decision to initiate a debate in spite of the warnings you gave him.

[*English*]

Madam Speaker: I have to take into consideration that particular point of order. The hon. member is discussing something which has not yet happened. It is hypothetical, and

I cannot decide a question of privilege based on a hypothetical situation. The hon. member's privilege must have been breached—right now—and I want him to tell me how. I think the hon. member is pointing to something which is becoming increasingly clear. The Chair cannot be put in a position indefinitely to hear questions of privilege which are not really questions of privilege. The credibility of the Chair and hon. members is involved, and I will preserve that.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: Madam Speaker, I take this matter very seriously; as you do, I appreciate. The point is that there is a very serious instrusion on and interference with the rights of every member of this House of Commons. There is no speculation; there is no hypothesis; I refer to the words from the mouth of the Prime Minister who sits across the aisle from me. By his own admission he intends to hold the address in his hip pocket. That is not hypothetical. He has said that is what he will do. He will step between the two parliaments. He has indicated his intention. He has gone to the United Kingdom on a number of occasions—

Madam Speaker: Order. The point I made to the hon. member is the following: the Right Hon. Prime Minister does not have an address at this point in time in his hip pocket. That has to be quite clear and it cannot be debated as the basis for a question of privilege. The Prime Minister has no address and no resolution. He has nothing.

Mr. Blackburn: Recognize someone else.

Mr. Hnatyshyn: Madam Speaker, I want to refer, if I might, to Erskine May at page 115 with respect to the whole question of the position of the House of Commons on any resolution or motion passed by the House of Commons. I will read the last sentence on page 115. I am referring to a request of the House through the Speaker with respect to decisions made by the House in which the Speaker is, in effect, deferential to Her Majesty. The sentence reads as follows:

> But now the request is little more than formal courtesy; as the proceedings of the House are guarded against any interference, on the part of the Crown, not authorized by the laws and constitution of the country; and as by the law and custom of Parliament the Queen cannot take notice of anything said or done in the House, but by the report of the House itself.

I am not by any means saying that our privileges are impinged upon if we pass this resolution. The Prime Minister has stood in this House. I must accept his word as to what he intends to do. I read the resolution. The Prime Minister tells the House of Commons very seriously what his intention is; he is going to delay.

Mr. Fleming: That is hypothetical.

Mr. Hnatyshyn: He has referred in this House to the fact that he is going to do that.

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: Madam Speaker, may I have order in this House? There is a systematic attempt on the part of the government to prevent us from bringing matters before this House. The Prime Minister has not hypothecated. He has said what he intends to do, that is not hypothecation.

The point I make is that there is adequate authority for this proposition. The Prime Minister is infringing on our rights. He is intimidating members of this House of Commons by his actions. He has no authority to threaten us with holding back a resolution. He tells us, on the one hand, that we are to pass this particular resolution, and then he says that once the resolution of this Parliament has been passed, he will interfere. I say that that threat is an intimidation.

Your Honour will be aware of the fact, having read the proposed resolution, that there is no provision by which there can be any delay. There is no provision authorizing or vesting in the Prime Minister to step between the two parliaments and to tell the United Kingdom parliament to delay passage. Yet if I may be permitted to say so, that threat is now on the floor of the House of Commons.

I would like to call it five o'clock, Madam Speaker.

• (1700)

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Hamilton West (Mr. Hudecki)—The Constitution—Effect of charter of rights on abortion provisions in Criminal Code; the hon. member for Algoma (Mr. Foster)—Health care—Extra billing by doctors—Co-operation of Ontario in banning practice; the hon. member for Cowichan-Malahat-The Islands (Mr. Manly)—Combines—Recommendation to prohibit ownership of pipelines by oil companies.

[*English*]

Mr. Knowles: Madam Speaker, I rise on a point of order. May I ask whether the House would be prepared to give me unanimous consent to table a petition?

Madam Speaker: Is there unanimous consent for the hon. member to table a petition?

Some hon. Members: Agreed.

An hon. Member: No.

Mr. Knowles: Madam Speaker, it is a petition from Saskatchewan senior citizens.

Madam Speaker: I might ask for consent again, but I did hear a "no". Is there unanimous consent for the hon. member for Winnipeg North Centre to table a petition?

Some hon. Members: Agreed.

Mr. Nielsen: Madame Speaker, I know nothing of this. It takes me completely by surprise. It will not hurt to delay the matter for three hours. If the hon. member can tell me what he wants to do and show me what he has, then I might be able to give unanimous consent at eight o'clock.

Mr. Knowles: Madam Speaker, that is fine. I can even delay it until tomorrow if I have to do so.

The Acting Speaker (Mr. Corbin): It being five o'clock, the House will now proceed to the consideration of private members' business, as listed on today's Order Paper, namely, notices of motions, papers, private bills and public bills.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

NUCLEAR ELECTRICITY EXPORT AUTHORITY

MEASURE TO ESTABLISH

On the Order: Private Members' Public Bills:

May 2, 1980—Second reading and reference to the Standing Committee on National Resources and Public Works of Bill C-290, an act to provide for the establishment of a Nuclear Electricity Export Authority.—*Mr. Watson.*

Mr. Ian Watson (Châteauguay): Mr. Speaker, I rise on a point of order. I seek the unanimous consent of the House to withdraw Bill C-290, which stands in my name on the Order Paper. It was the intention of the proposed bill to encourage the export of blocks of electricity from Canada to the United States. After further study, it seems clear to me that the establishment of a federal authority for this purpose would be an unwarranted interference by Parliament into a provincial jurisdiction. Therefore, it would be counterproductive.

I will seek to advance my objective by other means.

The Acting Speaker (Mr. Corbin): Does the hon. member for Châteauguay (Mr. Watson) have unanimous consent to withdraw his bill and discharge the order?

Some hon. Members: Agreed.

Order discharged and bill withdrawn.

PRIVATE MEMBERS' MOTIONS FOR PAPERS

[*English*]

Motions Nos. 22, 5, 4, 28, 35 and 33 allowed to stand by unanimous consent.

APPLICATION OF FEDERAL LAWS IN VARIOUS PROVINCIAL COURTS

Mr. Hal Herbert (Vaudreuil) moved:

That an order of the House do issue for copies of all correspondence, minutes of meetings, studies and other communications of the Department of Justice relating to the comparison of the application by the various provincial courts of federal laws.

He said: It was approximately four weeks ago, on March 2, 1981, that I had the opportunity to speak in this House on another motion dealing with the equality of minority language rights. I was happy to speak at that time because the motion dealt with a subject I considered of interest in the midst of this constitutional debate. In fact, I had the opportunity on that occasion to speak for approximately 20 minutes on a subject in which I have taken a considerable interest. When it became apparent that this motion for the production of papers would probably be called this afternoon, I was pleased because it, too, is a matter of some concern in this current constitutional debate.

The Parliamentary Secretary to the Minister of Justice and Minister of State for Social Development (Mr. Irwin), in reply to the motion, as reported in *Hansard* for February 18, 1981 at page 7433 said:

—the Department of Justice has none of the documents which the member is asking for in motion No. 32.

First, may I outline why I asked for these documents and why I believe that some documents must exist somewhere in the Department of Justice. It is true that when we are dealing with variations in the application of justice in the provinces we do have certain acts and bills in which regional variations are recorded. I will cite one or two examples. The first one concerns Section 150 of the Prisons and Reformatories Act. This is a federal act. Where a person under 22 has been convicted in British Columbia of an offence punishable by imprisonment for at least three months, that person may be sentenced to imprisonment for a term not less than three months; but he can be imprisoned for a period up to two years minus one day. Once sentenced under these circumstances, instead of going to jail the individuals are sent to certain correctional institutions.

In a proclamation under the Juvenile Delinquents Act, to give another example, a "child" means in the province of Alberta a girl under the age of 18 and a boy under the age of 16. Thus, there are provisions for treating people differently in different provinces. These variations have been ruled upon as not being discriminatory.

One can then ask if the constitutional proposal, when adopted as the Constitution of our land, will have any effect on these

laws. In the case of family law, many women have expressed strenuous objection to a proposed transfer which would see the federal government passing jurisdictional responsibility to the provinces. The federal government has indicated its willingness to hand over these powers, and at least the two provinces of Quebec and Ontario have indicated their desire to take over this responsibility.

As the law applies to divorce, this could create a wide variation in treatment from province to province. Even today, with only the one federal law, there is room for a great deal of variation. It is not clear just how much variation there has been because no attempt has been made to quantify cases on a provincial basis.

Although our judges are guided by a doctrine of precedents, consistency is generally maintained only within a given jurisdiction. No province is bound by the case law of another province.

The difference in the manner in which a province proceeds in certain cases can accentuate the difference in treatment between provinces of what are essentially similar cases. The interpretation of the Divorce Act is an example. First, there has to be a case in order to be able to proceed. The making of a case often requires the co-operation and assistance of provincial law enforcement authorities. The degree of willingness of the provincial police forces to allocate personnel will, therefore, be a factor in the ability of a person to establish a reasonable case in court.

At the present time discussions are continuing in an effort to regulate some disagreement in the various provinces which use the Royal Canadian Mounted Police as their police force. At least in those provinces, there is one police force which, presumably, acts in a reasonably consistent fashion. Of course, each of the two largest provinces of Ontario and Quebec, which contain two-thirds of the population of this country, has its own provincial police force. Each of those two police forces is under the control of the provincial authority in those respective provinces.

• (1710)

We must not forget that expenditure of money is almost always necessary in order to proceed by legal process. Once again, the willingness or unwillingness of the provincial authorities to allocate funds at the political level has a big influence on the ratio of successful cases, certainly for poorer persons. Apparently the differing attitudes of the provincial governments toward their responsibility for law enforcement will establish a variety of standards of enforcement, prosecution and sentencing from coast to coast in Canada.

Let me be clear. I am not arguing against variations of provincial treatment. Likewise, I am not arguing for regional variations. I am only pointing out this afternoon that they do exist, are not tabulated—at least according to the response I got to my motion—and most surely should be considered in the formulation of federal legislation.

This week, for example, proposed changes to the Narcotic Control Act have been reported in the press. Apparently introduction of an amending bill was delayed until after the March 19 Ontario provincial election because of fears the Conservative government might turn it into a campaign issue. The only strong opposition to reduction of penalties has come from the Ontario government.

Under the Narcotic Control Act a person can get a maximum seven-year sentence if possession is treated as an indictable offence. Most of the 27,000 individuals convicted of possession in 1979 were given absolute or conditional discharges or light fines. Jail sentences are still imposed occasionally. Note that in the case of marijuana, the intention will be to limit the penalty for possession.

The federal government recognizes its responsibilities and its powers to ensure that the punishment for a transgression can be limited. Whether one agrees or disagrees with the subject matter and its handling, there is an inherent feature of equalization in this measure in that it would establish a far more moderate maximum penalty. The argument cannot, however, be applied to the minimum penalty with the same assurance of equality of treatment.

If I can speak briefly on the abortion issue as an example of inequality of application of federal legislation, it is abundantly apparent that in the province of Quebec the attitude of the Quebec government towards abortion on demand can be cited as very liberal, many will say far too liberal.

One can argue that it is a problem caused by the refusal of hospitals to establish abortion committees. However, that does not, or at least theoretically should not, give provincial law enforcement authorities the permission or the right to shut their eyes to what many people believe to be widespread illegal activity.

Let me reiterate that the raising of this particular issue is not an attempt by me to argue in this debate the pros and cons of the abortion issue, but simply to point out that one piece of federal legislation is viewed and treated in a completely different fashion in two neighbouring provinces. Such variation in treatment was never envisaged in the original legislation.

It is also appropriate to cite as an example today the decision of the dissenting provinces to proceed first in the Manitoba court. This had nothing whatever to do with its central location. It was, however, believed to be the court most likely to produce a favourable decision for the provinces that were fighting the constitutional proposal.

Then the dissenting provinces chose to proceed in Newfoundland and achieved a result which they would readily admit, I am sure, might not apply in the other provincial courts. Once again, what is accented is regional disparity in the administration of justice. I should reiterate, and I think it is important to keep saying this, that I am not arguing for or against such regional disparity. I am only asking in this motion that these differences, which I am trying to illustrate do exist, should be quantified.

A provincial prosecutor has certain discretion to decide whether to charge, at what level to charge and, in the event of conviction, to suggest to the judge conditional release, a fine or

imprisonment. Without identifying cases, which I believe would be an abuse of my privilege to speak freely in this House, the requested incarceration, in more than one example of what some refer to as a political crime, has been lenient to the point of being questionable. There is at least the suggestion of political manipulation.

Law reports are devoted to sentencing and judges meet to discuss these reports. In many cases, the judiciary may already find itself limited because of what has transpired in the decision on how and where to prosecute.

In England, a study has been completed on discretion in prosecution. I have been told that the Law Reform Commission is conducting a study. Possibly it deals with the problem under discussion. However, I find it hard to believe that the officials in the Ministry of Justice have not at any time discussed, studied or written any communication dealing with a comparison of the application by the various provincial courts of federal laws.

Before this motion returns to the House for conclusion of the debate, I trust that a more serious examination will be made of departmental records. I hope to hear on some occasion that some studies, documents or papers have been found in the Ministry of Justice dealing with the subject which I find of importance, if only that I honestly find it difficult to concede that we can introduce certain types of bills in this House without first recognizing the manner in which they are likely to be treated in the various provincial courts.

I presume this debate will continue for the full hour this afternoon and that in some weeks ahead this motion may return for its concluding 40 minutes. I hope that before its return to the House there will have been a more thorough examination of the records of the Department of Justice, and that some of the documents to which I have referred and of which I have requested copies will be produced.

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, the hon. member for Vaudreuil (Mr. Herbert) in motion No. 32 asks:

> That an order of the House do issue for copies of all correspondence, minutes of meetings, studies and other communications of the Department of Justice relating to the comparison of the application by the various provincial courts of federal laws.

On February 18 I responded that there were no such documents which fitted that particular description. I commend the hon. member for Vaudreuil for bringing this matter to the attention of the House because variation in the application of justice and the laws of Canada is a serious problem which is continuously under debate and discussion.

● (1720)

I think the hon. member does understand, but I would remind him, that part of the problem goes directly to the British North America Act and the division of powers. For instance, under Section 91(27) the federal government is responsible for criminal law. This reads:

> The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.

That jurisdiction belongs to the federal government.

Penitentiaries, dealt with in the next part, fall within the scope and jurisdiction of the federal government. It states:

> The establishment, maintenance and management of penitentiaries.

On the other hand, the provinces have the administration of justice under Section 92(14), which states:

> The administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts.

As far as incarceration is concerned, under Section 92(6) the province is responsible for:

> The Establishment, Maintenance and Management of Public and Reformatory Prisons in and for the Province.

What it means, and I do not know how this was developed historically, is for terms of imprisonment over two years the federal government is responsible, and for terms of imprisonment under two years the province is responsible.

While the historical documentation surrounding the development of the division of powers at the time of confederation is not clear, there is a general consensus to the effect that the fundamental distinction of constitutional jurisdiction in the field of criminal justice was aimed at developing, on the one hand, a consistent and nationally applicable set of laws and, on the other hand, allowing for the application of those laws in a way sensitive to the variation of conditions in the provinces and regions.

Besides this constitutional distinction there is a distinction periodically in substance and a distinction periodically in procedure. On substance, if I might through you, Mr. Speaker, give an example to the hon. member, in the criminal law on obscenity we refer to what is called the "community standard". Community standards vary from community to community across this country, and if not from community to community, certainly from region to region. Let me give an example in respect of procedure. The use of the grand jury varies from province to province.

As much as we want uniformity, for example, in sentencing, there is a wide discretion on the individual judge, and I suggest rightly so. What happens is that in most sections there is a maximum term in the Criminal Code and the sentencing judge has a discretion to look at the nature of the offence, whether there is a chance of rehabilitation and what should be the deterrent, and then decide whether there should be a conditional discharge, an absolute discharge, a fine, incarceration or several other different types of sentences now under consideration and being actively pursued.

There are certain crimes which are more prevalent in one area than another. This is evident from the month-end reviews by provincial court judges in Ontario. Provincial court judges will indicate that in a particular area there have been so many thefts, so many impaired drivers, and the number varies from region to region. A judge may want to have a specific deterrent in a particular area, so there should be some flexibility.

Some jurisdictions in the United States have tried this. They have imposed with some considerable success guidelines which restrict the police, the prosecution, the nature of the sentence and the nature of the correctional institutions. While there may be a great deal to be said about the need to subject the exercise of discretion to such guidelines—and I understand considerable attention is being paid to this in Canada now and has been in recent months and years—I am not certain we would wish to endorse without restraint this type of rigidity in criminal justice in Canada. This has not been the traditional stance of governments or of Canadians since 1867. I think we must respect growth in criminal justice because it was built on true trial and error.

On the other hand, if you look at the new Constitution and the consistency and uniformity of rights that will be applied, I think you will see that many of the things the hon. member for Vaudreuil has suggested will be incorporated. For instance, if this Constitution is passed there will be certain uniformity because no province or federal government can on its own take away certain basic rights. We are talking about legal rights specifically and most of them are in the proposed sections starting with Section 7.

I will briefly give some examples. In Section 7 there is a right to life, liberty and security of a person, and this right is to be applied uniformly across the country. By Section 8 there is a right of security against unreasonable search and seizure, and this is also applied uniformly across the country. Under Section 9 the legislatures are prohibited from passing laws that would provide for arbitrary detention or imprisonment. Under Section 10, on arrest or detention there is a right to be informed promptly, given the reason, the right to retain and instruct counsel, the right to be informed of that right, and the right of habeas corpus. Section 11 involves the uniform right across the country to be informed properly of an offence, the right not to self-incriminate and the right to be presumed innocent. Section 12 deals with cruel and unusual treatment or punishment, about which the hon. member is talking. Section 13 deals with self-incrimination and the protection of witnesses. Section 14 provides a uniform right across the country to assistance through interpreters. Section 15 basically is a leveller; it gives uniform rights across the country. It says in essence there cannot be a provincial or federal law that will discriminate because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disabilities.

Later on there is a right to have a jury. That is not to sugget that there is a provincial right or a federal right to a jury; rather, there is a Canadian right to a jury.

Let me take this opportunity to remind some of the opposition members that these particular rights are included in this proposed Constitution. Maybe they have not read it and maybe they are not aware of them, but, as the saying goes, if a lack of knowledge will not hurt you, the Progressive Conservative Party is practically invulnerable. Members of that party say we should wait for the decision of the Manitoba Court of Appeal and the Newfoundland Court of Appeal; wait for this premier and that premier. They are waiting for their ship to come in. They have waited so long I suggest their pier has collapsed.

What have we heard from them? We heard one hon. member raise a point of order on the tabling of documents, another hon. member on the use of the initials "MP", another hon. member on misleading answers, another hon. member on unparliamentary remarks, another hon. member—

The Acting Speaker (Mr. Corbin): Order, please. I would like to remind the Hon. Parliamentary Secretary to the Minister of Justice (Mr. Irwin) that we are debating a motion which reads as follows:

> That an Order of the House do issue for copies of all correspondence, minutes of meetings, studies and other communications of the Department of Justice relating to the comparison of the application by the various provincial courts of federal law.

I would ask the hon. parliamentary secretary to relate his remarks to the motion.

Some hon. Members: Hear, hear!

● (1730)

Mr. Irwin: It is good to hear the opposition wake up, all four of them. They sit there unloved and unneeded, like a Greek chorus wanting to foretell doom.

Mr. Hawkes: I think sometimes the Parliamentary Secretary to the Minister of Justice is carried away. He has insulted the Greek people of this and other nations and I wonder if he might like to withdraw those remarks.

The Acting Speaker (Mr. Corbin): Order, please. May I ask hon. members to come back to the motion at present before the House and relate their remarks to that motion.

Mr. Irwin: The point I wish to make is that the entrenchment of the rights is being proposed by the government and yet—

An hon. Member: They are already there.

Mr. Irwin: The hon. member has said they are already there. These rights are not already there, they are not enshrined, and I am surprised that he does not realize that.

An hon. Member: We already have them; you are giving us nothing.

Mr. Irwin: We want to achieve a uniformity that would protect all Canadians in these specific areas, and yet we are prevented from doing so by debate about whether we should have bells ringing in the West Block.

In 1976, the provincial attorneys general established a national task force on the administration of justice and they were asked:

> 1. To examine existing justice services in Canada;
>
> 2. To gather data relating to the cost of the delivery of these services including both operating and projected and capital costs; and

3. To recommend minimum standards for justice services in order to provide governments with the appropriate criteria to improve existing services according to their specific needs and resources.

Now, there was a report in June of 1978 and the principle was twofold. The provincial ministers of justice wanted "continuing efforts to minimize disparity which now exists in administration of justice from province to province". And they stated that it is essential that a flexible approach be taken on this question since justice administration lies in provincial hands and must be suited to provincial circumstances. Now, the odd part about this report is the finding regarding the spending of money. The hon. member for Vaudreuil (Mr. Herbert) says: Let us spend more money and we will get better results. After extensive study they found this not to be the case, stated as follows:

They found that, on a per capita basis, expenditures by all levels of government for justice services was $110 in 1977-78. This average figure varied from a low of $64.26 in Newfoundland to a high of $118.21 in British Columbia.

It continues:

On an average, 62 per cent of those sentenced to correctional services in Canada were sentenced to provincial or territorial jails or prisons. This figure varied, however, from a high of 80 per cent in Prince Edward Island to a low of 35 per cent in British Columbia. By the same token, 35 per cent of those sentenced to correctional services nationally, were given sentences of probation; but this figure varied from a high of 63 per cent in British Columbia to a low of 15 per cent in Quebec. The national average of those sentenced to correctional services who were given sentences of two years or more and therefore had to serve those sentences in federal penitentiaries was 2.5 per cent. This varied from a high of 7 per cent of all those sentenced in Quebec, to a low of 1.2 per cent in Ontario, and 0.7 per cent in the Yukon.

And they found that although more money was spent per capita in western Canada, there was a higher degree of criminal behaviour there than in Atlantic Canada. So, money spent does not seem to be the criterion.

I would like to point out that a simple concentration of the differential interpretation of federal statutes by provincial courts does not allow us to see the full picture. It is much broader and more complicated. There are regional differences. We must concentrate instead on all the elements of the system, all of the complex social, economic and cultural factors which affect it. I hope that I have shown that the federal and provincial governments in all spheres and responsibilities under the Constitution are very much aware of the concerns which underlie the motion of the hon. member. Through joint efforts of federal and provincial committees and ministers responsible for criminal justice, the work of co-operative efforts, such as the national task force on the administration of justice, and the commissioners of uniform law who meet annually, and through the encouragement of studies in this area, both levels of government are making efforts to eliminate the distinction between justifiable discretion and unjustifiable discrepancy, and therefore eliminate unfairness and injustice in Canada.

Finally, Mr. Speaker, on uniformity in the protection of rights, a very august board of lawyers, the Canadian Bar Association, came before the joint committee and asked for entrenchment of certain basic rights in a charter to protect Canadians and give them this uniformity. The Canadian Jewish Congress also appeared and said the same thing. Numerous individuals from across Canada came before the committee and petitioned members to do specifically what the hon. member for Vaudreuil is complaining about today, namely, to give protection from demagogic governments, to give protection before the law which is not dependent on provincial or federal whim but applies equally to every Canadian citizen.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I listened with great interest to the government spokesman as he began his remarks by assuring each and every one of us that the uniform administration of justice was a very important priority of the government. The member for Vaudreuil (Mr. Herbert) simply asked for copies of correspondence, minutes of meetings and studies that relate to this particular issue, and the Parliamentary Secretary to the Minister of Justice (Mr. Irwin) stands there and says: we have no correspondence, no minutes of meetings, no studies. How can he retain his credibility in this House when, in his first few words, he tells us it is important, and then tells us there have been no meetings, no correspondence and no studies. I think he suffers from a fairly severe credibility gap.

He then moves on to talk about the importance of the uniformity of rights. He is the great protector of rights. On two occasions in this House, and I have been trying for ten days to raise it again, I brought up the fact that secretaries who live in Ontario and Quebec are eligible to work in Canada's diplomatic missions but if they live in one of the eight other provinces or the territories, they are not. The second time I brought up that issue, Mr. Speaker, the Secretary of State for External Affairs (Mr. MacGuigan) sent me a letter saying that he is sorry that they have that policy but they will correct it in late summer or early fall, five to seven months from now. Then I come to this House this afternoon and listen to the Parliamentary Secretary to the Minister of Justice talking to us about the need for uniformity of rights and of the commitment of the members of the Liberal Party to rights. I remember very clearly our discussions about a mobility rights clause in the constitutional committee. That is a clause which purports to extend a uniform right to every Canadian to work anywhere in this country. I find that the government has a policy that deliberately says that unless you live in the province of Ontario or the province of Quebec you are not eligible to be a secretary in the Department of External Affairs. I ask myself whether we should accept the rhetoric of a belief in rights or whether we should look behind the rhetoric and into the actions of the ministers of this government. They tell us that the administration of justice is uniformly very important. But in the very next breath they tell us they have never had a meeting, they have no correspondence and no studies. There is a credibility gap related to justice and to what the parliamentary secretary would have us believe about the government's commitment to rights.

• (1740)

Let us examine the principle of uniformity of rights. To use an analogy, Mr. Speaker, it is easy for us all to have an equal

amount of food when none of us have any. When none of us have any, we all have an equal amount. By the concept of uniformity, I am wondering if the Parliamentary Secretary to the Minister of Justice would have us all come to some common minimal definition of rights. Would be have us all believe that uniformity is more important than the maximization of rights?

I wonder if the parliamentary secretary has considered the reality of what the Supreme Court is and what it is all about. The Prime Minister (Mr. Trudeau) and the ministers of the government would have us ignore the Supreme Court of this country and attempt to have us deal in this legislature with something the court has ruled illegal. I think that shows their contempt for the legal rulings which exist in this country today, April 2, 1981. They want us to ignore that legal ruling and continue to deal with an illegal act by this Parliament. They would then have us believe that they will give us this marvellous charter which they will then turn over to a body where five out of nine people will rule on it. The government must surely recognize that those nine people are real people. It must recognize that there are a limited number of hours in any given day that they have to devote to their function. It must surely realize that they can only deal with the principles in that new Constitution, in the broadest possible way, to provide us with a common denominator.

The parliamentary secretary brought up the subject of the obscenity and pornography laws in this country. Today he told us that one of the important parts of the definition of those laws relates to community standards. What is the principle of community standards? It simply means that in our communities in this country we call Canada we can determine, collectively and freely, what the standards should be for the community. As we travel, we encounter those differences from community to community. I think Members of Parliament are fortunate to be able to travel perhaps more than most Canadians. I received the impression from the parliamentary secretary that he valued those community differences and that they were important. Yet in the next breath he started to defend what he called the "uniformity" of rights. He defended what his government wants to do in this chamber, which is to move those standards through the medium of the court system to some principle of uniformity, to obliterate that principle of community determination of its standards with respect to subjects such as obscenity and pornography.

I can think of many small communities in western Canada which do not want to have the same standards as those which apply to large cities such as Montreal and Toronto. They are small communities and they want to retain their bylaws. They want the capacity to set their standards in areas such as this so that people can live in those communities in the fashion which they have determined. Yet the parliamentary secretary is really promoting a system which would take that possibility away from us.

He also brought up the topic of rigidities. I think that when one reads *Hansard* some time in the future, it will be seen that the parliamentary secretary was trying to tell us that rigidity is bad. I ask him to look to our neighbour to the south. In fact, he brought up the matter of there being jurisdictions in the United States which are trying to create rigidities across jurisdictions. He indicated that they were bad, yet he brings to this House in his speech today an undying passion—he demonstrated it before the committee—for what the Minister of Justice (Mr. Chrétien) has said. In whatever way the minister says the government will vote, he will vote. That is a type of rigid system. He consistently voted to bring forward a system which would allow very little variation, which would give us a system where all kinds of matters in our lives would be determined by a small group of people sitting in Ottawa. Because of the limited time they have to consider matters, they would have to paint with a broad and rigid brush to eradicate some of these differences.

I heard the parliamentary secretary indicate in committee, as I heard him indicate here today, that one of the concerns of the government was to set a body above the Parliament, above the democratically elected people, to rule on their behaviour. There is a certain amount of intuitive appeal to that concept which is abroad in this land. I say to the people in my riding that they can relate to that principle, but I ask them to read the fine print and see if that is really being done. When the fine print is read, it will be found that in some cases that is what is being done and in other cases the words are clearly and unequivocally designed to place Parliament above all other considerations. I ask members opposite and the parliamentary secretary, as I asked the Minister of Justice in committee, to reread Clause 16 in its entirety. It says that nothing in the charter shall limit the authority of a legislature. That is what I call a boss clause. What is its content? Look back at the original resolution and look at the difference between it and what we have today. Nothing in this charter shall limit the authority of a parliament or a legislature. That is going in. I ask hon. members of this House to read the resource clauses, that brand new material brought to us by the red rump on the left. I ask them to consider whether that is a clause which does, in its entirety, exactly what the Leader of the New Democratic Party (Mr. Broadbent) told us was in his head when he was proposing it, that is, to set governments over the people so as to make it impossible for people who own mineral rights to resist the government, to seek fairness and equity and compensation when their property is taken away for the common good. They should ask themselves whether that clause, the way it is worded in its entirety, is not a clause dedicated to putting governments over the people in this country.

• (1750)

Let us come back to the mobility rights clause and ask the government what it has done about Clause 6(3)(b) which makes it really obligatory—that is not the way it is worded, but the wording has the effect of making it obligatory—throughout our social service system for governments to have a residency requirement. If they do not think that is what it will do, they should put themselves in the position of someone who believes that a social service should not be available to the

newcomers to the province that welfare, education, or whatever we might define as public expenditure on social services should not be made available to them. One should ask, if one happens to be the kind of a taxpayer who does not believe that public money should be spent on these people who have just moved into one's province, even though the elected representatives said they could benefit from social services whether those newcomers would take their case to the courts, provincial courts, or the Supreme Court of Canada, which would declare the decision of those publicly elected people to serve the newcomers to be invalid. To what extent is this government determined to hand that kind of power to those who have the resources and the wealth to successfully follow through the chain of courts to the Supreme Court of Canada on the basis of a principle in which they might believe but which runs counter to the common good?

When those rulings are made that the expenditure of public money cannot be spent on social services of one kind or another, for newcomers—people who just move from province to province—then there will be uniformity, that broad brush I referred to.

However, I really wonder if those are the types of things we want in this country, and are we determined to ram this through in the face of a court judgment which says that we are dealing with an illegal bill? I suspect that most of us on a public platform would feel, in trying to serve the best interests of our constituencies, a great deal more comfortable if the pressure were removed and we could engage in real dialogue on the kind of wording we really want to express the principles which would serve the people of this country well.

Some hon. Members: Hear, hear!

Mr. David Berger (Laurier): Mr. Speaker, the motion we have before us today put forward by the hon. member for Vaudreuil (Mr. Herbert) calls for some documents to be produced relating to the comparison of the application of federal laws by the various provincial courts. He is concerned about the uniformity in the application of laws, particularly as it relates to criminal justice. The parliamentary secretary who preceded me in speaking for our party mentioned how the charter of rights would accomplish many of the things that the hon. member for Vaudreuil is seeking. He referred to two rights and spoke of how a charter of rights would make the rights of Canadians from coast to coast more secure. They could go before a court of law and ensure that their rights, as they are expressed in the charter, are enforced.

I think this is true, and it is perhaps a corollary, that it is fine that rights should be equal across the country. For example, the same rights should exist with regard to minority language education in Alberta or in British Columbia as they exist in Quebec or in New Brunswick, or anywhere across the country. To use an example cited by the parliamentary secretary, the right to be secure against unreasonable search and seizure should be the same in every province across the country.

However, where I take issue with the hon. member for Vaudreuil is in the application of criminal justice. There must be a certain difference from province to province and from community to community because, as has been mentioned—with regard to the obscenity rule, for example—community standards are different depending on the community in which one lives. I think there is a difference between rights, which should be equal across the country, and sentences, because there may be different violations of the criminal law from city to city.

What I really resent is how the hon. member for Calgary West (Mr. Hawkes) takes one matter, confuses it with another and then comes up with a statement suggesting that many matters which concern us would be controlled by a small group of people sitting in Ottawa who would try to suppress our differences. He attempts to conjure up visions of "Big Brother" sitting in Ottawa, saying that community standards relating to obscenity laws would be enforced from a central point in the country. This is not true at all. It is really an indication of the types of misconceptions and deceitfulness which hon. members opposite have been trying to perpetrate in this debate as some sort of scare tactic against the people in small towns and people from one end of the country to the other.

I would like to repeat that rights of individuals should be the same from one end of the country to the other. However, the application of criminal justice is completely different from community to community.

I have an example which I would like to give, but as it is approaching six o'clock, I think that I will allow you, Mr. Speaker, to call it six o'clock.

[*Translation*]

The Acting Speaker (Mr. Corbin): The hour provided for the consideration of private members' business having expired, I do now leave the Chair until 8 p.m.

At 6 p.m. the House took recess.

[*English*]

AFTER RECESS

The House resumed at 8 p.m.

BUSINESS OF THE HOUSE

Mr. Baker (Nepean-Carleton): Madam Speaker, I rise on a point of order. There have been discussions amongst House leaders with respect to the order of business for this evening.

It is the desire of the government to proceed this evening with the borrowing authority motion under Standing Order 75C in order to permit the House of Commons to get on to the economic business of the country' which has been our desire all along. The hon. member for Saskatoon West (Mr. Hnatyshyn), who had the floor with respect to a question of privilege, is prepared to defer further argument on that question of

privilege now for the purposes of facilitating the business of the House.

My understanding as well is that other hon. members of the House are prepared to do that so that we can take up the question for the remaining time on the motion standing in the name of the Minister of State for Finance (Mr. Bussières). We are prepared to allow that to happen. In any event, we are prepared to have a vote on that motion tonight at ten o'clock, and we would be agreeable to having it made a House order to clarify the situation.

The understanding we have reached is that one day will be spent on the report stage, and that it be tomorrow, Friday. If a recorded division is required on Friday, we will agree not to proceed with it on Friday. It will be deferred until Monday at three o'clock.

The government House leader has also agreed with us that he will be calling—it is part of our understanding—the third reading stage of the borrowing bill on Monday and that votes will be taken on Monday night to dispose—whichever way it is done—of the borrowing authority bill.

I emphasize that this arrangement has been agreed to. We as a party are prepared for a House order with respect to that so that we can proceed with the important business of the country, which it is our wish to do. I have discussed this with the government House leader, and I have set it out clearly for the hon. member for Winnipeg North Centre (Mr. Knowles), who is here. I hope he will be agreeable to that proposal.

Mr. Knowles: Madam Speaker, yes, there have been these discussions. They have taken place in stages, but the statement just made by the hon. member for Nepean-Carleton represents what we were discussing, and we agree with all of the proposals for a House order as he has outlined it.

Perhaps I should make it clear, however, that when the vote is called on the motion under Standing Order 75C, we shall be voting against it.

[*Translation*]

Mr. Pinard: Madam Speaker, what has been outlined by the House leader of the Progressive Conservative Party and confirmed by the House leader of the New Democratic Party corresponds to the offer which I made this afternoon. We have negotiated, and they have indeed replied in the affirmative to the suggestion which I put to them, and I believe that this, especially as far as the Progressive Conservative Party is concerned, is a way to be consistent with their commitment to the effect that if the motion to allocate a time period for the constitutional debate was withdrawn from the Order Paper, they would stop their filibuster. In these circumstances, I am pleased that my offer has been accepted, and the terms of the order of the House have been well stated by the hon. member for Nepean-Carleton, and I believe that his comments may be used for the order of the House so that we may dispose of the bill on the borrowing power today, tomorrow and next Monday.

Madam Speaker, in the event that a vote were to be called tomorrow, Friday, it would be automatically deferred to 3 p.m. on Monday.

Madam Speaker: I believe that there is unanimous consent of the House concerning this proposal. I simply want to know if the House wishes to proceed immediately with the motion or go on to routine proceedings.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, there are some questions on the order paper which, I understand, the government wishes to answer. That is agreeable. If Your Honour would make what we have outlined a House order, then I think we could go through the proceedings and very quickly reach the subject matter.

Mr. Knowles: Agreed.

Madam Speaker: Is it agreed that I should go through the proceedings until we reach the motion?

Mr. Baker (Nepean-Carleton): No, Madam Speaker. This is to be a House order with respect to the motion under Standing Order 75C. I think it would be agreeable to all of us if it was made now in accordance with the terms which have been discussed among the House leaders.

Madam Speaker: Is the understanding agreed to unanimously by the House?

Some hon. Members: Agreed.

Madam Speaker: Agreed and so ordered.

ROUTINE PROCEEDINGS

[*Translation*]

METRIC COMMISSION

TABLING OF SEVENTH REPORT

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I have the honour to table this evening, on behalf of the Minister of State for Small Businesses and Tourism (Mr. Lapointe), copies in both official languages of the seventh report of the Metric Commission of Canada.

[*English*]

PETITION

INCREASED INCOME FOR SENIOR CITIZENS

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, now that we are on routine proceedings, may I present a petition?

Madam Speaker: Yes, that is in order.

Mr. Knowles: I have the honour on behalf of the Saskatchewan Senior Citizens Action Now Association to present a petition to the House of Commons of Canada in Parliament assembled signed by 6,123 Canadians praying for certain improvements with regard to senior citizens and asking in particular that steps be taken to provide an income equal to at least 70 per cent to 75 per cent of the average industrial wage in Canada for persons 65 years of age and over.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if hon. members will bear with me, there are a number of questions in view of the delay over recent days. The following questions will be answered: Nos. 168, 1,522, 1,544, 1,693, 1,726, 1,751, 1,842, 1,895, 1,942, 1,967, 1,968, 2,000, 2,001, 2,040, 2,079, 2,080, 2,089, 2,092, 2,097, 2,130, 2,149, 2,173, 2,186, 2,187, 2,199, 2,212 and 2,215.

[*Text*]

PRIME MINISTER'S CADILLACS

Question No. 168—**Mr. Cossitt:**

1. Does the government have any plans for the two Cadillacs formerly used by the Prime Minister up until May 22, 1979 and, if so, what are they?

2. Did the vehicles cost $80,000 or more in taxpayers funds?

3. Will the Prime Minister continue to make use of either one of them at any time and, if not, what are all the reasons for such a change in the government's policy since prior to May 22, 1979?

4. Will one of the vehicles be disposed of to recover public money spent?

5. What was the date of purchase of each vehicle and what is the present mileage on its odometer?

6. Are the vehicles necessary for Prime Ministerial safety and, if not, for what reason were they necessary prior to May 22, 1979?

7. What is the average mile obtained per gallon in the case of each vehicle?

Hon. Bob Kaplan (Solicitor General):

1. (a) One vehicle is presently used by "A" Division, (northeastern Ontario) RCM Police, to provide security to visiting heads of state, heads of government, foreign ministers, etc.

   (b) The other vehicle is being utilized by "O" Division (southern Ontario) RCM Police, to provide security

to visiting heads of state, heads of government, foreign ministers, etc.

2. (a) The 1973 Cadillac (Special limousine) cost $76,408.

   (b) The 1974 Cadillac (Special limousine) cost $83,530.94.

3. The Prime Minister will continue to use the Cadillac in "A" Division, upon recommendation of the RCMP, if and when a threat should surface indicating the need.

4. No.

5. (a) The date of purchase of the 1973 Cadillac was March 18, 1973. In relation to the question, the odometer reading is 38,218 miles.

   (b) The date of purchase of the 1974 Cadillac was October 15, 1974. In relation to the question, the odometer reading is 37,228 miles.

6. Yes; the Prime Minister will continue to use the Cadillacs, upon recommendation of the RCMP, if and when a threat should surface indicating the need.

7. (a) The average miles per gallon obtained for the 1973 Cadillac is 12.

   (b) The average miles per gallon obtained for the 1974 Cadillac is eight.

PLEASURE BOATS—CANADIAN CUSTOMS SEASONAL PERMITS

Question No. 1,522—**Mr. Cossitt:**

1. Did the RCMP request from the United States Immigration Service on or about April 13, 1980, licence numbers on Canadian pleasure boats tied up at Morristown, N.Y. docks or anywhere within a reasonable distance of the area and, if so, for what reason and specifically, was it because of the alleged failure of certain Canadians, stopping for dinner in the United States while cruising the river, to report to Canadian Customs on return to Canada and, if so, how many Canadians were assessed penalties by the RCMP in the area of Brockville, Ontario for such an offence and was the penalty $50 in each case?

2. Is the government aware that the U.S. government has a system whereby Americans can obtain a seasonal permit for similar crossings to the Canadian side of the border without reporting in on return unless they have goods to declare and specifically, will the government consider the institution of a similar permit system for Canadians in order to eliminate the present problem?

3. (a) In regard to this particular type of matter, is RCMP action taken under the Canada Customs Act and, if so (i) for what reason does the RCMP not have to offer evidence against a person before a penalty is levied (ii) is a person considered guilty until they can prove their innocence (b) will the government consider amendments to the Canada Customs Act to provide seasonal permits and to permit persons to be considered innocent until proven guilty by a court?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Ministry of the Solicitor General and the Department of National Revenue as follows: 1. The RCMP have had no contact with the U.S. Immigration Service concerning licence numbers of Canadian boats in U.S. waters.

As a result of complaints by Canadian Customs officers that Canadians travelling via boat to the U.S.A. were not reporting to customs on their return to Canada, RCMP members contacted U.S. Customs officials on or about April 13, 1980, requesting licence numbers of Canadian boats found in U.S. ports. The reason for the request was to confirm inward report

to Canadian Customs. A total of 19 Canadians were assessed penalties by the RCMP in the area of Brockville, Ontario for such an offence and the penalty was $50 in each case.

2. It is understood that United States regulations have the following requirements. All pleasure boats, regardless of size, need not report to U.S. Immigration when arriving with only U.S. citizens on board. However, all vessels must comply with customs reporting and entry requirements. In this regard, an American pleasure boat owned by a U.S. citizen must report arrival from a foreign area to customs within 24 hours. The report may be made by any means of communication, and if inspection is required, customs will direct the vessel to an inspection area.

Under the Canadian system, all persons arriving in Canada are also required to report to customs. The reporting mechanism varies from region to region according to the traffic volume, distances between offices, and availability of customs personnel. In some areas, officers are on duty at all locations during the season to process marine traffic, while in other areas, the system is complemented by the use of telephone reporting procedures. In areas where telephone procedures are used, residents of Canada may pre-register with Canada Customs before travelling on international waters. In all cases, however, a customs report is required in respect of each trip. As with the U.S. system, the traveller may be given a verbal clearance by customs and issued a clearance number, or may be required to wait on board pending inspection by a customs officer.

3. (a) The action taken by the RCMP was under the provisions of the Customs Act.

(i) The RCMP officers offered evidence to the above mentioned 19 persons that a Customs Act violation was believed to have taken place. All persons admitted being in the U.S.A. and not reporting to customs.

(ii) Under section 248 of the Customs Act, burden of proof lies on the person whose duty it was to comply with the act. However, RCMP investigators must have sufficient grounds to prove the offence has taken place before taking any action.

(b) The Department of National Revenue will consider amendments to the Customs Act to ensure the latitude exists for the establishment of various reporting procedures according to the circumstances and conditions in each region.

It is a cornerstone of our legal system that a person charged with a crime is presumed to be innocent until proven guilty and this principle will not be changed. However, it is important to realize that the question of guilt or innocence only arises under the Customs Act when criminal charges have been laid. In most instances where action is taken under the Customs Act, civil proceedings are involved. In these cases, it is the goods in Canada which have not been reported to customs that are in violation of the law, and action is directed against the goods in question and not the person in possession of them. The action is considered to be "in rem". The innocence or guilt of the person involved does not therefore arise in such cases.

RCMP—SECURITY CLEARANCE SECTION

Question No. 1,544—**Mr. Cossitt:**

Did Sgt. Tom Hardiman inform, at any time, employees of the security clearance Section at RCMP headquarters, that none of them would lose their jobs when computers were introduced and, if so (a) was he enunciating government or departmental policy (b) has the situation been changed and, if so, for what reason?

Hon. Bob Kaplan (Solicitor General): Sgt. Hardiman did inform the employees of No. 2 section, "F" operations, that no lay-offs would take place due to the utilization of computers. He advised that staff reduction would take place through attrition and lateral transfer options.

(a) He was enunciating departmental policy.

(b) As those involved had not pursued lateral transfers, the date of December 31, 1980, was given as the target date when conceivably lay-offs might have to occur. No lay-offs have occurred and six of the original 35 positions remain to be accommodated, if possible, in the same manner as the others.

CPR BALLAST—ROCK CONTAINING ASBESTOS

Question No. 1,693—**Mr. Benjamin:**

1. Was the government informed that the CPR had ballasted a 90-mile stretch of line in the Quebec eastern townships with rock containing asbestos ore or tailings from the mining or refining of asbestos and, if so (a) on what date (b) was action taken in response and, if so, what was such action?

2. Was the (a) government (b) Canadian Transport Commission informed of any other lines so ballasted and, if so (i) which lines were reported (ii) how were the reports followed up (iii) were any tests conducted on reported lines to determine the composition of ballast and, if so, what were the results?

3. What were the results of the inquiry that the Minister of Transport referred to on June 2, 1980, at page 1627 of *Hansard*?

4. Did the (a) government (b) Canadian Transport Commission ask the railway companies to provide a list of the rail lines which have been ballasted with tailings from the mining or refining of asbestos or rock containing asbestos ore and, if so (i) what was the response (ii) which lines did the railway companies identify as being so ballasted and on what dates were they ballasted?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The Canadian Transport Commission advises as follows:

1. (a) The government was made aware on December 13, 1978, that the CPR had ballasted a stretch of line in the Quebec eastern townships with a type of rock that contained asbestos fibres.

(b) A meeting of officials of the federal government and the Canadian Pacific Railway was held on March 9, 1979, to discuss whether this ballast posed a health hazard. As a result of the meeting, the Environmental Health Directorate of the Health Protection Branch, Health and Welfare Canada, in collabora-

tion with CP Rail undertook to establish whether or not an environmental hazard existed.

2. No. Neither the government nor the Canadian Transport Commission has been informed of any other lines so ballasted.

3. There were two investigations referred to on June 2, 1980: the first was initiated by the Department of the Environment in 1979. During its investigative process, it was decided, after consultation with the Department of Health and Welfare, that the latter would conduct a scientific study of the air and water quality in the vicinity of the rail line. The study was made and a report submitted in February, 1980. The report concluded that the effect of using ballast containing asbestos fibres on the quality of the drinking water and the ambient air in the area tested was negligible.

The second investigation was conducted by the Canadian Transport Commission. It revealed that CP Rail was in the process of retaining an independent research group to undertake a study of the environmental effects of using asbestos-bearing crushed rock as ballast and, that the railway had discontinued the use of this type of ballast until the results of its study are known and evaluated.

4. (a) and (b) No. The Canadian National draws its ballast from other sources and CP Rail has changed its source of ballast to the Hilton Iron Mines.

G.L. KRISTIANSON LTD.

Question No. 1,726—**Mr. Cossitt:**

Did the government allot contracts or make payments during the period January 1, 1978, to November 1, 1980, to the public affairs consultant firm G.L. Kristianson Ltd., 26 Bastion Square, Victoria, or to Mr. Kristianson and, if so (a) how many and on what dates (b) for what purpose (c) will all reports, studies, etc. by the firm be tabled in the House (d) what was the cost of each study and the total cost of all studies?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): All departments and agencies have no information on this subject.

ADVERTISING EXPENDITURES

Question No. 1,751—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of National Health and Welfare for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. Monique Bégin (Minister of National Health and Welfare): The 1980-81 projected expenditures are: (a) media advertising $3,715,000, (b) free or subsidized publications $3,711,745, (c) other information $727,200.

CBC RADIO TRANSMITTER, MAITLAND, ONT.

Question No. 1,842—**Mr. Cossitt:**

1. Did the CBC recently conduct further tests of the CBC FM French and English radio transmitter at Maitland, Ontario and, if so (a) was it found that interference with television and radio reception in the surrounding area was as bad or worse as during previous testings (b) was an attempt made by the CBC to install adapters or other forms of devices on individual television sets, etc. and, if so, did this result in some improvement (c) were the transmitters once again shut down and, if so, on what date?

2. (a) Has the CBC reached the conclusion that nothing can be done to rectify the situation and, if so, what does it plan to do with the existing transmitters (b) will they be moved to another location and, if so, on what date?

3. What was the total cost to date of all installations, testing, etc. conducted by CBC since construction began at Maitland, Ontario?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am advised by the Canadian Broadcasting Corporation as follows: 1. The CBC conducted tests on November 24 and 25, 1980.

(a) Interference previously measured was confirmed. These tests further indicated that not all the problems can be solved by changes to equipment owned by listeners.

(b) The CBC installed filters, traps and pre-amplifiers on a number of individual sets, but some TV and most FM channels remained impaired.

(c) The transmitters have not been operated since these tests.

2. (a) The CBC concluded that a change in the licensed parameters of the English-language FM station will be necessary to provide service to the Brockville area while not restricting the viewing and listening habits of the Maitland area residents. Further tests are to be conducted with the English-language FM transmitter operating at reduced power to try to eliminate the problem.

(b) If the tests referred to in 2(a) are successful, the corporation will prepare an application for a permanent operation with a lower-powered transmitter at the present site. The French-language transmitter will be used as currently licensed and the present English-language transmitter equipment would be used elsewhere.

3. $519,000—total cost for English-language and French-language services.

GRANADA—FUNDS ADVANCED BY CANADA

Question No. 1,895—**Mr. Blenkarn:**

1. In (a) 1975 (b) 1976 (c) 1977 (d) 1978 (e) 1979 (f) 1980, what amount did the government advance, through CIDA or any other agency, to the government of Grenada?

2. Does the government have a program for advancing funds to Grenada during 1980 and 1981?

3. Did the government act on the complaints of owners of Levera Beach home sites in Grenada, particularly the complaints filed with the Canadian High Commissioner's office in Bridgetown, Barbados, by E. W. Anderson, 1190 Clarington Road, Mississauga, Ontario, L5E 3C5?

Hon. Mark MacGuigan (Secretary of State for External Affairs): I am informed by the Canadian International Development Agency and the Secretariat for External Affairs as follows:

1. Disbursements made by CIDA in the form of grants for bilateral development assistance to Grenada during the years in question were as follows:

FY	1974-75	$ 243,900
	1975-76	1,178,500
	1976-77	1,816,900
	1977-78	594,300
	1978-79	292,400
	1979-80	66,500

2. Planned expenditures in the form of grants for approved projects in Grenada during 1980-81 are $116,800.

3. Mr. E. W. Anderson visited the Canadian High Commission in October, 1979, to discuss the complaints of owners of Levera Beach home sites in Grenada. Our High Commission has informed us that Mr. Anderson did not request the High Commission to approach the Grenada authorities at that time, and the High Commission has no record of having received any correspondence from him subsequent to his visit.

Nonetheless, in the case of another Canadian owner of a home site in the Levera Development Properties, our High Commission did approach the Grenadian authorities concerning the sale of such property to another Canadian. Our mission also inquired of the Grenadian government if there had been new legislation affecting the sale of property in Grenada. We were informed by the Grenadian authorities that there had been no change in the legislation pertaining to the sale of property to aliens and that applications to sell property are considered by cabinet on an individual basis.

Our High Commission in Bridgetown has noted that the Grenadian land sale legislation is not aimed at the Levera Beach holdings but applies generally to limit land transfers between foreigners and was patterned, at least in part, on legislation in Prince Edward Island.

ACCESS TO PAPERS OF RIGHT HONOURABLE JOHN G. DIEFENBAKER

Question No. 1,942—**Mr. Cossitt:**

1. What are the names of all persons who have had access in any way whatsoever to the papers of the late Right Hon. John G. Diefenbaker since the papers were placed in the Public Archives and, in each case, what was their job designation and what was the reason for such access?

2. Was any consultation held with the trustees of the papers regarding persons selected to work on them?

3. Were any "leaks" of the contents of the papers discovered and, if so, what action was taken to maintain proper privacy?

4. Is Miss Karen Teeple one of those working on the papers and, if so, was her competency and ability to maintain confidentiality etc. thoroughly investigated before she was permitted to perform such tasks?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the Public Archives that the reply to the above question is as follows: 1. The names of all persons who have had access to the papers of the late Right Hon. John G. Diefenbaker while they have been stored at the Public Archives since 1963 are as follows:

Name	Job Designation	Reason for Access
D. Lee McDonald	Archivist—Post confederation Section, PAC	Archivist responsible for the Diefenbaker papers.
R.S. Gordon	Director—Manuscript Division, PAC	Archivist responsible for the Diefenbaker papers
Carman Carroll	Head—Prime Ministers Section, PAC	Responsible for the section which housed the papers
Jean Dryden and Roy Maddocks	Archivists—Prime Ministers Section, PAC	Seconded to assist in the research for "One Canada"
Maureen Hoogenraad	Archivist—Prime Ministers Section, PAC	Helped in the first rough sorting of the papers
Paulette Dozois	Archivist—Prime Ministers Section, PAC	Helped in the first rough sorting of the papers
William Smith	Archivist—Prime Ministers Section, PAC	Helped in the first rough sorting of the papers
Dave Walden	Contract worker with the University of Saskatchewan	Organized portions of the papers
Giselle Pidek	Member of the PAC Microfilming Unit	Microfilmed the first two parts of the papers
Gail Devlin Yuri Daschko and Shaun Munro	Research assistants	Aided Mr. John Munro in his research. (See John Munro listed below)
Professors William Neville, Denis Smith and Colin Wright	One-time biographers of Mr. Diefenbaker	Prepared some research for a proposed biography which was abandoned.
Thomas Van Dusen	Former Executive Assistant to Mr. Diefenbaker	Assisted in researching some areas of the papers for Mr. Diefenbaker's autobiography
Norman Hilliker	Historian—External Affairs	Examined External Affairs material in the papers
Archie McQueen	Mr. Diefenbaker's Assistant	Searched the papers for material requested by Mr. Diefenbaker
Scott Munro	Writer/Director for CBC	Granted access to copy some photographs in the papers for a CBC documentary on Mr. Diefenbaker
*Ian McClymont	Chief—Prime Ministers Section, PAC	Responsible for co-ordination of Archives and University of Saskatchewan employees working on the Diefenbaker project
*Doug Whyte	Archivist—Prime Ministers Section, PAC (Formerly a contract worker with the University of Saskatchewan)	Responsible for the Diefenbaker project. Organized portions of the papers
*Karen Teeple	Contract worker with the University of Saskatchewan	Assisted in the organization of the papers

Name	Job Designation	Reason for Access
*Elizabeth Timlin and Colleen Dempsey	Clerks—Prime Ministers Section, PAC	Aided in the organization of material
*John Munro	Director—Diefenbaker Centre	Screened the papers for memorabilia and to select material for display at the Diefenbaker Centre
*John Munro	Editor and researcher for "One Canada", employed by Mr. Diefenbaker	Conducted research for the autobiography "One Canada"
*Joel Aldred	Executor of Mr. Diefenbaker's Estate	Searched the papers for documents concerning the financial aspects of the estate
*Kenneth Binks and his assistants	Solicitor for the estate of Mr. Diefenbaker	Examined papers to aid in the disposition of the estate

NOTE: Only those indicated (*) and the executors of Mr. Diefenbaker's estate presently have access.

2. The University of Saskatchewan, as owner of the Right Hon. John George Diefenbaker Papers, consults with the Public Archives of Canada prior to the hiring of individuals to work on the Diefenbaker Papers.

3. The Public Archives is not aware of any "leaks" of the contents of the papers.

4. Karen Teeple is a contract employee of the University of Saskatchewan. The university has expressed its confidence in her competence as an archivist and in her integrity. The Public Archives shares this confidence in Ms. Teeple's competence and integrity.

MR. WILLIAM BURCHETT

Question No. 1,967—**Mr. Blenkarn:**

1. Is Mr. William Burchett identified as a journalist on CBC program "The Ten Thousand Day War" a Canadian citizen?

2. Was Mr. Burchett employed by CBC and, if so, on what basis?

3. Is Mr. Burchett the same William Burchett who was involved with the North Korean Forces during the Korean War?

4. Is Mr. Burchett the same William Burchett who served with the Vietcong Forces in the Vietnam conflict?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the Canadian Broadcasting Corporation as follows: 1, 3 and 4. "The Ten Thousand Day War" is a production of T.D.W. Productions Ltd., and was purchased for showing on the CBC network. The CBC has no direct knowledge of whether William Burchett is a Canadian citizen or of his affiliation during the Vietnam and Korean wars.

2. William Burchett's services were used by the CBC during the war, when he was one of the very few English-speaking journalists who had access to North Vietnam. His services have not been used since the Vietnam war ended.

Order Paper Questions

PERCENTAGE OF VIEWERS CBOT COMPARED TO CJOH

Question No. 1,968—**Mr. Cossitt:**

What are the latest statistics in the possession of CBC showing the percentage of viewers of CBOT, Ottawa, compared to CJOH, Ottawa and, in particular, what is the percentage breakdown of the viewing audience for both stations' news programs beginning at 6 p.m. nightly?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): I am informed by the Canadian Broadcasting Corporation as follows: the performance of news and public affairs programs varies substantially from city to city and is dependent on numerous factors, the most obvious being the number of competing television stations in a given city. In Ottawa, for example, nine TV stations have a reportable share of the audience, while a number of others account for too little viewing for reporting purposes. According to survey figures for the fall of 1980, the most recent period for which audience data are available for the metropolitan area of Ottawa-Hull, in the Monday to Friday 6.00-7.00 p.m. slot, CBOT had a 12 per cent share of the audience. CBOT also carries a late evening local news program, for which it receives an approximately 36 per cent share of the audience. Since the information requested on non-CBC-network stations is provided by a syndicated ratings firm, the Bureau of Broadcast Measurement, statistics required on CJOH-TV should be requested from the station itself.

CENSUS—"MINISTERIAL REFERRAL SYSTEM"

Question No. 2,000—**Mr. Cossitt:**

With reference to the answer to question No. 162 which states in part, that the "Ministerial Referral System" will be one of the means by which persons employed in the upcoming census are selected, what is a full description of the term "Ministerial Referral System"?

Hon. J.-J. Blais (Minister of Supply and Services): Statistics Canada reports: the "Ministerial Referral System" is based on the authority in Section 5(1) the Statistics Act, as follows:

"Temporary employees"

"5. (1) The Minister may employ from time to time, in the manner authorized by law, such commissioners, enumerators, agents or other persons as are necessary to collect for Statistics Canada such statistics and information as he deems useful and in the public interest relating to such commercial, industrial, financial, social, economic and other activities as he may determine, and the duties of such commissioners, enumerators, agents or other persons shall be those duties prescribed by the Minister."

A description of the implementation, at the minister's discretion, of the Ministerial Referral System is as follows: the office of the minister responsible for Statistics Canada provides Statistics Canada with the name of a contact for each federal electoral district. Contacts are briefed by regional office personnel on the requirements of the position of census

commissioner, (essential and desirable qualifications, duties, salary, time commitments, etc.) and they are requested to provide the names of two prospective candidates for each census commissioner district. Those individuals whose names are referred as candidates are required to write an examination and to submit to an interview to determine their personal suitability for such a position. This examination and interview are administered by Statistics Canada regional office census staff hired under the Public Service Employment Act, and results are submitted to the regional directors for review and recommendations. Names are then submitted to the minister for decision.

CENSUS COMMISSIONER POSITIONS

Question No. 2,001—**Mr. Cossitt:**

With reference to the answer to question No. 162 which states in part, that opposition Members of Parliament will be allowed to make nominations for those who will be employed in the upcoming census, is it the policy of the government that such nominations will be accepted on the basis of their merit or will they be rejected unless they are supporters of the Liberal Party?

Hon. J.-J. Blais (Minister of Supply and Services): Statistics Canada reports: candidates for census commissioner positions are carefully assessed through an objective process. The results of this process are weighed by the minister before the selection is made. Candidates' names may be obtained from several sources and the same selection criteria are applied to all such candidates.

DVA—ADDITIONAL BEDS FOR DOMICILIARY CARE

Question No. 2,040—**Mr. McKenzie:**

What is the estimated number of additional beds that will be required for the domiciliary care of chronically ill veterans in (a) 1981 (b) 1982 (c) 1983 (d) 1984 (e) 1985?

Hon. J. Gilles Lamontagne (Minister of National Defence): The department is not now in a position to forecast the bed requirement; however, it is generally accepted that there will be an increasing need for chronic care beds in the years ahead. It was this fact, coupled with our desire to better serve Canada's veterans, that led to the development of the "Aging Veterans Program" I announced in November, 1980. Implementation of this new program will commence on April 1, 1981, and its main thrust is directed at enabling aging veterans to remain in their homes and communities, rather than be institutionalized as has often been the case in the past. The Aging Veterans Program entails the provision of a range of personal and home care services designed to maintain the independence and self-sufficiency of the elderly veteran. This new initiative provides eligibility to disability pensioners initially; however, it is hoped to extend it to War Veterans Allowance recipients after a reasonable time during which we will gain needed experience in providing the new services. The effect that this program will have in reducing bed requirements cannot be estimated at this time.

See definitions below.

Definitions

Domiciliary Care

"Domiciliary Care", as used in DVA, equates to federal types I and II care. A domiciliary care patient is reasonably well and ambulatory; is capable of looking after his or her own needs; is able to get up, get dressed and go to the dining room; requires a minimum of either nursing or medical care or other assistance, and is essentially being provided with board and quarters.

Chronic Care

Chronic Care, which is federal type III care, is that required by a person who is chronically ill and/or has a functional disability (physical or mental) whose acute phase of illness is over, whose initial processes may or may not be stable, whose potential for rehabilitation may be limited, and who requires a range of therapeutic services, medical management and skilled nursing care plus provision for meeting psycho-social needs. The period of time during which care is required is unpredictable, but usually consists of a matter of months or years.

FEDERAL SALES TAX ON BUILDING MATERIALS

Question No. 2,079—**Mr. Halliday:**

What is the federal sales tax on (a) lumber (b) cement (c) steel products (d) masonry products such as bricks, shingles and other roofing materials (e) plumbing materials (f) electrical and wiring materials (g) paints (h) wallboards?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue):

(a)	5 per cent.	
(b)	5 per cent.	
(c)	Structural metal and fabricated metal for buildings and other structures.	5 per cent
	Other goods including firegrates, flagpoles, metal furniture, metal shelving and steel forms for concrete.	9 per cent
(d)	Bricks and shingles.	5 per cent
	Tar, asphalt, roofing materials and components including eavestroughing and downspouts.	5 per cent
	Other goods including roof repair kits and sheet metal for roofing without further fabrication.	9 per cent
(e)	Shower baths, bathtubs, basins, faucets, closets, lavatories, urinals, sinks, laundry tubs and parts for the foregoing.	5 per cent
	Other goods including towel rings, whirlpool bath units and soap dishes.	9 per cent

(f) Electrical conducting and telecommunications wire and cable, transformers, circuit-breakers and related electrical equipment designed for permanent installation in a system for the supply of electricity. 5 per cent
Other goods including doorbells, lightbulbs, extension cords and lighting fixtures. 9 per cent

(g) 5 per cent.

(h) Plasterboards, fibreboards, wall panels, building paper, wallpaper and materials for ceilings, walls, insulation for acoustical purposes. 5 per cent
Other goods including portable or free standing room dividers, ornamental panels, and particle board faced with melamine. 9 per cent

FEDERAL SALES TAX REMISSION ON BUILDING MATERIALS

Question No. 2,080—**Mr. Halliday:**

1. Is a general formula in use for calculating the amount of federal sales tax remission on building materials, for example, new schools and hospitals and, if so, what is it?

2. What are the guidelines or regulations pertaining to the rebate of federal sales taxes in Part 1?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): 1. A general formula or simplified method, as mentioned below, may be used to compute the refund of federal sales tax on materials used exclusively in the construction of a building for a hospital or a school.

2. Hospitals

An institution certified as a bona fide public hospital by the Department of National Health and Welfare claims sales tax exemption at the time of purchase or importation of building materials for its own use and not for sale. Accordingly, a hospital making direct purchases for a building construction program can obtain materials tax exempt and make the goods available to the general contractor or subcontractor. Or, the hospital may grant the contractor or subcontractor or both authority to purchase materials exempt on its behalf. A contractor or subcontractor who has not been appointed the hospital's purchasing agent is required to pay tax at the time of purchase and claim a refund from the Department of National Revenue. The refund may be computed either by claiming the exact amount of sales tax as substantiated by suppliers' invoices or by using a simplified method and calculating the tax as 2.25 per cent of the total contract payments.

Schools

Unlike a hospital, a school must pay sales tax when purchasing or importing materials for use in the construction of a building. However, the school may obtain reimbursement of the tax by filing for a refund based on either the exact amount of sales tax as substantiated by suppliers' invoices or by using a simplified method. In this instance the tax factor is 1.5 per cent of the total contract payments less an allowance for provincial tax (in Ontario .0315 per cent) for a net of 1.4685 per cent.

The tax factor is lower for a school than for a hospital because a hospital is entitled to an exemption on all goods it purchases whereas a school is entitled to a refund only on materials for use in the construction of a building. For instance, a fence around a school is subject to sales tax.

OVERSEAS BOOK CENTRE

Question No. 2,089—**Mr. Herbert:**

1. In each of the past five years, what amount did the Canadian International Development Agency give to the Overseas Book Centre and on what basis was the amount determined?

2. What are the objectives of the Overseas Book Centre and who are the beneficiaries?

Hon. Mark MacGuigan (Secretary of State for External Affairs): 1. CIDA's contributions to the Overseas Book Centre over the last five years were as follows:

1980-81:	$647,939;
1979-80:	592,939;
1978-79:	684,857;
1977-78:	449,000;
1976-77:	329,000.

CIDA's contributions were given on a matching ratio. In 1980-81 CIDA gave the Overseas Book Centre three dollars for every dollar the centre raised from the Canadian public. These contributions were given after a detailed review of the Overseas Book Centre's administrative capabilities and procedures, its fund-raising capacity and the value of the books and equipment collected from the Canadian public being sent to developing countries. Also considered was the strong indication from both Overseas and Canadian non-governmental organizations of the value of OBC's services. The estimated value of the goods supplied to Third World countries by OBC in 1980-81 is $4 million.

2. The Overseas Book Centre is a charitable, overseas aid organization working in the field of education. OBC has two main areas of activity:

(1) The book program, whereby school textbooks, reference materials, library books, and encyclopaedias which are donated to the OBC by publishers, school boards, libraries, and private donors, are shipped overseas to needy recipient institutions. Special emphasis is placed on supplying books and materials for students in teacher colleges, nursing schools, agricultural colleges, and technical institutes. Last year OBC sent more than 200 tons of books to over 1300 institutions in 80 different countries.

(2) Special projects, wherein support is provided for functional adult literacy programs, especially in conjunction with instruction in health and hygiene, nutrition, simple skills training and the like, as well as indigenous pub-

lishing of educational materials, especially "non-formal" materials aimed at the most in need.

Project assistance can take the form of small cash grants for the supply of paper and simple printing equipment.

CUSTOMS OFFICERS AND TRAFFIC AT PORT OF DOUGLAS, B.C.

Question No. 2,092—**Mr. Cook:**

1. During the 1980 Thanksgiving weekend, what was the number of (a) cars and passengers (b) buses and passengers that passed through the Douglas Crossing on the King George VI Highway, Surrey, British Columbia?

2. During the same weekend, what was the number of customs officers on duty on a shift-by-shift basis serving on the crossing?

3. What is the number of customs officers on duty on a two day weekend on a shift-by-shift basis on the crossing?

4. Are extra customs offices available on an immediate basis if border points become clogged?

5. Are extra customs officers available to inspect convoys of tour buses?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): 1. (a) and (b) During the 1980 Thanksgiving weekend the following traffic was cleared through the port of Douglas, B.C.:

Saturday	4,163 cars	9,519 passengers
Sunday	4,512 cars	9,943 passengers
Monday	5,318 cars	13,139 passengers

In addition, on Saturday, four freight trains, on Sunday, two freight trains and on Monday, three freight trains plus one passenger train were cleared by Douglas officers. The train clearance point is ½ mile west of Douglas.

Buses do not enter through Douglas but through the Port of Pacific Highway one mile east of Douglas. The following traffic was cleared through Pacific Highway on the Thanksgiving weekend:

Saturday	1,254 cars	2,844 passengers
	28 buses	1,074 passengers
Sunday	2,339 cars	5,394 passengers
	18 buses	596 passengers
Monday	2,369 cars	5,225 passengers
	17 buses	481 passengers

2. The number of officers on duty per shift was as follows:

		A.M.	P.M.	Midnight
Douglas	Saturday	7	9	3
	Sunday	9	10	3
	Monday	10	8	3

Please note that the Monday p.m. shift of eight officers includes two held over on overtime from a.m. shift and two part-time officers called in. These were necessary because of absence due to illness.

		A.M.	P.M.	Midnight
Pacific Highway	Saturday	5	4	2
	Sunday	4	5	2
	Monday	5	7	2

Please note that on Monday, two officers scheduled for the p.m. shift were called in at noon, raising the number of officers to seven for the period from noon to 1600 hours.

3. The usual number of officers on duty at Douglas during a normal weekend is:

	A.M.	P.M.	Midnight
Saturday	7	9	3
Sunday	9	10	3

4. At the beginning of each shift all officers are assigned to various duties, there is no reserve. If a superintendent sees traffic building up or anticipates it, he usually telephones the afternoon shift officers and arranges for some to come in around noon. If the p.m. superintendent at the beginning of his shift has a backlog of traffic he will ask members of the morning shift to stay over until traffic eases off. No officers are available on an immediate basis for relief. The two crossings of Douglas and Pacific Highway are one mile apart, and if the traffic is heavy at one port it is usually heavy at the other port also, hence relief cannot normally be sent from one port to the other.

5. Greyhound scheduled buses arrive at Pacific Highway between 1500 and 2100 hours daily. While tour buses have been advised to avoid the above time period, they are all competitive and frequently arrive at the border in groups and are often mixed in with the Greyhound buses. There are no extra officers available to inspect these tour buses.

CAPELIN OFFSHORE HARVEST

Question No. 2,097—**Mr. McGrath:**

1. Does the government intend to eliminate the harvest of offshore capelin within Canada's 200-mile economic zone?

2. How much offshore caplin were caught in 1980 and by whom?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): 1. Offshore capelin stocks are currently at low levels. Until offshore capelin stocks have recovered sufficiently, no licensing will be permitted for either domestic or foreign offshore vessels. To aid in the scientific research of the northern capelin stocks an exploratory permit has been granted to the U.S.S.R. to allow 650 MT catch in sub-areas 2+ 3K (the Labrador and northeast Newfoundland waters within the 200-mile economic zone).

2. In 1980, the only commercial offshore fishing effort in the capelin fishery was by the U.S.S.R. under an exploratory permit of 5,000 MT. An actual catch of 4,818 MT was recorded.

SITE FOR LIQUEFIED NATURAL GAS TERMINAL

Question No. 2,130—**Mr. Howie:**

1. Since January 1, 1980, were studies conducted by the Department of Transport concerning the location of a site for a liquefied natural gas terminal and, if so, what site or sites were recommended?

2. (a) Was any site in New Brunswick considered (b) was a site recommended and was it rejected and, if so, for what reason?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): 1. Transport Canada has not on its own initiative conducted any studies since January 1, 1980, con-

cerning the location of a site for a liquefied natural gas terminal. Transport Canada is in the process of assessing several submissions from companies proposing such terminals. In assessing these proposals, under an assessment system called TERMPOL, the department's Coast Guard, Ship Safety Branch, reviews the ship accessibility, terminal construction and environmental risk factors, and recommends to the proponent any restrictions, constraints or changes that might be necessary in the interest of safety. The assessments do not produce recommendations for one site over another, but rather an evaluation of the perceived problems or constraints that would arise at each of the sites submitted by a proponent.

2. (a) and (b) Submissions made by the Arctic Pilot Project Consortium in respect of the proposed Canso (Melfort Point) LNG site, indicate the proponent had considered and rejected other Nova Scotia and New Brunswick sites. Transport Canada has only been requested to assess two sites, the one at Canso and another at Gros Cacouna, Quebec. An earlier proposal by the same consortium for an LNG port at Saint John, New Brunswick (Lorneville) was withdrawn before the TERMPOL assessment began.

PILFERING OF BAGGAGE AT AIRPORTS

Question No. 2,149—**Mr. Korchinski:**

1. For each airport in Canada, how many reports of pilfering of baggage were received in each of the past three years and, in each case, how many persons were apprehended or was action taken against?

2. In each case, how many employees were suspended or was court action taken against?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): 1. Security of baggage is the responsibility of the air carriers who report pilferage and theft to the police force having primary criminal jurisdiction. The police force is responsible for apprehension and court action. Transport Canada is not normally informed of these occurrences.

2. None.

FEDERAL BUSINESS DEVELOPMENT BANK

Question No. 2,173—**Mr. Herbert:**

1. What amount was written off as non-collectable by the Federal Business Development Bank?

2. What is the total amount presently outstanding on which repayment is in arrears?

Mr. Ralph Ferguson (Parliamentary Secretary to Minister of State (Small Businesses and Tourism)): In so far as the Department of Industry, Trade and Commerce is concerned, the Federal Business Development Bank advises as follows:

1. Fiscal Year 1979 (March 31)	$13,240,660.
Fiscal Year 1980 (March 31)	$19,439,885.
2. As at February 28, 1981	$372,150,903.

Order Paper Questions

MRS. PAT JORDAN—CUSTOMS DECLARATION

Question No. 2,186—**Mr. Riis:**

1. Upon her return to Canada from the Orient in the summer of 1980, did British Columbia tourist minister, Mrs. Pat Jordan file a customs declaration identifying two shipments, one containing jade, the other containing furniture, as personal goods acquired abroad and that they would be subsequently shipped to British Columbia.

2. Were the shipments addressed to Mrs. Jordan personally or addressed to the government of British Columbia?

3. Did Mrs. Jordan pay duty on the shipments and, if so, did she pay it when she made the declaration or on some subsequent date?

4. Were any events and/or actions taken by Canada Customs to bring about a payment of duty tax on the shipments and, if so, what were they?

Mr. Claude Tessier (Parliamentary Secretary to Minister of National Revenue): 1. Upon her return from the Orient, Mrs. Jordan did file a customs declaration which included two shipments of goods to follow, namely a rug and a carton of miscellaneous souvenirs.

2. The shipments were addressed to Mrs. Jordan and not the British Columbia government.

3. At the time of her arrival, Mrs. Jordan paid duties and taxes on these goods in her possession which were in excess of her tourist exemption. She subsequently cleared the goods to follow upon their arrival. The rug was cleared at Vancouver airport, the box of souvenirs, including some inexpensive jade pieces, was cleared at Victoria.

4. When the goods to follow arrived in Canada, Mrs. Jordan was advised of their arrival in the normal manner and duty and taxes were collected as applicable.

GOVERNMENT COST TO PROCESS A FAMILY ALLOWANCE CHEQUE

Question No. 2,187—**Mr. Flis:**

How much does it cost the government to process a family allowance cheque for the minimum amount of $22 per month?

Hon. J.-J. Blais (Minister of Supply and Services): The cost to the government to process a family allowance cheque per month is 60.3 cents. This is a composite total for the administrative processes within Health and Welfare Canada and Supply and Services Canada. It includes overhead costs and postage.

CANADIAN RAILWAY CARS IN UNITED STATES

Question No. 2,199—**Mr. Herbert:**

1. How many Canadian railway cars are presently believed to be in the United States and how many have been out of Canada for a period exceeding one month?

2. Has there been any appreciable change in the past five years in the number of the cars that are in the United States and in the type of cars that are sent across the border?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The Canadian Transport Commission advises as follows: 1. There were 21,227 Canadian railway cars

in the United States as of February 28, 1981, with less than 5 per cent exceeding a period of 30 days out of Canada.

2. There has been no appreciable change in the past five years in the number of cars that are in the United States. Records reveal that there has been a slight reduction in the number of covered hopper, flat, open-top gondola and hopper cars in the U.S. with a slight increase in the number of boxcars moving to the United States.

DSS—SLOWNESS OF PAYROLL SECTION

Question No. 2,212—**Mr. Cossitt:**

1. Did the Department of Supply and Services receive numerous complaints regarding alleged slowness of the payroll section in making adjustments to the pay of the public servants over and above the usual routine salary payments?

2. Have many employees waited months for severance pay and, if so, what is being done to correct the situation?

3. How soon is it estimated that the service will be considered adequate?

Hon. J.-J. Blais (Minister of Supply and Services): 1. Over the past year, the impact of a major systems modification, an increase in the volume and complexity of contract settlements, as well as the impact of the CR labour disruption, have all affected the level of service provided by the Department of Supply and Services. In particular, the loss of service experienced during the CR labour disruption inevitably created a substantial backlog of work. The backlog in turn led to delays in the processing of all pay changes (such as promotional increases, transfers, terminations, as well as other adjustments to pay). This disruption in our normal turnaround times subsequently resulted in an unusually large volume of inquiries received during the months of November, December, January and February.

2. The turnaround time taken to process severance pay was similarly affected by the events illustrated in No. 1. In order to minimize any delays relating to the processing of pay, the Department of Supply and Services is presently devoting all efforts to clearing up the backlog as quickly as possible. In fact, the backlog has been reduced significantly over the past month.

3. The pay service has been restored to a normal level as of the end of February, 1981, in all but one pay office. This office will be current by the end of March, 1981.

ST. LAWRENCE ISLANDS NATIONAL PARK EMPLOYEES

Question No. 2,215—**Mr. Cossitt:**

What was the name and job designation of each person employed at the St. Lawrence Islands National Park during 1980?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): See list below.

Name	Job Designation
D. Warner	Acting Superintendent
E. Poole	Finance & Administration Officer
W. Shipman	Works Officer
A. Corrigal	Chief Park Warden
D. Ross	Chief Park Naturalist
G. Williams	Personnel Clerk
S. Birtch	Finance Clerk
D. Gipson	Clerk/Receptionist
J. Cassidy	Storeman
P. L. Gates	Maintenance Supervisor
R. Hunt	Mechanic
L. Vien	Park Warden
D. Moore	Park Warden
H. Warren	Labourer/Foreman
D. Cirtwell	Labourer
M. Ferguson	Labourer
R. Hansen	Labourer
R. Phillips	Labourer
D. Kirkby	Labourer
D. Cross	Labourer
L. Warren	Labourer
L. Poole	Gate Attendant
S. Hunt	Gate Attendant
N. Pinon	Gate Attendant
S. Brown	Revenue Collector
D. Webb	Revenue Collector
K. Williams	Revenue Collector
H. Doctor	Naturalist
D. Sutherland	Naturalist
G. Vipond	Naturalist
C. Gouchie	Naturalist
B. Turner	Visitor Services Supervisor
S. Boutin	Interpreter Guide
R. Prosper	Park Warden
S. Killen	Labourer
G. Birtch	Labourer
S. Gibson	Clerk
L. Sutterlin	Naturalist
R. Huntley	Carpenter
F. Ferguson	Equipment Operator
K. Robinson	Interpreter Specialist
N. J. Lamb	Interpreter Clerk
A. Carl	Equipment Operator
A. W. Farn	Painter
A. Hein	Sewage Plant Operator
C. Kall	Park Warden
R. A. Andress	Park Warden

F. Fitzsimons	Boat Operator/Foreman
W. L. Saunder	Boat Operator/Foreman
G. Price	Boat Operator/Foreman
H. Tanney	Labourer
R. Trickey	Labourer
J. Christie	Labourer
R. Kelly	Labourer
T. Burton	Park Warden

* * *

[*English*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if questions Nos. 681, 759, 1,462, 2,057 (revised) and 2,102 could be made orders for returns, those returns would be tabled immediately.

[*Text*]

PARKS CANADA STUDIES—BANFF NATIONAL PARK

Question No. 681—**Mr. Taylor:**

1. During the years 1974 to 1979, what was the subject and purpose of all studies carried out under the authority of Parks Canada or any offices of Parks Canada involving Banff National Park or any aspect of the Park and, in each case (a) who carried out the study (b) on what date was it (i) started (ii) completed (c) what was its cost?

2. Were all the studies put to tender and, if not, what method was used to select the person, persons or firm that carried out each study?

3. Did the staff of Parks Canada carry out studies on the same or similar topics and, if so, in each case (a) what is an outline of the topic (b) how long did it take (c) what was its cost?

Return tabled.

DEPARTMENT OF SOLICITOR GENERAL—CONSULTANTS

Question No. 759—**Mr. Shields:**

Since August 1, 1978, how many (a) administrative (b) policy consultants were under contract to the Department of the Solicitor General and/or any Boards, Commissions or Corporations reporting to the Minister and, in each case, what amount was paid to them?

Return tabled.

INTERNATIONAL HARVESTER

Question No. 1,462—**Mr. Deans:**

1. From 1965 to June 1980, how many orders in council were issued affecting International Harvester and its subsidiaries operating in Canada and what was the actual wording of each order in council?

2. What amount of customs duty was remitted for each order submitted concerning International Harvester and its subsidiaries?

3. What were the commitments from International Harvester and its subsidiaries in exchange for remitting each customs duty?

4. Did International Harvester and its subsidiaries meet each commitment?

Return tabled.

DND—ELECTRON TUBES

Question No. 2,057 (Revised)—**Mr. McKinnon:**

1. In 1980, how many contracts were placed by the Department of National Defence for electron tubes and (a) to which companies were contracts awarded (b) what was the amount of each contract?

2. Where were the electron tubes, specified in each contract, manufactured?

Return tabled.

SPORTS—AMOUNT BUDGETED

Question No. 2,102—**Mr. Herbert:**

Was any amount budgeted for sports in the fiscal year (a) 1978-79 (b) 1979-80 (c) 1980-81 and, if so (i) what was the amount (ii) in each case, which association or group received a grant and in what amount?

Return tabled.

[*English*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: Shall the remaining questions stand?

Some hon. Members: Agreed.

* * *

● (2010)

BUSINESS OF THE HOUSE

MOTION TO LIMIT REPORT STAGE AND THIRD READING DEBATE ON BORROWING AUTHORITY BILL

The House resumed, from March 31, 1981, consideration of the motion of the Minister of State (Finance) (Mr. Bussières):

That, in relation to Bill C-59, an act to provide supplementary borrowing authority, one sitting day shall be allotted to the consideration of each of the report stage and the third reading stage of the bill; and

That, at fifteen minutes before the expiry of the time provided for government business on those days, any proceedings before the House shall be interrupted, if required, for the purpose of this order and, in turn, every question then necessary in order to dispose of the stage of the bill then under consideration shall be put forthwith and successively, without further debate or amendment.

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, when I spoke at the commencement of this debate a couple of days ago, I had three or four minutes left. I was pointing out to this House, as was pointed out by the hon. member for York-Peel (Mr. Stevens) that today during question period the government still has $6.4 billion available in the bank. The Minister of Finance (Mr. MacEachen) said the government had only $4.8 billion available. But I remind hon. members of this House that the government still has more than the $11 billion in the till, or $8 billion borrowing authority, as suggested by this party. That is all the government needs for this year. The government has no need for any more money than provided in the amendment at report stage. If the government accepts the

amendment, it would have enough money. This is a blank cheque government. I said that the other night.

Let us now go on to the question of time allocation. This is a time allocation debate. A government which comes to the House of Commons with a time allocation debate must say (a) there is an emergency or (b) that the government has been filibustered to death. On this matter, we have had one day's debate. Three speakers from this party have spoken. It was a Friday afternoon. But that is all we have had. There is no filibuster, there is no delay, there is no waste of time. There is no reason for Standing Order 75C to be imposed.

This debate is about whether this House of Commons should now employ a method of time allocation that involves Standing Order 75C.

The Minister of State for Finance (Mr. Bussières) tells us there is an emergency. On the face of it, there is no emergency. The government has lots of money. The government has more money than it has ever had in years and years and years. The government has money coming out of its ears. Why does the government need the government borrowing authority bill? It does not need the money. There is no emergency. The government wants to limit the discussion by members of Parliament talking on behalf of their constituents about the economic concerns of Canada. That is why the government want to limit debate. It is not a matter of a national emergency. The government does not need the money, it has lots of it. The question is one of limiting debate.

The government does not want a debate on its inept performance as a government. I do not blame the government. It is the worst government this country has ever had. It is no wonder the government does not want to debate this issue. If the government did debate this issue, all of a sudden the people of Canada would rally together and say yes, this is the most inept government this country has ever had.

This debate is a total misuse and abuse of the rules of this House. This government has talked for the last few days about our party misusing the rules of Parliament. Here is a case where the government is abusing the rules of this Parliament. This government is bringing closure under Standing Order 75C to limit the debate to two days when there has been how much debate? There has been but a half day's debate on a Friday afternoon. That is misuse of the rules. That is misuse and abuse of the rules of Parliament.

Surely a government which claims to run by the rule of law would not want to misuse the rule of law. That is what it is doing, though.

Mr. Deputy Speaker: I regret to interrupt the hon. member, but the time allocated to him has expired.

Mr. Blenkarn: Mr. Speaker, I rise on a point of order. When Standing Order 75C was imposed on this House of Commons—

Mr. Deputy Speaker: Order.

Mr. Blenkarn: I want to say this and I make this point of order, and I do have respect for the Chair. There was a suggestion by the government that this rule would never be imposed until there has been debate for three, four or five days.

Mr. Deputy Speaker: Order, please.

Mr. Blenkarn: No, Mr. Speaker, when this rule is imposed with one day's debate—

Mr. Deputy Speaker: Order, please. The time allocated to the hon. member has expired. It is in order for the Chair to recognize the next speaker. The hon. member for Simcoe South (Mr. Stewart).

Mr. Ron Stewart (Simcoe South): Mr. Speaker, I rise in the discussion on Bill C-59 and the billions of dollars—

Mr. Deputy Speaker: Order, please. Is the hon. member for Winnipeg North Centre (Mr. Knowles) rising on a point of order?

Mr. Knowles: No, Mr. Speaker, I was rising to take part in the debate.

Mr. Deputy Speaker: The hon. member for Simcoe South caught my eye and I recognized him. Bearing in mind the normal courtesies of the House, I hope that it will be possible to extend recognition to the hon. member for Simcoe South.

Mr. Beatty: Is this a filibuster?

Mr. Collenette: Mr. Speaker, I rise on a point of order. I do not want to strain the agreement that has been made unduly, but the custom is to alternate between the opposition and the government. I have been seeking the floor to participate in this debate, not on a point of order, and that is the reason I have been jumping up and down.

Mr. Deputy Speaker: I have recognized the hon. member for Simcoe South. I will take due note of the usual practices in the House.

Some hon. Members: Hear, hear!

Mr. Stewart: Mr. Speaker, with all due respect to the Chair, I accept your decision.

As has just been pointed out by my colleague to the left, Bill C-59 will give borrowing authority for billions of dollars that are not needed. Then we come to Standing Order 75C, which really is closure. It is the muzzling of debate in this House in which a member who seeks the floor wishes to take part, we hope, in all good faith.

Time allocation is terrible. The constitutional debate in which we have engaged has run into a problem of legality. All of this takes the form of closure. But worse than that, we are not getting on with the real problems which are facing this country. All my constituents tell me these problems are tantamount to disaster if things go on the way they are, with

inflation the way it is, with own unemployment and the real economic woes we face.

Canada's record in every economic indicator is appalling. The rate of inflation has passed 12 per cent. The rate of unemployment is almost at the double-digit stage. It has been chronically high for the past decade. The Canadian dollar has never been lower in comparison to the United States. Some of the most important elements of Canada's manufacturing plants continue to experience staggering trade deficits. In the plastics industry, with a total annual production of about $4 billion, there is a $1 billion deficit. The only people who are successful in the plastics industry are the people who are using R and D and up-to-date technology, such as our friends in Japan, in order to keep pace. One such plant happens to be in my constituency of Simcoe South. It is called Moldex. It manufactures toilet seats. The owner has kept up with inflation.

• (2020)

Mr. Evans: On a point of order, Mr. Speaker, I would ask you to rule on the question of relevance. This debate is on Bill C-59, the borrowing authority, but the hon. member is talking about toilet seats.

Mr. Taylor: Inflation is so bad you can't buy them any more.

Mr. Deputy Speaker: Order. The hon. member for Simcoe South has the floor.

Mr. Stewart: The point is that we are on the borrowing authority and we are borrowing billions of dollars.

Mr. Hnatyshyn: And they are flushing them down.

Mr. Stewart: Look at the plastics industry. The fact is the government has about $4 billion available and a $1 billion deficit. Is that not borrowing? I was trying to say that in this particular manufacturing industry, we can be proud because it is a successful industry in this country. It has made use of robots as they do in Japan—

Mr. Hnatyshyn: So does the Liberal caucus.

Mr. Stewart: —if hon. members will take the time to go there and check. There is a little slogan that says "born in Barrie and raised everywhere" and it is very successful. In the case of computer hardware, the deficit has grown from $274 million in 1976 to more than half a billion in 1979. It is still growing and we are still borrowing. Even in mining and construction, the equipment area where Canada is recognized as a world leader, there is a deficit just under a billion dollars annually. When we talk about borrowing, it is about time we started to call a spade a shovel.

Mr. Evans: Hey, that's good.

Mr. Stewart: This country is in an economic mess. That is because of borrowing. Canadians possess a piece of real estate on this planet that is the envy of the world, and they are not making any more real estate.

Mr. Taylor: That's for sure.

Mr. Stewart: We have all the ingredients we need to be self-sufficient and we have the human and physical resources to achieve greatness in the world community of nations, but not by borrowing. We have access to petroleum reserves and every known mineral in the world, many of them in abundance. We have rich farmland, the fisheries, all the wherewithal to meet our domestic requirements and then some, if we stop borrowing. We have the capacity to become one of the manufacturing giants of the world. We have the capacity to become one of the world's great exporting nations. Instead, we have not begun to exploit our enormous potential.

We are still hewers of wood and drawers of water. Much of our export trade is raw or semi-processed resources. We find ourselves in the ludicrous position of exporting our raw resources to other countries and then ending up buying them back in the form of fully finished manufactured or processed products. It is being done by borrowing.

For a decade the government has paid lip service to industrial strategy and research and development. With this government, if I may paraphrase Lewis Carroll in "Through the Looking Glass", it is always "jam yesterday and jam tomorrow but never jam today".

Let us just look for a minute at expenditures on research and development. My colleague in the House of Commons and my party's spokesman for research and development, the hon. member for Scarborough East (Mr. Gilchrist), has just issued a special report on R and D. We currently spend less than 1 per cent, .94 per cent to be exact, of the gross national product on research and development. We borrow to do everything else. My colleague's expert sources tell him that for every one half of 1 per cent of the gross national product spent on research, 400,000 jobs are created. That is what we are talking about: jobs, inflation, the economy, not borrowing. That expenditure by the government would cut unemployment by 50 per cent in this country.

Research and development investment increases of 1.5 per cent or 2 per cent could eliminate unemployment. I am a businessman. I operate a small wholesale business in Barrie, Ontario, which has been in business since 1892. Our annual sales are in excess of $15 million. I will tell you, as a businessman, I am appalled at the way the government is mismanaging this country. We are running harder to stand still. Our manufacturing sector is overtaxed, overregulated and is not in a position to compete with the industrial plants of other nations. Those are the hard facts and it is getting worse and worse as we continue this borrowing madness.

We can turn it all around. The idea is not to be negative but positive. But the longer the government keeps its head in the sand, the longer it will take us to catch up with the rest of the world. We should never have been placed in the position of playing catch-up ball by a huge deficit and by more and more borrowing.

Look at what is happening in the rest of the world. Last year I had the good fortune of visiting Japan. In 1980, Japan

produced ten million more watches than Switzerland. That may seem a ludicrous statement, but think about the transition that has happened in that country and how they did it. They did not do it by borrowing. The Japanese have long since overtaken and passed the United States in television and radio production. Japanese steel plants have the same capacity as the United States and almost as much as the European Common Market.

Three years ago, Japanese investment in new plant and equipment equalled that of the United States, but listen to this—with half the population, the per capita investment was twice that of the United States, and this did not happen by borrowing. In the early eighties, Japan will surpass the United States in total research and development.

Very soon Japan will be a world leader in computers, motorcycles, machine tools, copying machines and snowmobiles. Does anyone in this House think there is any reason why Canada could not do the same with our economy if we stopped borrowing?

I see my time is almost up. Let me conclude by saying that if we were to obtain large quantities of investment dollars, Canada would have to employ the same techniques that are used in other countries. We could do that with a lot of other vehicles, such as profit sharing.

Mr. Deputy Speaker: Order. Before recognizing the hon. member for Winnipeg North Centre (Mr. Knowles), the Chair would like to call to the attention of the House the provisions of Standing Order 40(7):

> When it is provided in any standing or special order of this House that any specified business shall be continued beyond the ordinary time of daily adjournment or that any such business shall be forthwith disposed of or concluded in any sitting, the adjournment proceedings in that sitting shall be suspended.

It is anticipated that the adjournment proceedings will be suspended this evening.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, under rule 75C we are limited to speeches of ten minutes each. It is not my purpose to take the ten minutes tonight. I made it clear when, on behalf of our party, I agreed to this being the business for tonight that we would be voting against the motion that is before us under rule 75C.

I have said on many occasions that in my view, every time the government uses this rule as a way out of a time problem, it puts off the day when we come up with something better. I have contended many times that there are other ways to plan the business of the House to avoid impasses and get the business done, but we do not seem to get around to that.

As I say, every time this rule is used, that puts off for another month, or another year, who knows, some sensible planning of the work of the House of Commons. Therefore, we are still opposed to the use of this rule. We oppose it in particular being applied to a borrowing authority bill of the magnitude of this bill.

Some of my colleagues will have something to say about the bill itself, its merits or demerits, when we get to the report stage tomorrow and the third reading debate on Monday, but for now may I simply indicate quite clearly and forcefully that when the vote comes tonight at 9.45 or ten o'clock, the New Democratic Party will be voting no.

● (2030)

Mr. David Smith (Don Valley East): Mr. Speaker, I think the motion we have before us tonight is one none of us enjoys. It is something which simply has to be moved. We have to govern this country in an orderly and reasonable fashion. What has happened in recent days is well known. The legislative timetable of parliament has, in fact, ground to a halt. We have lost week after week after week because of unnecessary delay, filibustering and outright opposition to the Constitution. At some point there are other things which have to be dealt with and we would like to deal with them. What we are talking about here is not closure but, in fact, time allocation.

The hon. member for Winnipeg North Centre (Mr. Knowles) made a very good point when he said that perhaps it is about time the rules were revamped so as not to have to go the 75C route. I agree with that. I think the House leader of our party agrees with it, and I certainly hope that during the life of this Parliament we can come to grips with it. In the meantime we have not been able to come to grips with anything for some weeks. We must set a reasonable time limit so as to be able to come to grips with this bill and borrow the money which is in fact necessary to keep the government going.

I was interested in the comments of the hon. member for Simcoe South (Mr. Stewart) who was talking about borrowing, how he is opposed to borrowing, does not like it and thinks we should not be doing it. I am not sure anybody is wild about it, but the fact of the matter is that when his party was in power briefly, the deficit was not decreased. We heard a lot of predictions prior to that party assuming power, that in fact when it got into office the deficit would decrease immediately. That did not happen. I remember the day when the Leader of the Opposition (Mr. Clark) said he had come to the conclusion, in fact, that the deficit would perhaps have to go up but this would be a short-term measure and, hopefully, after a reasonable period of time they would be able to turn things around and start a shrinking deficit, reducing the requirement for borrowing. That certainly was what was supposed to happen in terms of an increased deficit in the budget of the hon. member for St. John's West (Mr. Crosbie). That is exactly what did happen.

It is not as though suddenly you can somehow push a button, wave a magic wand and the need for borrowing disappears. There are some facts of life, and one of them is that before we are in a position to eliminate borrowing, we will have to continue to borrow if in fact the process of government is to continue. That is what we have to do. It is with regret we are in the position where we have no choice but to use the provisions of 75C to bring this to a head and get on with it, but that is the position we are in.

In the last few days, since March 24, there have been well over 100 points of order and questions of privilege, virtually all

of which have been frivolous and spurious. In fact, the House leader of the official opposition indicated they were prepared to waste the time of Parliament. I was sitting opposite when he used that phrase. I sort of had the feeling he immediately knew he has said something like C. D. Howe when he said, "what's a million", or something like Walter Harris when he said, "the six-buck boys". It just gets out and you wish somehow you could pull that word back in or that you had not used it. He did say that. He said they were prepared to deliberately waste the time of Parliament. If there is one thing on which I am prepared to congratulate the opposition House leader it is his honesty on that occasion. He was very honest because that is what they have been doing for some time, and, regrettably, that is what they continue to do.

I sense a better mood in the House today. I hope we may be reaching the point where we can come to some agreement on the impasse which has held Parliament up to ransom. "Hijacked Parliament" is a phrase that has been used, and I think that is accurate. It is unfortunate we are in this situation, but we have to get on with the governing of the country. We must pass this borrowing bill, and we are using Standing Order 75C, not in any improper way, as was suggested a few minutes ago, but in accordance with the Standing Orders in a quite proper, reasonable and legitimate way. This is a custom which has developed in recent years. I do not believe we forced the government of that party opposite to do that when we were in opposition, but it is something that has become the custom in recent years. Until we are able to revamp the rules, it may well be that this custom will continue.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I thank you for correcting the speaking order which was thrown out of line a little bit. I would like to participate in this particular debate to deal with two aspects of the motion before us. The first is the procedural aspect, and the second is the financial aspect dealing with Bill C-59.

My friend, the hon. member for Don Valley East (Mr. Smith), I think outlined rather well the reasons the government is acting in this manner. I think I should amplify his comments, especially for those people who are watching this debate in their homes across the nation.

Very often members on the other side, and I know the hon. member for Winnipeg North Centre (Mr. Knowles) was hinting at this, give the impression that what we are doing is closing off debate, again denying the right of members to speak. Anyone who has sat here for the last week and a half and talked about the denial of the right of Members of Parliament to speak, really could not have been paying much attention to what has been going on. If there is eagerness tonight on the part of members on this side to participate in this debate, it is simply that we have been sitting here patiently for the last six or seven working days watching members of the official opposition rise on points of order and questions of privilege, engaging in debate that we have labelled as obstruction. I do not particularly want to get into the troubles of the last few days, but I would—

Mr. Deputy Speaker: Order, please. May I call to the attention of the Parliamentary Secretary to President of the Privy Council (Mr. Collenette) that the debate before us relates to borrowing authority.

Mr. Collenette: With all due respect, Mr. Speaker, what is before us is the motion under Standing Order 75C in relation to the borrowing authority bill. I think it is quite within my right to discuss procedural matters in connection with Bill C-59, the borrowing authority. That is the reason I was making the comments I was making, following on the comments by the hon. member for Don Valley East and my colleague, the hon. member for Winnipeg North Centre. This is a procedural motion. It does not necessarily deal with the substance of the borrowing bill. What we have to explain to the people out there, members of the House and those who read *Hansard*, is why the government is limiting debate at this particular stage.

I was about to say that the reason we are doing this is that the affairs of the nation must be conducted in fairness, yes, but with some expediency. The government has an obligation, and I know members on the other side decry this. This government was elected to govern the country. It was elected to put before Parliament legislation to deal with the governing of this nation. It is an obligation of the government to see that its legislative program gets through Parliament using, of course, the proper parliamentary means at its disposal. The motion under 75A, B and C was developed about 11 or 12 years ago as a means to speed up debate. We in this country have almost a gun-shyness about using any allocation of time motion. We are faced today with the fact that our rules are somewhat archaic, but in today's modern society when fast decisions are required, when inflation, unemployment, and exchange problems all face Canadians, Parliament must act as best it can.

I submit that we need a major overhaul of our rules. One of those overhauls took place 11 or 12 years ago and the development of the time allocation motion which is now before us this evening was adopted. It is a means on which agreement cannot be achieved. And agreement could not be achieved in this case. I was present at those meetings, as is called for in the Standing Orders, when agreement under Standing Order 75A and 75C was not possible on report stage and third reading of Bill C-59. Therefore, it is perfectly within the rights of the government to proceed in this fashion.

• (2040)

Now, in Great Britain, the Mother of all Parliaments, Westminster—which has been cited this week as a substantial basis for the positions of those arguing points of order concerning the constitutional debate—is much more efficient than we are. Second reading of a bill passes within one sitting. That sitting may last until six o'clock in the morning, but it is of one day's duration. Mr. Speaker, how much debate is required to state whether one or one's party is or is not in favour of a piece of legislation before the House? So I think that the use of the time allocation rule 75C is quite defensible.

I draw your attention, as I have in other debates since we used this rule on Bill C-30 earlier in Parliament and Bill C-48 in January, to the fact that we have used it three times in this Parliament—

Mr. Knowles: You use it quite often.

Mr. Collenette: The hon. member for Winnipeg North Centre (Mr. Knowles) says we use it quite often; I make no apology for that, Mr. Speaker. If this government is to discharge its obligations to the people of Canada to govern, then it has to get its legislative program through Parliament with efficiency and with fairness. And this is fair because tomorrow we will be debating at report stage, on Monday, we will be debating on third reading, and we have had other days of debate, second reading and committee deliberations. Therefore, what we are doing tonight really does not deny the rights of any Member of Parliament to participate. That is what is going on in the next hour or so.

I would draw your attention to *Hansard* of December 5, 1979. My good friend, the hon. member for Nepean-Carleton (Mr. Baker) rose in this House to move a motion under Standing Order 75C on Bill C-20, which was the infamous Conservative property tax credit then before the House. I believe it was at Committee of the Whole stage. He talked in terms of this not being closure, of it being time allocation, a far gentler measure. And he said, quite rightly so because he was in government at the time, that the government has a certain responsibility when all positions have been made known, when everybody has expressed their opinion, to actually force the debate to an end and force the question.

I do not want to stray because I know that tempers have perhaps flared in the past few days, but I submit there is an analogy between the time allocation we are proposing on this borrowing bill and the time allocation discussion on the Constitution. I will not belabour that point, but I want our friends in the country watching us tonight, and members on the other side, to realize that this is no nefarious scheme to gag Parliament, this is purely a fair and efficient manner of disposing of the government's legislative program. The President of the Privy Council (Mr. Pinard) stated earlier this year that he was not embarrassed to use the time allocation motion, and I quite agree with him. I think my colleagues on this side agree. It is up to the Canadian public to actually make the final decision as to whether or not the government is indeed cutting off debate and doing it in an unfair manner.

When this was done in 1956, the government of the day fell because, with all due respect to the fact that it was a Liberal government, Standing Order 43, which is not what is applied tonight, was used, but not in the most judicious manner. So it is not the rule that matters but how it is applied, whether there is not only a semblance and appearance but actual fairness in any debate terminated, whether by time allocation or by closure. I hate to mention that because closure is almost a four letter word, it is almost unparliamentary. This is not closure this evening, Mr. Speaker, this is time allocation; this is putting reasonable order to the debate before us.

An hon. Member: A rose by any other name.

Mr. Collenette: I had hoped to talk a little bit in depth about the substantive aspect of Bill C-59, but the parliamentary Secretary to the Minister of Finance (Mr. Evans) is here and is far more qualified than I to deal with that. All I will say is that what we have in this bill is the government seeking authority to borrow some $14 billion, $3 billion of which would, in a sense, be insurance against unusual delays in approval of the authority to borrow. Frankly, Mr. Speaker, with what has gone on the last few days, I think it is very prudent indeed for the government to take steps to get that kind of insurance because, as the President of the Privy Council stated earlier, Bill C-59 should have been passed yesterday. There is an urgent need for it. And I say with all respect, I am glad the members of the official opposition have terminated their dislocation and disorder in this House to allow us to get this measure through Parliament today and tomorrow. One must give credit where it is due, and for that I thank them very much.

Hon. John C. Crosbie (St. John's West): Mr. Speaker, what we are now debating is another motion by a closure-crazy government to close debate. To close debate on what? On a bill that provides this government with authority to borrow $14 billion in addition to the $12 billion they were authorized to borrow just last July. This bill has been discussed at report stage for only one day and the government brings in closure to choke off debate and assigns two more days to debate the issues on this bill.

What does the bill provide, in addition to giving the government authority to borrow $14 billion? It has a new twist. It also gives them the authority to carry on with borrowing authority up to $3 billion beyond March 31, 1982. And when we ask them why they want the authority to do that, which has not been the practice in this House, they say it is because of contingencies, that there might be some kind of contingency that will require them to have $3 billion extra borrowing authority beyond the end of next year.

What about closure, Mr. Speaker? We have just seen this government attempt to hijack the whole Canadian nation, not Parliament but our whole country, destroy the very consensus on which it is based by using their majority in this House to do things they were not authorized to do by the public. They never had the guts and gumption to put this to the public, and that is why we on this side of the House have resisted, and we are going to continue to resist right to the last. They are not a legitimate government when they attempt to change the very nature of Canada from a federal state to something different, without the public having been asked to approve it before they attempt to do it.

So we have seen the spectacle for the last several weeks, Mr. Speaker, of the government deciding what business this House will consider. And we have had a government which does not want to consider anything but changes to the very Constitution of this country that will change its fundamental nature and that they and they alone have decided to bring the work of this

Parliament to a halt while they try to pursue that objective. So it has been the government's choice. They are not interested in the fact that the cost of living in Canada is up 12.2 per cent, they are not interested in the fact that we have 928,000 unemployed, not interested in any of the economic conditions bothering the Canadian people. The government is interested in only one thing, and that is the Constitution. We have had a Constitution for 114 years, and the world's most perfect constitution would not bring us one iota closer to solving any of the economic problems that the people of this country are now suffering from.

An hon. Member: Speak to the motion.

Mr. Crosbie: I am speaking to the motion. The government wants $14 billion, it is imposing closure on this Parliament to get it, and with that $14 billion they are going to have a deficit of $13.7 billion. They have no anti-inflation program, no program to help the ordinary people of this country; all they are interested in is to carry on with the fetish of the one person who leads them and leads them by the nose. Not only leads them by the nose but says that over in England Members of Parliament there have to hold their noses while they put forward whatever dog's breakfast the government opposite sends over to them. That is why we are resisting on this side of the House. That is why any kind of resistance we put forward is legitimate. It is proper. It is to save this country and to preserve it.

● (2050)

The parliamentary assistant to the House leader says that the House leader is not embarrassed by using the closure motion. We know that. Nothing embarrasses the House leader for the government. He is not embarrassed at using closure. He has used it frequently since we came back 13 months ago. He is even prepared to use it on attempts to change the fundamental character of this nation, changes that the government never had the guts to go to the electorate with. The government deceived the people of Quebec about it last May and it now uses closure again. We know he is not embarrassed. There is nothing that would embarrass that hon. gentleman.

The parliamentary assistant to the House leader says that there is an urgent need for this bill. We had information today from the Minister of Finance (Mr. MacEachen) that the government has $4.8 billion cash right in the bank at this moment—the minister has $4.8 billion in his hip pocket. He does not need any borrowing authority whatsoever for the month of April. I doubt that he needs any borrowing authority for the month of May either. He could not give us a reason today why he needs it. All he said was that he wants the bill passed so that an orderly approach to the bond markets can be made. That, Mr. Speaker, to put it very simply, is complete and utter twaddle.

Some hon. Members: Oh!

Mr. Crosbie: I say twaddle. I am using a polite word because I am always parliamentary when I speak here. I have great respect for you, Mr. Speaker, and I like to keep my words parliamentary. That is why I use the word twaddle instead of what it would be called on the outside.

There is no urgent need for this bill. Even if this bill does not pass the House until the end of May. The government has enough cash in the bank to carry on its operations. We even heard some suggestions the other day that the government would not be able to pay its bills, pay the RCMP, pay the poor widows and the poor people of Canada who receive social transfer payments, if this measure were not passed. And it was not passed, but everyone is still being paid. That is how much attention we must pay to members opposite.

I think that the parliamentary assistant to the House leader said that we have had dislocation and disorder in this House in the last several weeks.

An hon. Member: Absolutely!

Mr. Crosbie: We are saving Canada from dislocation and disorder. To do that, if we need a bit of dislocation in this House, that is what we will get—dislocation—until the government comes to its sense. We have begged it to go to the electorate to put these matters to the test and it dare not do that.

What is the record of the government opposite and of the gentleman who wanted the authority to borrow another $14 billion? By the way, Mr. Speaker, that does not include the borrowing that will be done for their Crown Corporations this year. In 1979-80, the Crown corporations for which the government is responsible borrowed $2.6 billion. Last year the figure was up another $1.6 billion. There will be several billions of dollars borrowed this year by Crown corporations for which the government is directly responsible, which has nothing to do with this bill. What is the government doing to try to restrain its own expenditures and set a good example to the nation?

The Minister of Finance is advising the people of this country, whose real wages have gone down 6 per cent in the last three or four years, since they have not been able to keep up with the cost of living increases, to hold tight, hold on to their belts and tighten them up, not go for wage and salary increases. The Minister of Finance is advising the wage earners of this nation not to expect wage increases which meet the rise in the cost of living this year, not to try to catch up. He is advising them to restrain themselves. What example is he giving to the people of the nation? He will have a deficit this year of $13.7 billion—that is just what he admits to. It will be considerably in excess of that. Last year it was $14.2 billion, which was a record for Canada. In the last ten years, it was $77.1 billion, if we include the year we are now in. In the last nine years, it was $63.4 billion. This is a Trudeau record. This is the record that he is leaving the Canadian people to pay. We have a total debt of $137 billion. The interest charges on this Trudeau debt—

Some hon. Members: Order!

Mr. Crosbie: —this Prime Ministerial debt, this legacy that he is leaving behind, amounts to $12,350 million this year. The interest charges alone in this present year exceed the entire budget of the Government of Canada in the first year that Mr. Trudeau took power—

Some hon. Members: Order!

Mr. Crosbie: —in 1968-69. Order, yes! If there was order in this country he would not be Prime Minister any longer, and he will not be if he accepts our challenge to go to the people now.

The whole budget of Canada was under $12,350 million when the present Prime Minister (Mr. Trudeau) started his career. In this year, 19.1 cents of every dollar the government spends will be spent on interest—19.1 cents out of every dollar that the taxpayers of Canada are paying. Those people are watching tonight. Out of every dollar they pay in taxes to this government this year, one of every four is going to pay interest on the debt that the Prime Minister has racked up for them over the last ten years. The cost to the average taxpayer this year is $795, up $2.1 billion over last year. And the parliamentary assistant claims that it is urgent for us to pass this bill so that they can go on in this course of action. You know, Mr. Speaker, there is no spending restraint. In the area of the cost of services to the government—services which it has done for itself, consultants, lawyers, Liberal this and Liberal that, and little Grits here, little Grits there, here a Grit, there a Grit, everywhere a Grit-Grit—expenditures have gone up 17 per cent. The cost of services for the government last year was $4 billion. This year it is $4.7 billion—another $700 million thrown out to little Grits here and there, chartered accountants, lawyers—

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member but the time allotted to him has expired.

Mr. Crosbie: I regret that also, Mr. Speaker. I will vote against this bill.

Some hon. Members: Hear, hear!

Miss Aideen Nicholson (Trinity): Mr. Speaker, with your permission, my comments will be about the use of Standing Order 75C and the need to reform the rules of the House rather than about the bill in respect of which the order is being used.

During the Thirtieth Parliament, the Standing Committee on Procedure and Organization studied the question of reform of the rules of the House. Unfortunately, there was no action at the time in spite of much good will and hard work by members on all sides of the House. One particular proposition which received a good deal of attention at that time was the suggestion that, at the second reading stage, which is approval in principle, the debate be limited to one day and that the major debate on a bill should occur at third reading, after the committee has made whatever amendments seem appropriate following the hearing of witnesses. This is a proposal which I hope will be considered again and, perhaps, acted on shortly in this session.

What happens now at second reading stage is that we tend to have lengthy speeches. A long speech is not necessarily designed to be persuasive, to advance an argument or increase understanding. We have long speeches at second reading. We have the same points discussed in committee, again at report stage and again at third reading. I think members on all sides of the House suffer from this process because when fewer members can participate, both supporters of the government and members of the opposition feel frustrated. They do not feel the same sense of commitment toward dealing with the business of the House in an orderly fashion.

In the case of the bill before us, the borrowing authority, there were five days of debate at second reading before 75C was introduced, since it was not possible to reach an agreement to limit debate in any way. We then had another two days of debate after 75C was moved. This is a practice which seems to be taking place so often with our bills.

• (2100)

Recently I came across a definition of "nation" in St. Augustine's "the City of God" which read as follows:

A nation is an association of reasonable beings united in a peaceful sharing of the things they cherish.

I know many members of the opposition share that view. Very often when we work on committee, we are able to subordinate our partisan differences and work in a constructive fashion. We can expose our differences, but we do it with the intention of arriving at some common ground. Certainly as Canadians, when an all-party delegation goes abroad, usually we are able to agree among ourselves that we will present honestly our differences of opinion based on our different ideologies, but also, in the national interest, we try to present a reasonable picture of the things upon which we agree as Canadians.

What has been happening to the nation's business in recent days has been dispiriting. There has been a lot of name-calling which has been unsophisticated and unseemly. These have not been the highest days in the history of Parliament. While structural changes such as changes in the rules of the House will not solve all these problems, I think they would assist. With shorter speeches, with more work done in committee, with more opportunities for all of us to participate, we could reduce a lot of the unnecessary irritants in the House. We will always have differences of principle and differences of opinion, but it is urgent that we try to reduce some of the unnecessary irritants.

The eighteenth century definition that the role of opposition is "to oppose" is surely very old-fashioned for us. Surely, what is needed in our time is much more opportunity for members of the opposition and supporters of the government to work constructively together, recognizing some basic differences, and to be prepared occasionally to make more than a normal effort to find middle ground.

One of the big changes I should like to see, whenever we get around to discussing the rules of the House seriously, is a change in the rules of question period. In Westminster, sup-

porters of the government can ask questions, just as members of the opposition can. In this House there has been a tradition that question period is the prerogative of the opposition. I think three Speakers have held that supporters of the government are able to get information in other ways. This is true, but I think our constituents have a right to see us representing their interests publicly; they should not always have to depend on faith and assume that we are pursuing their interests in caucus. It should be possible for those who have elected supporters of the government to see us expressing our concern for the interests of our constituents in exactly the same manner as members of the opposition can.

So, these are some of the issues which I trust will be addressed soon in Parliament. I know all members of the House would like to see some changes in the rules of the House which would enable us all to do our jobs more effectively and hopefully would reduce the number of occasions when Standing Order 75C or similar motions would have to be called into play.

Mr. Peter Elzinga (Pembina): Mr. Speaker, I appreciate the opportunity to participate in the debate on this closure motion. First, I should like to deal with a few comments of the parliamentary secretary to the House leader in his presentation when he indicated that they were elected to govern the nation and to bring forward policies, which is one of the reasons they brought on closure.

I hesitate to say it, but my friends opposite should examine their own consciences. If ever a party was elected to govern a nation and then became such great hypocrites, it is my friends opposite. They should examine upon what platform they were elected. They criticized my party for 18-cent gasoline. When we look at their record, in their short term we find it has risen some 41.5 cents per gallon. I will deal with that in more depth in a moment. They did not campaign on the constitutional issue; they did not say one word on the constitutional issue. Yet, they are willing to ram it down the throats of Canadians when the majority of the population is bitterly opposed to this issue.

Some hon. Members: Order, order!

Mr. Towers: They are a bunch of hypocrites.

Mr. Elzinga: I am talking to the closure motion, my friends. If the truth hurts, please squeal. Canadians wish you would squeal and back off on this very important issue.

Mr. Knowles: Address the Chair.

Mr. Deputy Speaker: The Chair calls the attention of the hon. member to the fact that what is before us is a time allocation motion dealing with the borrowing authority bill. I recognize there are some difficulties in the rule of relevance, but I would ask the hon. member to consider it.

Mr. Towers: It is all tied together.

Time Limitation

Mr. Elzinga: Perhaps I could seek Mr. Speaker's clarification before continuing. Am I allowed to deal with the motion upon which closure has been introduced in regard to Bill C-59? May I touch on that bill?

Mr. Collenette: It is not closure; it is time allocation.

Mr. Deputy Speaker: Obviously Bill C-59 is relevant to the discussion, and a measure to allocate time in regard to the debate is before the House.

Mr. Elzinga: In dealing with Bill C-59, it is noteworthy at this time to share with members of the House that we have introduced an amendment to reduce the borrowing authority to some $8 billion rather than $14 billion. It was interesting to hear the hon. Leader of the New Democratic Party (Mr. Broadbent) indicate that they were opposed to closure. It is obvious in the actions of that party that basically in their hearts they support this measure, even though they will vote against it. I wish they would be more forward with their positions as far as the Canadian public is concerned.

I should like to go through the economic record of the government, since this bill pertains to borrowing authority of some $14 billion. When we look at the record of hon. members opposite, we find it is a record of which they cannot be very proud. They should examine the record. As far as government spending is concerned, they have set records as far as the spending of government money is concerned which in reality is taxpayers' money.

As far as budgetary deficits are concerned, during the last election campaign, the Prime Minister (Mr. Trudeau) gave a commitment that he would not increase government spending in relation to the gross national product. We find that is not, in fact, happening. I cannot say what is happening in reality because it is unparliamentary, but he has not lived up to that commitment.

As far as unemployment is concerned, we now have the highest level we have experienced for many years. As far as taxation rates are concerned, again record levels have been set in Canada. There is double-digit inflation; it is out of control simply because the government cannot bring its own spending under control. Interest rates are another example of government mismanagement. Mismanagement is why you had to bring in closure on this issue, as you will have to do with the constitutional issue. You people do not know how to run the affairs of the nation.

Mr. Knowles: Order!

Mr. Elzinga: Obviously these are not records of which to be proud, yet hon. members opposite come forward with the constitutional issue in the hopes that Canadians will not realize the sad economic situation existing in Canada today. As the hon. member for Wetaskiwin (Mr. Schellenberger) indicated, there have been 15 bankruptcies in the Nisku Industrial Park because of the government's National Energy Program. Is that a record to be proud of? Hon. members opposite are destroying the small business sector in this country. I could share with

them articles which have appeared in numerous magazines which show that total bankruptcies in Canada are up some 17.3 per cent in 1980 as compared with 1979 because of their economic mismanagement.

● (2110)

I do not enjoy being bitter, but it is sad when we see individuals who have contributed much to this society going down the tube because of the lack of foresight which exists among hon. members opposite. It breaks my heart to see that happen in our nation, a nation which has an abundance of potential in natural resources, and an even more abundant potential in human resources.

It is sad when we look at what we had hoped to implement, but I want to share it again with hon. members opposite, who are blind to what we attempted to do in the short time we were in government. We had given an indication that we would reduce government spending. The minister of finance under our administration reduced government spending, yet his budget was termed as the most progressive budget in the last ten years. We did not hurt individuals who required help from the government, yet we were doing away with a great deal of the waste which exists again with respect to government spending today. We began to bring down budgetary deficits, which are a direct cause of inflation today. My friend, the hon. member for Ottawa Centre (Mr. Evans), is the Member of Parliament in whose constituency I live while I am in Ottawa. He claims he is an economist. He might have practised the art of economics, but he has not practised the science of economics, and there is a big difference.

We took a number of positive measures to reduce high interest rates. The Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) indicated that when we were in government, his party filibustered one positive measure, our mortgage interest deductibility program. Hon. members opposite filibustered that measure, which we hoped to bring in to assist individuals attempting to purchase homes. Hon. members opposite are proud they filibustered a bill which would have helped home owners. They do not wish individuals to own homes. They do not wish individuals to own property. They will not even include property rights in the Constitution. They are nothing but a bunch of socialists.

Some hon. Members: Hear, hear!

Mr. Elzinga: They are obsessed with following one man, our present Prime Minister (Mr. Trudeau), and he is going to ruin this country.

We also introduced relief for the farming population with respect to capital gains. I am encouraged to see that my hon. friends opposite did accept portions of our budget. One measure which is good is for deductibility with respect to working spouses in family businesses or on family farms. Ours was the party which initiated the Small Business Development Bond. Ours was the party which pushed for the extension of that bond, and we are delighted to see that hon. members opposite had the insight to accept and implement that program.

I could deal with a number of issues. We were in government for a short period of time, but we were taking steps.

My time is almost up.

Mr. Towers: You haven't even started.

Mr. Elzinga: I was hoping to have the opportunity to share with hon. members opposite the submission of the Alberta Chamber of Commerce. That submission illustrates how money coming to Alberta through increased oil prices would benefit all Canadians because of spin-off benefits. I hope when hon. members opposite received this submission some weeks ago they read it, because all of us as Canadians will benefit from an increase in price for petroleum products.

Mr. Deputy Speaker: I regret to interrupt the hon. member, but the time allotted to him has expired.

[*Translation*]

Mr. Gilles Marceau (Jonquière): Mr. Speaker, I am torn between a feeling of satisfaction and a feeling of bitterness. That satisfaction stems from the fact that we in the House can talk with so much ease and abandon about billions of dollars without giving the odd thought to the fact that there are people in our country who have hardly a few cents to live or survive.

That satisfaction is due, of course, to the possibility we as Canadians have to own huge untapped resources which make it possible for us to use that borrowing power almost at will. But using that borrowing authority does involve some risks. Indeed we must never forget that we ought to show a lot more moderation when borrowing because we have to keep in mind that the money we borrow will sooner or later be paid back by the people, by the taxpayers and, especially, by the workers.

Mr. Speaker, I think I am speaking for the workers in my riding as well as others throughout the country when I say that taxes now weigh heavily on that class of citizens who never miss an opportunity to tell us that their pay cheque has a long list of deductions and precious little left in the way of income. I think that the debate this evening should make us pause for a moment, because if in today's world we have made commitments toward our people and must respect them by adopting the bill before us, we must still think about the future and ask ourselves how one day we will have to use more sparingly the money we can get so easily.

I was saying, Mr. Speaker, that I had mixed feelings of both satisfaction and bitterness. My bitterness stems from the atmosphere in this House. I have a feeling that every time the government introduces a bill, the speakers almost always feel obliged to attack, in a way that strikes me as exaggerated, the hon. members who try to represent as best they can the interests of the taxpayers.

I feel our hon. friends opposite should realize that we are not borrowing such enormous amounts for the fun of it. We have obligations to meet. We also have people who are entitled to a

minimum of comfort, and we must protect the interests of the underprivileged in our society. When I see what language is too often used in this House by some hon. members, I wonder if we are aware of the example we should set for the population as a whole, namely, that of parliamentarians who are eager to work for the good of all the people rather than for the promotion of a political and partisan philosophy.

Mr. Speaker, I listened very closely to the speeches that were made and I must say that my comments do not apply to all parliamentarians; but it does seem to me that we should be mature enough and wise enough in debates of this type, when we discuss before the whole nation matters as important as those before the House this evening, to address our remarks to the real issues instead of attacking the persons who either defend or oppose them. I believe I echo the statements of several hon. members when I deplore the fact that we have to resort to setting time limits for our debates. And I have no intention of saying that the opposition is solely responsible for this situation, even if it contributes to it. I believe, Mr. Speaker, that if we, as parliamentarians, want to convince the population that politicians are able to disregard party lines in their search for real solutions to our problems, if we want to convince the population that parliamentarians and politicians are mature people as they claim to be, then it becomes more and more necessary to find solutions which will allow us to schedule the proceedings of this House so as to discuss a bit more calmly such important questions which affect the well-being of our fellow citizens.

Mr. Speaker, when we talk about billions of dollars in this House, we are often tempted to forget that the real problem is not the borrowing itself, but rather how the money will be used to benefit those who really need it. The wish I express this evening, Mr. Speaker, is that when these sums are voted, we take greater care to ensure that they are used for the benefit of those who need it most. We are too much inclined to believe, Mr. Speaker, that everyone in Canada is wealthy and well off, while the facts show that this is not so, Mr. Speaker, and that even in a country with as many dynamic and able people as ours, there are also poor people who are often ignored and who would require the co-operation and the assistance of parliamentarians.

This evening, Mr. Speaker, I would like to appeal to all my colleagues on both sides of the House to spare a thought, while dealing with all those millions of dollars, for the poor, for the disadvantaged, and for those who expect us to make a conciliatory gesture of support and assistance. I trust, Mr. Speaker, that the funds which we shall agree to spend in the next few months and weeks will be used for the benefit of those who need it most.

• (2120)

[*English*]

Mr. Bill Clarke (Vancouver Quadra): Mr. Speaker, I cannot recall in the eight and a half years I have been here how many times I have been called upon to contribute to a debate and vote upon a motion on closure under Standing Order 75C—

An hon. Member: Time allocation.

Mr. Clarke: Time allocation, call it whatever you like, it is all the same thing.

I heard the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) speaking about process and change when he was contributing to this debate earlier tonight. I suppose he was referring to the substitution of time allocation under Standing Order 75C for Standing Order 33, the absolute closure motion. It is like substituting a ball-peen hammer for a sledge hammer. If hon. members read Standing Order 75C, and I suppose this is the way rule 75C was eventually passed, it provides that a minister can give his intention and, in part, we read:

> —may propose a motion for the purpose of allotting a specified number of days or hours for the consideration and disposal of proceedings at that stage; provided that the time allotted for any stage is not to be less than one sitting day—

We have the motion before us and the absolute minimum has been chosen, namely one sitting day for each stage.

If we had had rule 33 imposed, we would have been voting at one o'clock in the morning. I suppose that does not suit members opposite because one o'clock in the morning is not a good time for them to be voting. However, the Parliamentary Secretary to the President of the Privy Council also talked about the obligation of the party in power to govern. I say to members opposite there must also be an obligation on the part of Parliament to hear debate. But the party opposite seems to have forgotten all about that obligation. It does not care about hearing debate any more, it just wants to get things through any way it can and as quickly as it can.

I spoke on Bill C-59, the bill on which we are imposing closure, at second reading. It was not so long ago. In fact, it was February 16, 1981. Since that time, which is a month and a half ago, this bill has been to committee and it has come back. It could have come back to Parliament at any time during the last month or so. However, during this time, the government was insisting on presenting its debate on the constitutional amendment. We had made it clear earlier that whenever the government wanted to bring back normal parliamentary business, we would be willing to hear it. The governement resisted so long that now it feels compelled to impose closure on the borrowing bill because it is running out of money. Is the government runing out of money? When one hears about the government running out of money and that it is going to go bankrupt, we might have some sympathy. After all, taxpayers need their pensions and the government must operate. We would not want the government to go bankrupt. Therefore, we would look with sympathy on the government whenever it would have this problem. But today in this House, I think it was the member from Mississauga South who asked the Minister of Finance (Mr. MacEachen) how short the government was of cash. The Minister of Finance indicated quite clearly to the House that there were billions in the till

and there was no shortage of time or money from the government's point of view at this moment.

On the use of closure, where would we be in Canada if closure had been imposed on Bill C-42, the post office bill? We would have had an awful bill. During committee, the government and the opposition parties introduced many amendments to that bill. If the government had felt inclined to invoke closure on a bill like that, the post office bill would have been a terrible piece of legislation. We may get a terrible piece of legislation anyway, but closure would not have helped the bill; it would have hindered it.

We are now all familiar with the current debate on the constitutional resolution. The government would like to invoke closure on that too. Fortunately, there are some in this House who are adamantly opposed to closure being presented on that resolution. But the number of times when the government could have invoked closure and did not is innumerable. If it had, the end product would have been a very poor bill.

As I said at the outset, we have used closure on countless occasions since I have been here. I cannot remember them all now.

Mr. Malone: Twice a year.

Mr. Clarke: My colleague from Alberta tells me twice a year. But the point is the government has used closure in debates recently with the same kind of frequency that members of the opposition, or maybe a Speaker, might use aspirin.

This rule was put into the Standing Orders with a great deal of trouble. I have heard from historians who were here at the time—

Mr. Knowles: Hear, hear!

Mr. Clarke: —but for it to be abused now is the same as popping a pill. This is a very wrong procedure for the government to use and it will come back to haunt it. I hope it does not come back to haunt this institution. I will not delay the debate any further, but I want to add my voice to those who will vote no as strongly as we can against this kind of abuse of Parliament.

• (2130)

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I will stick as best I can to the matter before us, the implementation of the use of 75C. Tomorrow I hope to deal with the bill itself, Bill C-59. As the House leader for this party said, we will oppose that, as we will oppose the imposition of this time allocation.

I apologize in advance. When I speak about House rules, I tend to think back to my previous experiences. In the years that I spent in the Ontario legislature, I cannot recall an occasion, although there might have been one, when there was a need to impose any kind of time allocation or closure motion. The reason was that the members of that assembly knew fairly well in advance what the business of the government was to be. The House leaders, together with the whips, sat down and carefully scheduled the activities in order to allow for an adequate period of time for debate while making sure that the business of the House progressed with some degree of consistency.

I do not mean that it was not possible for the opposition to embark upon a procedure that would delay the government's attempts to push its legislation through from time to time on matters of considerable and obvious importance. I want to suggest that, drawing on my experience, I cannot understand why my colleagues in this House, given that they are intelligent and understanding, cannot sit together and make some reasonable decisions about the amount of time necessary to deal with various and sundry pieces of legislation.

That would require, on the one hand, the government to be much more open about what they propose to put before Parliament. The government would have to be prepared to sit down at the beginning of the session and map out in a general way the legislative proposals they propose to put before Parliament and to allow for the kind of allocation of time in a co-operative sense that ought to take place.

Mr. Blenkarn: They wouldn't do that.

Mr. Deans: The hon. member says they would not do that. I might say the events of the last week, justified though they may be in the eyes of the Conservative Party, will not lead us to that kind of co-operation in the long run. I am not going to argue the merits of the opposition of that party. I am only saying that kind of activity will lead to more restrictive rules and regulations rather than to more openness which we ought to have here.

It worries me when we are required to have time allocation brought in. Call it time allocation, call it closure, it does not matter. They mean the same. The debate will end at a time predetermined by the government. It flies in the face of parliamentary tradition, as I understand and like to think of it. Parliamentary tradition tells me that the government will propose to Parliament the legislation that it hopes to pass and that Parliament will dispose of that legislation having reasoned it through, offered its suggestions, and ultimately will support or defeat it. In that kind of co-operative House, time allocation measures such as this would never be necessary.

I think there is a misunderstanding here of the roles. The government has a right to expect to be given the latitude and leeway it requires in order to govern, but it does not have the right to muzzle the opposition whenever it feels so inclined. I want to suggest that the behaviour of the opposition from time to time arouses the passions and the anger of the government, and it will respond, just as the behaviour of the government will arouse the passions and anger of the opposition and it will respond. However, those occasions must never be allowed to become the main feature of the parliamentary system and the main impetus for negative change to the rules.

I am sure that when people sent us here, they believed we had reached a stage of adult growth, a degree of native intelligence, an understanding of the process, a commitment to the country and that we were capable of representing the many

and diverse interests of the constituencies, the provinces and the country as a whole. I wonder what they must think of us when they discover the government has to bring in a motion to stop debate on a matter as important as this.

We cannot afford to wait much longer to set up a working group within this House to come to grips with the problems of the rules. If nothing else, there has to be an informal working group sitting together on a regular basis to look at the rules, consult with the Speaker, Deputy Speaker and Acting Speakers, consult with the Table officers and the House leaders, to try and come up with a comprehensive program for change which will allow Parliament to work and enable us to have the kind of timetabling procedures without being faced with the time-wasting procedures which this motion in fact is. Tonight we have taken—and I have contributed, and I hope directly to the point—two hours which could well have been spent debating the merits of the bill rather than debating the merits of closure and perhaps other things as well.

Rather than take up the time of the House debating these matters over and over again, let us get on with the business, talk about the things that are important and get on with dealing with what matters to the people of Canada and let us stop being so damned silly.

Some hon. Members: Hear, hear!

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, I listened with great interest to the words of my friend for Hamilton Mountain (Mr. Deans). He is right that we have to learn to work together much more co-operatively in this House. We have not done so, especially not in the last little while. We must not try to fool the people. However, there are certainly some political games which are played in this House of Commons. Your Honour knows that as well as I.

With regard to the time allocation motion, there are many times when my friends and colleagues on the other side of the House have told us clearly that if we do not bring in time allocation, we will not get the bill because they gain political advantage from making the government bring in time allocation. They then have two hours to stand up and rail against the government.

An hon. Member: Tell the truth.

Mr. Evans: That is the truth of the matter. That is what happened in this case. We have talked about this bill for a good period of time. It came in around the middle of January. Second reading debate went on for a good length of time. It then went to committee where it was talked about and witnesses were heard. It is now back before the House.

We tried to get agreement with hon. members on a limitation of debate to see how long it would take, whether two days or three days would be enough. We could not get agreement. I can understand the political motivation that some members opposite might have, saying they are not going to let us have an agreement, that they are going to make us bring in rule 75C so that they have a chance to get up and say what a terrible government we are for bringing in time allocation. Those are the facts.

• (2140)

Mr. Blenkarn: You know you are.

Mr. Evans: My hon. friend, the hon. member for Mississauga South (Mr. Blenkarn) is becoming a little incensed over there, but I think he has to agree with me that the truth is the truth.

Having regard to this particular Bill C-59—

Some hon. Members: Order.

Mr. Evans: I am not sure I can be heard over my friends on the other side.

Mr. Deputy Speaker: Order, please. I recognize the hon. member for Athabasca (Mr. Shields) on a point of order.

Mr. Shields: Mr. Speaker, I seek your guidance on this point of order. I hate to admit this but the hon. member opposite is my Member of Parliament representing the area in which I live. Should I be sitting here listening to this trivia that he is—

Mr. Deputy Speaker: Order, please. The Parliamentary Secretary to the Minister of Finance (Mr. Evans) has the floor.

Mr. Evans: Mr. Speaker, all of us have constituents of which we are ashamed. Luckily I have very few. Perhaps I might say a few words in respect of what the hon. member for St. John's West (Mr. Crosbie) said earlier this evening. I am rather interested in this.

He said the bill we brought in, C-59, has a new twist never before used. I think those were his words and I will check *Hansard* tomorrow. He said that what was never used before in the House of Commons in respect of borrowing authority was the non-lapsing feature. Those were his words.

Prior to 1979 and his budget, the non-lapsing aspect of the borrowing authority was commonplace. In fact, the hon. member for St. John's West could not have run the financial side of the Conservative government had it not been for the non-lapsing part of the borrowing authority brought in by the previous Liberal government, and that is the fact. The hon. member's memory might not be very good, but certainly it is short. Without that non-lapsing borrowing authority, the Conservative government could not have gone as long as it did without calling Parliament because it would have required a borrowing authority bill to carry on its fiscal responsibilities at the time. I know the hon. member for St. John's West was dramatically affected when the rug was pulled out from under his mukluks, but it certainly could not have affected his memory so badly he would forget the very fact that his financial responsibilities in the Conservative government were carried on for seven months with the non-lapsing borrowing

authority of the previous government. I personally think the non-lapsing aspect is a good aspect.

In this particular borrowing authority bill, C-59, presently before the House, in respect of which we are debating a motion under Standing Order 75C, we are asking for $14 billion, $11 billion of which is provided for in the budget and in the estimates as expenditures and financial requirements to cover that expenditure, with $3 billion, as the Minister of Finance (Mr. MacEachen) and the Minister of State for Finance (Mr. Bussières) have explained, provided for the possibility of contingency, but mainly for non-lapsing flexibility. It might be that the government could run into another situation such as we have seen in the last few days. I think we are all unhappy about that situation on both sides of the House.

An hon. Member: We are not.

Mr. Evans: I hear an hon. member opposite saying they are not unhappy about it. I am sorry about that because I assumed we would all be unhappy with this situation and the wasting of the time of the House, but apparently not.

We could run into this again and the government could be in bad financial straits and have to delay a borrowing authority bill into a fiscal year for which there was no borrowing authority. I think the $3 billion non-lapsing flexibility is the kind of thing which should be provided for automatically, especially if we move to a new budgetary cycle. I suggest we should do that. The Minister of Finance has indicated that is what he would like to do. I refer to a fall budgetary cycle, bringing the budget forward in the fall. This would mean that the borrowing authority bill could not be brought in until probably December, or perhaps January. This makes a relatively tight legislative time frame within which to bring forward a borrowing authority bill, get it through second reading, into committee, back for report stage, third reading and royal assent after going through the Senate as well. We are talking about a very tight fiscal time-frame in which to get the borrowing authority bill through.

It makes sense to have a fall budgetary cycle for many reasons. One is that having your budgets in the late fall would allow the provinces to see what the federal fiscal framework will look like and, therefore, plan their budgets more effectively, and, typically, they come in the spring. In fact, we have had very good reaction from the provinces in respect of that kind of a suggestion at the December meeting of finance ministers. We were discussing when they would like to see a federal budget and the kind of consultation and interaction they would like between the two levels of government in order that budgetary cycles of all governments could be more closely integrated with better co-ordination than we have now. I think that is a good process.

In doing this, as I said, it does place the federal government in a rather peculiar situation, having a very short time-span from the point at which the budget is brought down to the fiscal year end when new borrowing authority has to be implemented. As a result, this non-lapsing component of the current borrowing authority bill gives us flexibility if contingencies occur so the bill cannot be brought forward, as in the event of an election, for example, which was the case on February 18, 1980. That did not allow the fiscal framework and borrowing authority bill to be brought in immediately. Last year we had to go in fact until June or July before we could bring in a borrowing authority bill. For all these reasons I think it is a good thing for the government.

I think if the government changed, hon. members opposite would say exactly the same thing. They were very happy, I am sure, to have had that non-lapsing borrowing authority provided for in the previous budget so they could carry on the fiscal operations of government without having to call Parliament, rush a borrowing authority bill through before having a notion as to what their fiscal requirements were to be and what kind of financial plans they wanted to make. I think that non-lapsing authority is an extremely valuable component of a borrowing authority bill.

Also in respect of the bill we are bringing forward I would like to say a few more words. The hon. member for Mississauga South and the hon. member for St. John's West indicated some things about the current cash balances of the government. I see that I do not have time, so I will bring this forward tomorrow when I speak.

Mr. Bill Wright (Calgary North): Mr. Speaker, I rise to discuss this important motion before the House under Standing Order 75C. This government is attempting to tell us that this is simply an allocation of time, that it is not closure motion and was never intended to be such. In actual fact, if one reads what the Minister of State for Finance (Mr. Bussières) said when he moved this motion, he will see the motion, as reported at page 8830 of *Hansard* for March 31 states the following:

> —for the purpose of this order and, in turn, every question then necessary in order to dispose of the stage of the bill then under consideration shall be put forthwith and successively, without further debate or amendment.

The "Oxford Illustrated Dictionary" defines closure in Parliament as a decision by vote of the House of Commons to put a question without further debate.

Members of the government are attempting to tell us that this is simply an allocation of time. Like many other things that happen in the House, they say one thing and do another.

I should like to take you back to the 1969 debate when Mr. Blair, who was in charge of the committee which brought in 75C stated, as reported at page 10957 of *Hansard* for July 8:

> I would like to say first of all with reference to Standing Order 75C that it cannot be invoked unilaterally by the government.

I should like to know how it is being invoked if it is not being invoked unilaterally. It is binding on our side and not binding on the government. Only the government can bring it in.

• (2150)

Now, Mr. Speaker, they are telling us it is an allocation of time. But here we have a bill for $14 billion which the

government wishes to pass, and they want to allocate the minimum amount of time for debate. I would like to quote Mr. Blair, the chairman of that committee in 1969 when he said:

> I think what I have said is clearly on record.

There will be at least ten days of time in this debate. Well, Mr. Speaker, there has not been ten days of time in this debate. He also said that there would be at least three days of debate in committee, and there were only two days of debate in committee. We can go on and on, but this is not allocation of time, it is just another method of closure.

What do they really want to do? They want to borrow $14 billion when we know that as of March 26 they had $6.4 billion. The Minister of Finance (Mr. MacEachen) admitted that they still had $4.8 billion, which means they spent $1.6 billion in one week. The Minister of Finance admitted in committee that the government needs approximately $1 billion a month more than they receive. Why do they need to borrow $14 billion when they have $4.8 billion left? And at the rate at which they admitted they were spending more than they were taking in, they only need $1 billion. So it is quite obvious that this government does not know what they are spending.

I would like to quote the Minister of Finance further. He said five months ago that inflation was going to be 10 per cent, and admitted last week that it was 12.2 per cent. When did he have that revelation? Obviously he did not know five months ago, yet the deputy governor of the Bank of Canada admitted in committee that they are able to define inflation six months ahead. How come the Bank of Canada knew we were going to have 12 per cent inflation but the Minister of Finance did not? He still does not know. He does not know what inflation is going to be next month.

This government does not need the $14 billion it wishes to borrow; it is a sham. If it needed the money, we would be more than happy to pass it the bill, but it is quite obvious that the minister admitted they did not yet need to borrow the money. But, he says, one of these days they will.

In conclusion, there is no need to impose Standing Order 75C. This government brought it in in 1969 to limit debate and it is just another way that this government is going to close off debate, and that is why over the last week we have been attempting to bring this government to order so that they will be responsible for what they are doing.

Some hon. Members: Hear, hear!

Mr. Wright: And we are not going to allow this government to get away with spending money irrationally, we are not going to allow them to get away with imposing on this country an illegal and irrational resolution to the British Parliament. And we are going to continue to stand and speak against this government on bill after bill until they get sick and tired of trying to impose closure, whether it be Standing Order 75C or Standing Order 33. We do not intend to let this government get away with it any more. We have reached the point where we are not going to allow this government to run roughshod over the opposition.

[*Translation*]

Mr. Pierre Gimaïel (Lac-Saint-Jean): Mr. Speaker, it is always with great pleasure and honour that I rise to speak in this House, all the more so because the subject we are debating tonight is very important for our country. As it has been done regularly over the past few years, we have to borrow billions of dollars for the day to day affairs of the state. Oftentimes that money goes to the poorest Canadians, those who benefit from the redistribution of wealth. It is precisely because they need it without delay that we are here debating this bill tonight.

I should like to be more specific and refer to the fact that we had to set a limit on this debate. It is true that when Canada borrows $13 billion for its regular budget the people are entitled to know why and, normally, it is a good subject for debate. But there has been an allocation of time for this debate; the reasons for that are not all that complicated and I can explain in a few words. This time allocation is due to the fact that over the past two weeks the Progressive Conservative party has resorted to all kinds of tricks, a sort of organized disorder of nothing but points of order and questions of privilege in the House with the result that we have been unable to do our job in the last 15 days. That is why we set a limit on the debate.

Organized disorder cannot be tolerated in a rink when people play hockey, or on a football field, and much less in the House, and in such a situation, we have to hurry in the last minutes to accomplish what we have to do. That is what is happening now. Still, no matter how bad things are, there is always a positive aspect. It is true that since we have been witnessing this organized disorder, we have seen a lot more Progressive Conservative members across the floor, a very rare event. I can say that it does change the panorama, for instead of seeing five or ten of our colleagues we can now see 50 of them or even more at the same time. I would not say it is an honour, but it is a more pleasing sight than empty benches.

In that same line of thought, I would like to point out that when our government borrows $13 billion, there are people who talk about blank cheques or what have you, but that is not what is happening at all. The simple fact is that because Canada collects taxes at specific times of the year, the government sometimes does not have enough money to carry on its routine business, to redistribute wealth in the country so that those most disadvantaged are a little less unfortunate and at least keep their human dignity.

This is precisely what we are doing with this borrowing. We are simply getting the money that the government needs to fulfil the commitments made by its predecessors, whether they were Progressive Conservatives or Liberals, to the citizens of this country. Obviously, when we can have the co-operation of the official opposition, this becomes much easier and can be accomplished in better conditions. We have been living in the last two weeks in the organized disorder of a party which should be progressive, but seems to be increasingly conserva-

tive. Since we have been living in these conditions, we have had to take the bull by the horns, as we often say in the Lake Saint-Jean area, and limit the duration of this debate. Those who benefit most from this will obviously be the Canadian people because the Government of Canada, which is their government, will be able to meet its commitments to them and continue to help them develop their resources in this vast and beautiful country which is very important for all of us. It is in this context that we are taking this action. I hope that our friends in the Progressive Conservative Party will understand why we are limiting this debate. I also hope that they will acquire some wisdom in the process, which will be useful in another important debate which has been going on for sometime in the House, a wisdom which is quite Canadian, very little conservative, extremely progressive, which goes beyond narrow partisanship, strictly inspired by political motives. May the Divine Light guide them very strongly so that they will understand—

● (2200)

Mr. Deputy Speaker: Order, please. It being ten o'clock, the two hours provided for the consideration of the motion now before the House have expired.

The question is on the motion of the Minister of State for Finance (Mr. Bussières). Is it the pleasure of the House to adopt the motion?

Some hon. Members: Nay.

[*English*]

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

Mr. Deputy Speaker: Call in the members.

The House divided on the motion (Mr. Bussières) which was carried on the following division:

● (2205)

(*Division No. 50*)

YEAS

Messrs.

Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Bégin (Miss)
Berger
Blais
Bloomfield
Bockstael
Bossy
Breau
Bujold
Bussières
Caccia
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Chénier
Chrétien
Collenette
Corbin
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Cyr
Dawson
De Bané
de Corneille
Demers
Deniger
Dingwall
Dion
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Duclos
Dupont
Dupras
Erola (Mrs.)
Evans
Ferguson
Fisher
Fleming
Flis
Foster
Fox
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Harquail
Henderson
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hudecki
Irwin
Johnston
Joyal
Kaplan
Kelly
Killens (Mrs.)
Lachance
Lajoie
Lalonde
Lamontagne
Landers
Lang
Laniel
Lapierre
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Leduc
Lefebvre
Loiselle
Lonsdale
Lumley
MacBain
MacEachen
MacGuigan
MacLaren
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McCauley
McRae
Munro (Hamilton East)
Nicholson (Miss)
Olivier
Ostiguy
Ouellet
Parent
Penner
Peterson
Pinard
Portelance
Prud'homme
Regan
Reid (Kenora-Rainy River)
Roberts
Robinson (Etobicoke-Lakeshore)
Rompkey
Rossi
Roy
Savard
Schroder
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Watson
Weatherhead
Yanakis—127.

NAYS

Messrs.

Andre
Baker (Nepean-Carleton)
Beatty
Blackburn
Blaikie
Blenkarn
Bradley
Cardiff
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cook
Cooper
Corbett
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
Crouse
Darling
Deans
Dinsdale
Domm
Ellis
Elzinga
Epp
Fennell
Fraser
Fretz
Friesen
Gamble
Gass
Gilchrist
Greenaway
Gurbin
Gustafson
Halliday
Hamilton (Qu'Appelle-Moose Mountain)
Hamilton (Swift Current-Maple Creek)
Hargrave
Hawkes
Hnatyshyn
Howie
Huntington
Jewett (Miss)
Keeper
Kempling
King
Knowles
Kushner
Lewis
MacDonald (Miss)
MacKay
Malone
Manly
Mayer
Mazankowski
McCain
McDermid
McKenzie
McKnight
McLean
McMillan
Mitchell (Mrs.)
Mitges
Munro (Esquimalt-Saanich)
Murta
Neil
Nickerson
Nielsen
Nowlan
Nystrom
Oberle
Paproski
Parker
Patterson
Robinson (Burnaby)
Roche
Rose
Sargeant
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Skelly
Stewart
Taylor
Thacker
Thomson
Towers
Vankoughnet
Wenman
Wise
Wright
Yurko—94.

● (2225)

[*Translation*]

Madam Speaker: I declare the motion carried.

It being ten o'clock, the House stands adjourned until tomorrow at 11 a.m.

At 10.30 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Friday, April 3, 1981

The House met at 11 a.m.

● (1105)

ROUTINE PROCEEDINGS

[*English*]

TRADE

EFFECT OF EUROPEAN ECONOMIC COMMUNITY DECREE ON HORSE MEAT PLANTS IN CANADA—MOTION UNDER S.O. 43

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the European Economic Community has issued a decree that, as of June 30 of this year, it will require a certificate stating that all fresh and frozen horse meat exported from Canada must come from horses which were located in Canada for at least three months before slaughter, a decree which will put all horse abattoirs in Canada out of business since at least 80 per cent of slaughter horses come from the United States, I move, seconded by the hon. member for Calgary East (Mr. Kushner):

That the government make the strongest protest possible to the European Economic Community to withdraw this decree which would have such a devastating effect on the viability of all our horse meat plants throughout Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

TRANSFER OF RESPONSIBILITY FOR PROGRAMS TO MINISTER OF AGRICULTURE—MOTION UNDER S.O. 43

Mr. Doug Neil (Moose Jaw): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that the confusion and multitude of problems which plagued the herd maintenance program were due primarily to the fact that the minister in charge of the program is from the other place, and not directly responsible to either the House of Commons or the electorate, and in view of the fact that the program is designed to assist livestock producers who suffered as a result of drought, which logically falls within the purview of the Department of Agriculture, I move, seconded by the hon. member for Swift Current-Maple Creek (Mr. Hamilton):

That the responsibility for any similar programs in the future be delegated to the Minister of Agriculture and that guidelines for future programs be referred to the Standing Committee on Agriculture for consideration and study before they are finalized.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

SALE OF LIQUOR AT MOHAWK INN ON TYENDINAGA RESERVE IN ONTARIO—WORDING OF MOTION MOVED BY MR. MANLY—MOTION UNDER S.O. 43

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. On April 1 of this year the hon. member for Cowichan-Malahat-The Islands (Mr. Manly) introduced a motion under the provisions of Standing Order 43 which dealt with a charge laid by the Ontario Provincial Police under the liquor licensing act on the Tyendinaga Reserve in my constituency. The statements made in the motion were false to the point of being scurrilous.

Some hon. Members: Order!

Mr. Ellis: Neither the present nor the previous band councils have approved the sale of liquor. The band police force participated fully in both the raid and the charges. The proprietor knew that his actions were in contravention of the law. I therefore move, seconded by the hon. member for Parry Sound-Muskoka (Mr. Darling):

That the members of the NDP attempt to get their facts straight before they make accusations about events in other ridings which give an erroneous and injurious view of those ridings.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for the motion?

Some hon. Members: Agreed.

Some hon. Members: No.

S.O. 43

PUBLIC SERVICE

GOVERNMENT HIRING PRACTICES—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in view of a letter which I have just received from the chairman of the Public Service Commission which states that it is not practical or in the best interests of the public service to open all job competitions to everyone in Canada, and I quote further from the letter:

At times, an area of competition may be restricted to those persons residing in a province or territory, or indeed, to those residing in a city or town.

I therefore move under the provisions of Standing Order 43, seconded by the hon. member for Calgary West (Mr. Hawkes):

That this House hereby recognizes that the government's promise of complete mobility rights for job seekers to gain employment anywhere in Canada is nothing more than a hypocritical charade, being completely opposite to the hiring practices of the federal government.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1110)

PENSIONS

IMPROVEMENTS IN PUBLIC SYSTEM—MOTION UNDER S.O. 43

Mr. Neil Young (Beaches): Madam Speaker, I rise under the provisions of Standing Order 43. Since the government's well-hyped pension conference has now been held, and since the Minister of Finance (Mr. MacEachen) has declared that there will be no improvements in our public pension system in the foreseeable future, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Minister of National Health and Welfare spend this coming weekend contemplating the ways and means she can use to convince the Minister of Finance that the much needed improvements to our public pension system be introduced now so that Canada's pensioners can at least get pension payments which will bring them above the poverty level.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EXTERNAL AFFAIRS

LEBANON—RESUMPTION OF HOSTILITIES—CALL FOR CEASEFIRE—MOTION UNDER S.O. 43

Mr. Robert Daudlin (Essex-Kent): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Given the renewed hostilities in Lebanon, and particularly the reports of shelling, property damage, and now the loss of life in and around the town of Zahala and the city of Beirut, and given the large number of Lebanese-born Canadians calling upon the federal government to use its good offices to call upon the combatants to cease and desist the destruction of life and property, I move, seconded by the hon. member for Kent (Mr. Bossy):

That this House deeply regrets the loss of life and property resulting from the resumption of hostilities in Lebanon, and calls upon the combatants to cease hostilities forthwith and return to the negotiation of differences which exist, in the democratic and peaceful manner for which Lebanon and its people have always been historically recognized.

Madam Speaker: For presentation, this motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Madam Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

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THE MINISTRY

CALL FOR RESIGNATION OF MINISTER OF ENERGY, MINES AND RESOURCES—MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, I rise under the provisions of Standing Order 43. Given that, as the result of pressure by the Quebec Liberal caucus, bidding on the F-18A fighter aircraft has been reopened, six months after the deadline, and given that as a result of this unfair action Ontario plants may be deprived of some of those contracts, especially industries in my riding, I therefore move, seconded by the hon. member for Grey-Simcoe (Mr. Mitges):

That the Minister of Energy, Mines and Resources—who has been appointed minister responsible for Erie riding—resign as his kind of assistance is not appreciated.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RIGHT TO LIFE OF UNBORN CHILDREN—LETTER FROM CANADIAN CONFERENCE OF CATHOLIC BISHOPS—MOTION UNDER S.O. 43

Mr. Fred King (Okanagan-Similkameen): Madam Speaker, I rise on a matter of urgent and pressing necessity to millions

of concerned Canadians of all faiths and beliefs. Whereas the Prime Minister of Canada (Mr. Trudeau) has received a letter dated March 26, 1981, from the Canadian Conference of Catholic Bishops; whereas this letter focuses attention on a question which is described as of "primordial importance", namely "respect for human life", and requests that assurance be given that provisions of the new Constitution will "enhance the respect for life from its very beginning"; and inasmuch as Emmett Cardinal Carter is today quoted on the subject as saying, "I must state categorically that the charter of rights as presently phrased does not enjoy my full and unqualified support", I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That the Prime Minister provide all members of Parliament with his answer to this question raised in the letter from the Canadian Conference of Catholic Bishops.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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TRADE

CANADIAN ACCESS TO EUROPEAN ECONOMIC COMMUNITY HIGH QUALITY BEEF QUOTA—MOTION UNDER S.O. 43

Mr. Bert Hargrave (Medicine Hat): Madam Speaker, I rise under standing order 43 on an urgent matter arising out of current GATT discussions. Under the GATT Agreement Canada is eligible to participate in the 10,000-tonne high quality beef quota into the European Economic Community; however, the EEC has only allowed access under this quota to the U.S.A.

In view of a recent GATT council ruling that the EEC should not deny access to Canada to this high quality beef quota, I move, seconded by the hon. member for Cariboo-Chilcotin (Mr. Greenaway):

• (1115)

That the Minister of Agriculture take appropriate action at ongoing GATT discussions, to ensure that Canadian high quality beef is able to participate in this EEC access quota with the U.S.A. and not be excluded as is presently the case.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

CONVENTION AIDS

AID FOR WINNIPEG PROJECT—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise to move a motion pursuant to Standing Order 43. In view of the fact that the federal government has recently been able to entertain and grant financial assistance totalling $10.8 million to four more Canadian cities in spite of the fact that last October the city of Winnipeg was told that it could expect no help from the same program—that is the government's trade centre program—for at least three or four more years due to current commitments creating a situation whereby the federal government now provides aid to convention centres in Vancouver, Toronto, Montreal, Halifax, Windsor, Hamilton and Charlottetown, while in Winnipeg the cash is flowing in the opposite direction, I move, seconded by the hon. member for Winnipeg-St. James (Mr. Keeper):

That the city of Winnipeg which pioneered the establishment of a major convention facility designed to attract large internationally based conventions be given renewed consideration; that financial assistance be made available, and failing this, that the Minister of Employment and Immigration be reassigned within cabinet to look after the interests of some region other than Winnipeg because Winnipeg has not received one red cent of extra money since the minister's term in office began, despite all the breast-beating and well orchestrated announcements of old programs for which he has become so famous.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

PENSIONS

GOVERNMENT POLICY RELATING TO PEOPLE ON PENSIONS AND FIXED INCOMES

Hon. James A. McGrath (St. John's East): Madam Speaker, I promise I will not tax your patience.

Some hon. Members: Oh, oh!

Miss Bégin: Bonjour.

Mr. McGrath: Bonjour to you, Madam.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. McGrath: I can assure you this is a very serious matter, Madam Speaker.

My question is for the Minister of Finance. He told the pensions conference that the government attaches a high priority to pension reform and that it is totally committed to

pension reform. His colleague, the Minister of National Health and Welfare, also told the conference that several European countries were able to affect pension reform without bankrupting the economy, those are the words I think the hon. minister used.

Can the Minister of Finance tell us what the government intends to do to help bring some relief to Canadians who are on fixed incomes and pensions and who are seeing their pensions and fixed incomes being eroded day by day by double-digit inflation?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, obviously one of the main concerns expressed at the pensions conference was the question of indexation, especially of employer and private sponsored plans. We are now embarked on a major consideration of pension reform in this country. We have had a very successful conference. Now it will be necessary for the government to consider what it ought to do, based upon the views that were expressed.

Following the government's consideration it will be necessary to have consultations with the provinces whose participation is absolutely essential if changes are to be made, either to the Canada Pension Plan or to private pension plans, through changes in the law. It is not possible at this stage to indicate what the final outcome will be.

GOVERNMENT PRIORITIES

Hon. James A. McGrath (St. John's East): Madam Speaker, my supplementary question to the minister deals in an area in which the government has total jurisdiction and control. The minister also told the conference that improvements to old age security must be determined by economic realities. That is, of course, consistent with what the minister said in his budget, in which he said the government intended to achieve net savings in the social policy envelope in order to finance initiatives in other envelopes.

● (1120)

Is the Minister of Finance in a position to tell the House what steps the government is prepared to take, given the fact that the last initiative the government took was almost a year ago when it increased the guaranteed income supplement, which is now being eroded by inflation, to bring some form of relief to the old age pensioners of this country for which the minister has complete and total jurisdiction? Is he able to change his priorities, because I think the need speaks to that kind of change?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member mentioned that we increased the guaranteed income supplement a year ago. That supplement is fully indexed and is not eroded by inflation. There is absolutely no basis for the assertion that the protection provided to the recipients of old age security and the guaranteed income supplement is in a deteriorating position as a result of the inflation that we are experiencing. What I said yesterday, and that came out of the conference, was that there is a segment of recipients of the GIS, namely, single persons, and women in particular, who face a more difficult situation. I also stated that that was obviously a priority that had to be dealt with as economic circumstances warranted. That is the situation at the present time.

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CANADA PENSION PLAN

COVERAGE FOR HOMEMAKING SPOUSES

Hon. James A. McGrath (St. John's East): Madam Speaker, my supplementary is to the Minister of National Health and Welfare. The Minister of Finance will find that increases in the cost of fuel, food and shelter have overtaken the indexing of the GIS which the minister talks about. That is my concern. That is the concern I want to express to the minister. Is the Minister of National Health and Welfare able to tell the House that she is going to discharge her commitment made to the homemaking spouses of this country with regard to coverage under the Canada Pension Plan? Perhaps, Madam Speaker, you might also permit me to ask the minister if she anticipates any changes in the funding of the CPP to accommodate the change in demographics in the country and the additional burden that will be placed on the CPP in the future.

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I am very pleased with the sudden interest of the Tory party in pension reform.

Some hon. Members: Oh, oh!

Miss Bégin: This is very important and welcome. The hon. member has asked three questions. I will try my best to answer them. The first question was with regard to indexation of the GIS. I can inform the House that special indexation for seniors, over ten years would have been one per cent different from the general indexation of all our programs. The additioned $420 a year which we provided last July is fully indexed to the cost of living.

With regard to the second question concerning coverage for housewives, there are three million housewives in this country. I have repeatedly said that it is in that dossier of pension reform that we have the most work to do. There seem to be two major avenues open to reform. One is opening the Canada Pension Plan on a voluntary basis to housewives who want to build a pension in their own name. The other is the pension credit splitting everywhere in the country. These questions will be discussed by the government and we will make a final decision as to our preferred avenue for reform. Of course, the whole CPP is under review and is part of that reform.

SOCIAL SECURITY

EFFECT OF INFLATION ON PENSIONERS—REQUEST FOR ESTABLISHMENT OF PARLIAMENTARY TASK FORCE

Mr. David Kilgour (Edmonton-Strathcona): Madam Speaker, my question is to the same minister. In light of what she just said to my colleague, what does she intend to do about the fact that 12.1 per cent inflation hurts pensioners more than any other group in society? What does she intend to do about one of my constituents who has $109 left at the end of every month after paying his rent and utilities? Is she prepared to consider appointing a parliamentary task force to consider funding, given this double digit inflation, with regard to the OAS, GIS and CPP?

• (1125)

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I would recommend to the hon. member in the case of the constituent to whom he is referring that he should apply and would probably be eligible for the full GIS which would provide him, on top of the basic $208 a month of OAS, because it has been indexed this month, an additional $209 as of this month. This surely is a case for full GIS.

Other than that, I should like to repeat to the hon. member that the objective of the government is that we define our responsibilities, having all seniors in Canada above the poverty line. We have often said that we succeeded in that regard last July for couples, but we still have one more reform regarding single pensioners.

Mr. Kilgour: Madam Speaker, he is getting the GIS which gives him and his wife a total income of $409 a month which, after paying their rent and utilities, leaves them $109. It is just not enough, and I would again ask the minister to answer the question of whether or not she is prepared to consider a parliamentary task force to study the funding of these various government pension plans.

Miss Bégin: The hon. member should know that the couple in his riding would get twice $208 for basic OAS and, if they do get the full GIS, they each get an additional $161 a month. The figures the member is giving are not the right figures and I want that to be made very clear. These people have been brought up above the poverty line since we increased their pensions by $420 this year. I know we are not talking of a luxurious way of life, but they have been brought up above the poverty line. Our next priority will be with respect to people alone living in situations of poverty.

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ENVIRONMENTAL AFFAIRS

NEGOTIATIONS WITH UNITED STATES ON ACID RAIN

Mr. Derek Blackburn (Brant): Madam Speaker, in the absence of the minister responsible for the environment I have a question for the Prime Minister. This question relates to acid rain. In view of the fact that there is a tremendous lobby building up in the United States, with over 200 industries at the state level, publicly and privately owned, as well as the coal industry, mounting a tremendous campaign virtually to do away with those provisions of the U.S. clean air act which control acid rain emissions, and following the Prime Minister's meeting with President Reagan and other government officials, what specific accomplishments has the federal government been able to attain so far in the negotiations with the United States in respect of acid rain?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, it is much too early to address that particular question as to what the accomplishments have been. We are very much on schedule with the memorandum of intent between the two administrations; the four task forces are now doing their work and have submitted their preliminary report. We are anxiously awaiting the subsequent report with a view to beginning negotiations this summer.

CANADIAN REPRESENTATION AT UNITED STATES HEARINGS

Mr. Derek Blackburn (Brant): Madam Speaker, I would again attempt to get through to the Prime Minister because this question really does not relate directly to the parliamentary secretary.

The clean air act in the United States is in trouble. Will the Prime Minister assure this House that he will ask the United States federal government whether Canada can send a delegation to the hearings when the U.S. clean air act comes up for review in order that we may at least be present while that act is under review and, hopefully, have some input?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, we are slightly ahead of the hon. member as, indeed, is the American administration ahead of him. We have already had an invitation to participate in those hearings and we are at the present time contemplating doing so.

DISSEMINATION OF INFORMATION AT BORDER CROSSINGS

Mr. Jim Fulton (Skeena): Madam Speaker, my question is to the Prime Minister and it requires a commitment from him. The Brookhaven Institute in New York estimated that 5,000 Canadians died last year as a result of acid rain, half of which comes from American sources.

• (1130)

In view of the fact that 38 million Americans came into Canada last year, would the Prime Minister give a commitment that he will seriously consider giving out information to Americans entering Canada at the border crossings and at

airports, regarding the bilateral health and environmental seriousness of acid rain to Canada?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, the Department of the Environment took that initiative a number of months ago. We have been handing out that kind of literature to people entering Canada from the United States.

Some hon. Members: Hear, hear!

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CANADIAN NATIONAL RAILWAYS

PENSION TRUST FUND—REQUEST FOR INCREASE IN BENEFITS

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, in the absence of the Minister of Transport I will direct my question to the acting minister for the day.

The pension trust fund of the CNR made sufficient profit this year to invest $53.5 million in oil and gas properties. This is just one investment in a huge investment portfolio. Due to these enormous profits, would the Acting Minister of Transport instruct the president of the CNR to grant an immediate pension increase and to establish at least a partial indexing of railway pensions, especially since today's pensioners must cope with 12.2 per cent inflation and the devastating effects of the National Energy Program?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Madam Speaker, I will refer the gist of the question of the hon. member for Winnipeg-Assiniboine to the Minister of Transport so that it can be dealt with and a reply made.

HALL REPORT RECOMMENDATION

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, my supplementary question is also directed to the parliamentary secretary, if he is answering for the minister today. Would he have the minister consider implementing the recommendation of the Hall report calling for the establishment of a heritage fund for pensions based on a levy of 1 per cent of current payrolls, shared equally by employees and the companies? I would like to point out to the parliamentary secretary that CNR pensioners are amongst the lowest paid pensioners in Canada.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Madam Speaker, the Minister of Transport has dealt with the CNR on a number of occasions. The CNR voluntarily upgrades its pension fund each year and tries to meet the inflation rate which exists. We will simply carry the message. I am not sure whether it is within the purview of the Minister of Transport to give that kind of direction to the CNR, but I will bear that message and turn it over to the Minister of Transport when he returns.

INDIAN AFFAIRS

PLIGHT OF BIGSTONE INDIAN BAND OF WABASCA, ALTA.—TELEGRAM TO PRIME MINISTER

Mr. Jack Shields (Athabasca): Madam Speaker, my question is to the Prime Minister. He will be aware that he has received a telegram from Chief William Beaver of the Bigstone Band, the members of which are presently walking from Wabasca to Edmonton, a distance of 280 miles, to demonstrate the plight in which that band is at present. What will the Prime Minister be doing about that telegram?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I regret to say that I have not seen that telegram as yet. I have had no notice of it, but I will look it up. I thank the hon. member.

MEASURES TO INCREASE EMPLOYMENT

Mr. Jack Shields (Athabasca): Madam Speaker, I have a supplementary question for the Minister of Employment and Immigration. The Minister of Employment and Immigration is also in receipt of a telegram from Chief William Beaver of the Bigstone Band outlining that that band is presently experiencing 75 per cent unemployment on the small Wabasca reserve. What will the minister be doing about that?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, as I have indicated to the hon. member for Athabasca in the past, I would be very pleased to meet with representatives of the band to talk about their specific employment conditions. As the hon. member knows, we did apply extra employment measures to his region and to his constituency to deal with the problems of native unemployment, but I would certainly be prepared to meet with the representatives of those native organizations to see how other additional measures might be taken.

* * *

IMMIGRATION

REQUESTED ASYLUM FOR EL SALVADORAN DEPORTEES FROM THE UNITED STATES

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I should like to address my question to the Minister of Employment and Immigration. Since the United States government has already deported two illegal entrants from El Salvador and, I understand, is about to deport a third back to El Salvador, since those deported have immediately disappeared, and recognizing the fact that Canada has already made it easier for Salvadorans to settle here, I would like to ask the minister whether it would not be possible under our policy to invite these people to Canada rather than see them returned to certain death.

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I am certainly sympathetic to the

proposal put forward by the hon. member. We have relaxed the refugee conditions for El Salvadorans, but if they are located in a third country such as the United States it is somewhat more difficult for them to make application. It would be something which perhaps my colleague, the Secretary of State for External Affairs, could take up with his counterpart in the United States. I could indicate that if there is some arrangement made, we would certainly be prepared to consider sympathetically any application from those in a third country to come to Canada.

REQUEST FOR TALKS WITH UNITED STATES AUTHORITIES

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, may I ask the Secretary of State for External Affairs if he would be willing to join with his colleague to ensure that these illegal immigrants in the United States can come to Canada? Would he talk to his opposite number in Washington and say that we are willing to have them come to Canada rather than have them deported back to El Salvador?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, if I understand correctly from my colleague that he is prepared to admit such people to Canada, we will certainly do everything possible to facilitate their applications to come.

URGENCY OF TALKS STRESSED

Hon. Bud Cullen (Sarnia-Lambton): Madam Speaker, my question is supplementary to the one previously asked. I think it is a matter of some urgency because news reports have indicated that the two who have been deported have not been heard from since. The third one is either in the process of going through a deportation hearing or may very well be deported soon. I wonder if the Secretary of State for External Affairs would undertake to contact his opposite number today, because it is that urgent.

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, with the support of the Minister of Employment and Immigration I will certainly do that.

Some hon. Members: Hear, hear!

* * *

EMPLOYMENT

SUMMER WORKS PROGRAM—REQUEST FOR EXTENSION OF APPLICATION DATE DEADLINE

Mr. Fred McCain (Carleton-Charlotte): Madam Speaker, I would like to direct my question to the Minister of Employment and Immigration. During the preliminary period leading up to the application time for summer works projects there has been very little publicity, and many communities were not aware that the program had a deadline of, I believe March 16. Would the minister consider advancing that date, for example, to April 20, to allow for additional information, and for applications to come from communities which have not hitherto had any way of knowing when that deadline was?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I am a little surprised at the observation of the hon. member because a national advertising campaign was undertaken. Advertisements appeared in newspapers right across Canada, as well as in a number of student and university publications, so there was sufficient advance notice given. If, however, the hon. member is facing difficulties in his own riding, as he knows, because of the establishment of an advisory board in his own constituency, he had some degree of control.

I will speak to the regional director in his province to determine if there has to be any special measures in his particular location, but my understanding now is that in almost every part of Canada there are more than enough applications to consume the money available for that summer program.

DISSEMINATION OF INFORMATION

Mr. Fred McCain (Carleton-Charlotte): Madam Speaker, I have checked with the weekly publications in my constituency and with the only radio station located within my constituency, and no advertising or publicity has been carried by any of those in that area, which I think emphasizes the point I made about lack of publicity and warning with respect to the closing date.

Would the minister authorize the regional director to accept late applications from Carleton-Charlotte in view of the fact that publicity did not in fact exist in that area?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I want to point out to the hon. member, as I have several times in this House, that we have tried to put a substantial amount of responsibility on individual Members of Parliament to provide information on the conditions under which the employment programs would be operated. So I suggest to the hon. member that he had a great deal of power in his own hands to make sure that the information about that summer program—which was in his hands by late January—was disseminated in his riding.

I will undertake to talk to the regional director to determine if there has to be any form of special requirement in the hon. member's area, but that will not be a general application.

* * *

● (1140)

NUCLEAR ENERGY

SALES OF NUCLEAR REACTORS ABROAD

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, I would like to ask the Minister of Energy, Mines and Resources a question regarding the government's nuclear energy policy and

recent events surrounding the transfer of funds involving AECL where the government was asked to forgive $700 million worth of financing. This indicates that the government's nuclear energy policy is not able to deal with the sale of Candu reactors because we are not able to provide a market for the heavy water that we produce. This, coupled with the fact that the uranium mining industry is also in a questionable state of health, indicates that the manufacture of nuclear equipment in Canada is clearly at stake here.

Could the minister clarify a comment made by the president AECL when he said we would have more sales this year of nuclear reactors, particularly to Korea and Mexico?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, there is not much to add to the statement of the president of AECL. Indeed, the government is actively pursuing the possibility of the sale of a 600 megawatt reactor to Korea, and the government of Mexico has expressed interest in receiving a bid for the construction of additional reactors and AECL intends to submit a bid. We are one of three countries from which the government of Mexico intends to order additional reactors. We are very hopeful of success and AECL is working very hard on that.

Mr. Gurbin: Madam Speaker, I hope the minister's optimism expressed in his response will indicate to the nuclear industry that they have a future, but I wonder whether this optimism comes from the internal review the government has undertaken and whether it means this review has been completed and whether or not it has given the government a new sense of its management responsibility for nuclear sales abroad, and also whether there is any change in the nuclear safeguards policy that would indicate to the minister a more optimistic future for the sale of nuclear reactors.

Mr. Lalonde: Madam Speaker, the review is not yet completed. However, I hope we will be able to make public a document in this respect in reasonable time. The nuclear industry in the international field is extremely competitive. Although we are quite confident that our system is the best and safest in the world, we have to face very stiff international competition. At the same time we face somewhat lower projections domestically in the rate of growth of electricity consumption, so I would not want to paint an over optimistic future for the industry.

I think we will have to work extremely hard in the decade ahead to make sure our industry remains very much involved in and a major contributor to this field in the world. We are going to make, and are making, a renewed and vigorous effort in the international field and I hope that we will be successful in the next few months in obtaining more international orders because I think this is how we will be able, over the next few years to ensure that our industry remains very dynamic.

TOURISM

GOVERNMENT ACTION TO NARROW DEFICIT

Mr. Girve Fretz (Erie): Madam Speaker, my question is directed to the minister responsible for tourism. According to the government's own figures, the deficit in tourism in Canada for 1980 reached $1.14 billion, up from the $1.07 billion the previous year. Would he tell the House what plans he has, if any, to attempt to narrow this gap, and if in fact the government intends to do anything in the near future to indicate it is not just paying lip service to this untapped industry?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I thank the hon. member for his question, for I believe he has just pinpointed a very significant problem in Canada's tourist industry. When we managed to bring the deficit from $1.8 billion down to $1.07 billion in 1979, we were hoping we would be able to maintain that trend. Unfortunately, for various reasons our deficit went up from $1.07 billion to $1.2 billion in 1980.

What do we intend to do? Just as we committed ourselves in 1978 during consultations with the industry and the provinces, I am now busy preparing a tourism strategy in which we will attempt to spell out more precisely the provincial and federal jurisdictions. We will also try to obtain the necessary resources to shore up the statistical base of the tourist industry, and we will combine all provincial plans with the federal tourist industry plan in such a way that we will have a greater impact on foreign markets with a view to attracting an increasing number of foreign tourists to Canada.

[*English*]

ADVERTISING BY AIR CANADA OF UNITED STATES ATTRACTIONS

Mr. Girve Fretz (Erie): Madam Speaker, my supplementary is to the same minister. In view of the tremendous need for a boost in this industry, which he has already acknowledged, would the minister tell us why Air Canada consistently advertises pictures of United States attractions on its schedules and why he does not encourage the use of Canadian scenes in its publications?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I thank the hon. member for drawing that problem or that fact to my attention. I will make it a point to raise the issue with my colleague, the Minister of Transport, and also directly with the president of that corporation.

IMMIGRATION

IMMIGRANT STATUS FOR LEBANESE NATIONALS LIVING IN CANADA

Mr. Marcel Prud'homme (Saint-Denis): Madam Speaker, my question is for the Minister of Employment and Immigration.

[*English*]

In view of the new and tragic outburst of violence in Lebanon would the minister inform the House as to the status of Lebanese nationals in Canada, and consider making special provision either for extending their stay or, as I would prefer, receiving applications from them for immigrant status?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, as it happens, just about four or five days ago I met with the Lebanese ambassador. As the hon. member knows, in the past we applied special measures to that country when there was serious civil strife. I want to have a further meeting with the Lebanese ambassador, with the co-operation of my colleague, the Secretary of State for External Affairs, to discuss what measures could be taken. We would certainly not in any way want to have somebody return to a situation in which there would be any danger or serious disruption, so we are again prepared to consider special measures for Lebanese nationals in Canada. I would want to discuss that first with my colleague and the Lebanese ambassador, and then I would be prepared to make a formal announcement in the House.

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FOREIGN INVESTMENT REVIEW AGENCY

APPLICATION BY CANADIAN GENERAL ELECTRIC TO PURCHASE PIONEER ELECTRIC IN WINNIPEG

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, my question is to the Minister of Industry, Trade and Commerce. Canadian General Electric announced earlier this year the closure of the distribution section of its Davenport complex. It claimed at the time that it could not compete in the oil-filled transformer business. I understand that CGE now has an application before FIRA to allow it to purchase Federal Pioneer Electric in Winnipeg which is also in the oil-filled transformer business. What action will the minister take to guarantee that FIRA is made aware of the fact that, at the time it is faced with a decision on the purchase, CGE is closing down similar operations in Toronto?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, I will ensure that this information is before the officials and will be taken into account by the cabinet in reaching a final decision on this matter.

Mr. Deans: Madam Speaker, at the time this matter is being considered by FIRA and subsequently by cabinet, will the minister also take into account the fact that the vast majority of employees in the Toronto plant have over 20 years' seniority? They range in age between 50 and 60, and they stand to lose their supplemental pension benefits if the proposed purchase and subsequent closure are allowed. And will the minister make sure the CGE guarantees no loss of over-all employment as a result of any action by FIRA?

Mr. Gray: Madam Speaker, discussions are continuing on these matters and I can assure my hon. friend that the employment implications will be a very important priority aspect of consideration and decision.

* * *

● (1150)

FISHERIES

SMALL CRAFT AND HARBOURS—FUNDS FOR NORTHUMBERLAND STRAIT PROJECTS

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, my question is directed to the Minister of Fisheries and Oceans. I acknowledge and thank the minister for the meeting I had with him a few days ago. I want to ask him whether he has anything to report about the matters we discussed which involved the maintenance and licensing affairs of fishermen along Northumberland Strait. I am receiving urgent requests from several small communities along Northumberland Strait for maintenance and repairs, and reports that small craft and harbours people do not have sufficient funds to carry out the needed repairs at this time. Does he have anything to report?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the conversation on the sites which the hon. member asked me to check was followed up by officials looking at the plans for the area. I suspect some sites may already have been visited. I have had no further reports, but I will obviously ask for an update.

Mr. MacKay: Madam Speaker, would the minister consider checking with his colleague, the Minister of Regional Economic Expansion, and getting his support to see if more moneys can be allocated or obtained from Treasury Board for small craft and harbours which provide a very great economic impetus, as the minister knows, in an area where not only repairs are needed but jobs are needed as well?

Mr. LeBlanc: Madam Speaker, I do not want to be partisan with the hon. member who never is himself. But the fact is that the budget was increased by about one third when the new government took office a year ago. The small craft harbours budget was increased by $10 million, from a budget of $26.5 million to $36.5 million. On the whole, I think we have been doing quite good work. The problem is that inflation is catching up with us, as it is with everybody else.

Large projects like Steveston in British Columbia, or some projects in the riding of the hon. member for South Shore, are becoming very expensive. The budget is stretched, but we will

try to do what we can, using Canada Works or anything; I will beg and steal from everybody to give fishermen facilities.

Mr. Baker (Nepean-Carleton): Just beg.

* * *

NATIONAL SECURITY

INVESTIGATION OF FURTHER SPY RINGS IDENTIFIED BY TASCHEREAU ROYAL COMMISSION

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, my question is directed to the Solicitor General. In reply to a question which I put to him on March 30, he mentioned that he had not read the Taschereau papers. I hope, nonetheless, he has read the Taschereau report which would give him an indication that there was more than one spy ring active in Canada at that time. Could the minister let us know whether there have been inquiries into the other spy rings that were identified but the membership of which was not all that clear at the time?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I will take notice of the question, look into it, and be prepared to report to the member.

Mr. Munro (Esquimalt-Saanich): Madam Speaker, while he is doing that, I wonder if the minister would ensure that he inquires into certain current stories that there was a stoppage of inquiries into some of these rings effected by the public service. Would he be able to identify those members of the public service who caused the inquiries to be interrupted, in fact stopped?

Mr. Kaplan: Madam Speaker, I will look and see if there is any truth at all to those allegations and whether any statement can be made about them.

* * *

[*Translation*]

FISHERIES

INQUIRY WHETHER NEGOTIATIONS ARE PROCEEDING WITH QUEBEC TO ALLOW COMMERCIAL SALMON FISHING IN GASPÉ AREA

Mr. Alexandre Cyr (Gaspé): Madam Speaker, my question is for the hon. Minister of Fisheries and Oceans.

The hon. minister has announced that commercial salmon fishing in New Brunswick, which has been banned since 1972, will once again be authorized this year on a limited scale. I would like to know whether the hon. minister has undertaken negotiations with the province of Quebec so that commercial salmon fishing can be authorized in the Gaspé peninsula in 1981?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, we announced several months ago that the ban which has been applied since 1972 or 1973 would be lifted in 1981, which is what we have done. No compensation has been provided for the fishermen for 1981 since they received compensation for nine years.

As for the decision in Quebec, this decision comes under the jurisdiction of the province of Quebec in accordance with the 1922 agreement on fisheries administration. I was to meet the Quebec minister a few months ago, but this meeting did not take place as he was ill at the time. I offered to see him in Ottawa, but I believe that the events currently taking place in Quebec might have something to do with his inability to come. In any case, I have not been able to meet with Mr. Lessard, who is the minister responsible for sport fishing. After the election in Quebec, the new government will have to decide what it wants to do. For our part, we have not provided any compensation for 1981, and we believe that salmon fishing could be restricted in the east coast waters.

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[*English*]

SUPPLY AND SERVICES

TENDERS FOR CONTRACTS APPLICABLE TO QUEBEC

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is directed to the Minister of Supply and Services. I would ask the minister whether situations exist where firms located outside the province of Quebec would be excluded from an invitation to submit a tender or a proposal in any area of supply and services which is purchased for use in that province by the federal government?

Hon. J.-J. Blais (Minister of Supply and Services): Madam Speaker, I can advise the hon. member that no regional preferences are given. The whole process of procurement is through an invitation to tender process. We rely on sourcing lists. From time to time a decision may be made to source from within the region which is close to where the goods may be consumed as a result of our regionalization policy, but I can assure the hon. member that there is no exclusionary rule.

QUERY RESPECTING JANITORIAL SUPPLIES

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my supplementary question is directed to the same minister. Would he take a look at a request which came out of his department which required janitorial supplies for all regions of the country, excluding Quebec? Would the minister indicate whether requirements for that province will be handled by a future tender call to all of Canada?

Hon. J.-J. Blais (Minister of Supply and Services): Madam Speaker, I will take note of the hon. gentleman's question. I might point out to him that we have adopted a policy of regionalization. As a result of that policy, 90 per cent of our

procurement for given government departments in given areas is secured from sources of supply within those given areas. But I will take a look at the representations and the facts the hon. member brought to my attention, and report to him.

* * *

IMMIGRATION

LACK OF EDUCATION AND HEALTH SERVICES FOR CHILDREN OF ILLEGAL IMMIGRANTS

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, my question is directed to the Minister of Employment and Immigration. In view of the fact that Toronto Board of Education officials have been saying for years that thousands of children of illegal immigrant parents are forced to live a life of fear in hiding and that these same children are unable to receive any education or health care services for fear of the families being identified and deported, would the minister clarify to the House what steps he is taking to remedy this undesirable situation? What steps does he intend to take to stop the increase of this illegal population in Canada?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, that is a very extensive question. I am not sure I can supply a full answer in this time period. But I indicate to the hon. member that the responsibility for children first resides with the parents of those children. We have established a very open and very compassionate immigration law which sets out proper procedures by which people can come to Canada. Our record is second to none in the world in providing a very open invitation and welcome. However, many people come here illegally and we provide some response to them in a compassionate way. We cannot in any way break the standards of those laws, because it would be unfair to those in other countries who are abiding by the law. It is my responsibility to ensure that the law is respected.

We have established a task force to look at improvements in the procedures of that law to ensure that it works properly, but at the same time the responsibility for the children really resides with the parents themselves. The best we can do is to ensure that they make application in a legal manner and do not come here in an illegal fashion.

* * *

INDUSTRY

CONTRACT FOR SUPPLYING PRE-FABRICATED HOUSES TO EARTHQUAKE VICTIMS IN ITALY

Mr. Jack Murta (Lisgar): Madam Speaker, my question is directed to the Minister of State for Trade.

Mr. Clark: Who is he?

Mr. Murta: He is the Minister of State for Trade.

An hon. Member: This must be his maiden question.

Some hon. Members: Hear, hear!

Mr. Murta: I trust his answer will be as good as his reception on that side of the House. Back in December the Canadian Manufacturers Housing Institute, which represents manufactured home builders across the country, made application to supply some 10,000 manufactured homes to earthquake victims in Italy. The cost of the contract is about $100 million, and 99 per cent of it—virtually all of it—is Canadian-owned. They are a little upset because they have not received what they considered to be the proper backing of the federal government with respect to the making of the contract itself. Can the minister inform the House whether or not the government is, in fact, working with these people to ascertain whether this kind of very vital contract could be secured by the manufacturers of manufactured homes?

• (1200)

Hon. Ed Lumley (Minister of State (Trade)): Madam Speaker, I am very well aware of this particular situation. Our officials here in Ottawa, as well as those at our post in Italy, made representation to the Italian government at the time of the request of the Canadian industry. Unfortunately, at the time, the Italian authorities indicated that they wanted to manufacture many of the homes in Italy. They indicated that they were not specifically interested in buying pre-fab, manufactured units here in Canada. However, representations are still being made along this line.

Mr. Murta: Madam Speaker, my supplementary question is for the same minister. In view of his answer, which seems pretty pessimistic, and also in view of the fact that we could be talking about an amount of $100 million, if we were able to get into that particular market, is the minister optimistic that the chances are still reasonably good for manufactured Canadian housing to be sold to Italy?

Mr. Lumley: Madam Speaker, as a very positive-thinking individual I am always optimistic about Canada's chances in international markets. But I think some further discussion with respect to possible joint ventures with Italian manufacturing companies in Italy would be more appropriate than selling the finished product from Canada.

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PETITION

MR. KNOWLES—INCREASED INCOME FOR SENIOR CITIZENS

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the forthy-fifth report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Winnipeg North Centre (Mr. Knowles) and finds that it meets the requirements of the Standing Orders as to form.

Privilege

PRIVILEGE

DEFERRAL OF QUESTIONS

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise in the interests of saving the time of the House. As we know, negotiations are under way between the government and the New Democratic Party, although our House leader has not yet been notified of the time of the next meeting.

There are a number of questions of privilege on the order paper, notices of which have been filed with the Chair. As you are aware, Madam Speaker, I have had consultation with the Clerk and notices of questions of privilege have been filed by the hon. member for Fraser Valley West (Mr. Wenman), the hon. member for Bow River (Mr. Taylor), the hon. member for York-Peel (Mr. Stevens), the hon. member for Vancouver South (Mr. Fraser), the hon. member for Edmonton West (Mr. Lambert), the hon. member for Calgary West (Mr. Hawkes), the hon. member for Halifax West (Mr. Crosby), the hon. member for Leeds-Grenville (Mr. Cossitt), the hon. member for Athabasca (Mr. Shields) and the hon. member for Central Nova (Mr. MacKay).

In the interest of giving the negotiations every possibility of succeeding, and without prejudicing them, I have approached each of these members, with the knowledge of the Clerk, and requested that they defer their questions of privilege without prejudice to their bringing the questions before the House at a later time and without further notice.

I have not yet had the opportunity to speak with the hon. member for Leeds-Grenville; he is absent from the House, as will be noted. Nor have I spoken with the hon. member for Fraser Valley West, or the hon. member for Edmonton West, both of whom are out of Ottawa. I have spoken with all other hon. members whose names were provided to me by the Clerk and they have asked that their questions of privilege be deferred, without prejudice to the questions being brought before Your Honour at a later time.

I rise to make this statement on their behalf. It would also perhaps assist the business of the day if any other hon. members who may have questions of privilege arising out of today's proceedings were to defer those questions until Monday and if they would notify the Chair of any such intentions which might exist.

Madam Speaker: I can assure the hon. member for Yukon (Mr. Nielsen) that those hon. members who deferred their questions of privilege will be heard on Monday, or at a time when they are in the House. Their notices stand. Since negotiations did take place between the members I can accept the hon. member's representations.

With respect to those members who are not in the House, I will have to renew the notices. I am not sure what the rules say on this particular point. I can give assurances to those members who have agreed to defer their questions that they will be heard later.

Mr. Baker (Nepean-Carleton): As House leader for the Conservative party, might I ask Your Honour to give the same assurance with respect to those hon. members who are not in the House today? I undertake to do the canvassing and I will report directly to you, Madam Speaker.

Madam Speaker: Yes. Those hon. members might have heard that questions of privilege were being deferred and perhaps they decided that theirs would be as well. I can accept what the hon. member asks with respect to the other three hon. members.

* * *

POINTS OF ORDER

MR. KNOWLES—USE OF UNPARLIAMENTARY LANGUAGE BY MR. ELLIS

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, I rise on a point of order with respect to a different matter. During the presenting of motions under Standing Order 43 earlier this morning, the hon. member for Prince Edward-Hastings (Mr. Ellis), in referring to a motion made yesterday by my colleague, the hon. member for Cowichan-Malahat-The Islands (Mr. Manly), used the word "scurrilous."

On Thursday, March 26, I used that word. The hon. member for Nepean-Carleton (Mr. Baker) and the hon. member for Surrey-White Rock-North Delta (Mr. Friesen) both complained and said that I should not have used that word and should withdraw it. As Your Honour will recall, I was co-operative. I wasted no time and I withdrew it.

I am surprised that the hon. member for Nepean-Carleton and the hon. member for Surrey-White Rock-North Delta were not on their feet complaining about their colleague's use of the word. If it was unparliamentary for me to use that word, I submit it is also unparliamentary for a Tory to use it.

Madam Speaker: I want to apologize to the hon. member for Winnipeg North Centre (Mr. Knowles) and to the hon. member for Cowichan-Malahat-The Islands (Mr. Manly). I thought I heard that word used today. I asked the clerks to ascertain whether they had heard it, and they were in doubt as well. But since the hon. member raises this issue, and since the hon. member for Prince Edward-Hastings (Mr. Ellis) is in the House, I think he would want to put the record straight and substitute another word.

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, of course I did not look at the list of unparliamentary words in moving my motion under Standing Order 43. I wanted to use the strongest word possible. I withdraw the word if it is inappropriate and substitute the word "disgusting", or some other equally strong word.

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise on the point of order raised by the hon. member for Winnipeg North Centre (Mr. Knowles). I know that he is a man of precision and that he would like the record to be accurate. I would point out to him and to Your Honour

that he never did withdraw the word "scurrilous". He said that he would if Madam Speaker asked him to do so, but since, in your graciousness, you did not really compel him, he never did withdraw it.

Madam Speaker: The hon. member for Winnipeg North Centre did withdraw the word, and he replaced it with another.

Mr. Manly: Madam Speaker, I wish to reserve my right to raise a question of privilege on Monday with respect to the motion proposed under Standing Order 43, by the hon. member for Prince Edward-Hastings.

Madam Speaker: The hon. member can send me a written notice of his question of privilege, informing me of what it is about.

● (1210)

MR. McCAIN—RESPONSE OF MR. AXWORTHY DURING QUESTION PERIOD

Mr. Fred McCain (Carleton-Charlotte): Madam Speaker, my point of order is this. I do not think the Minister of Employment and Immigration (Mr. Axworthy) intended to mislead anybody, but the information he gave in his answer is somewhat confusing. For instance, the ministerial advisory board can only deal with the subject matter put before it. However, I wish to discuss misleading answers—

Madam Speaker: I am sorry. The fact that an hon. member is not satisfied with an answer, thinks that it is incomplete or might be misleading in some way does not form the basis of a question of privilege. If an hon. member wants clarification of a matter, he can come back in the House and ask a question of the minister, but it certainly does not constitute the basis of a question of privilege.

Mr. McCain: Madam Speaker, hon. members have been charged by the minister with a responsibility which is not, in fact, theirs, namely the responsibility of advising everyone in the constituency who might wish to apply for assistance under a government program that such a program exists. I submit that while hon. members do their level best to advise everyone in their constituency of any program which is in existence, it is always supplemented by advertising, and it is very misleading to lay the onus—

Madam Speaker: Order, please. The reason I cannot accept the hon. member's question of privilege is that I would have to make a judgment on the quality of the answer which was given by the hon. minister. When answers to questions are not satisfactory to hon. members, they do have recourse. They can seek clarification during the question period or at some other time.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa-Vanier): Madam Speaker, if I understand correctly, your policy concerning questions of privilege applies to all hon. members and, in this case, will my question be deferred as well?

Madam Speaker: Of course. If the hon. member for Ottawa-Vanier wishes to defer his question of privilege, I will give him the same opportunity to raise it at another time.

ROUTINE PROCEEDINGS

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,642, 2,067, 2,091, 2,133, 2,205, 2,206, 2,207 and 2,209.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

[*Text*]

QUEBEC IMPORTS AND EXPORTS

Question No. 1,642—Mr. Herbert:

What was the value of Quebec imports and exports with (a) the Atlantic provinces (b) Ontario (c) the prairie provinces (d) British Columbia (e) the territories (f) foreign countries, for the year 1979 or the latest year for which such information is available?

Hon. J.-J. Blais (Minister of Supply and Services): Statistics Canada reports that there is no comprehensive set of data available at this time on the value of Quebec imports and exports by region of Canada and the rest of the world. Administrative systems have not been designed to capture interprovincial trade data, nor are provinces identified in international trade statistics. The provincial economic accounts published by Statistics Canada estimates the aggregate provincial net export as a residual and sheds no light on interprovincial import/export. A project initiated in May, 1979, to estimate commodity detail of provincial trade holds promise of supplying interprovincial trade data, but results are not yet available. Some information of oblique pertinence to the question is implicit in the 1967, 1974 and 1979 surveys of origin and destination of manufacturers shipments in transportation surveys. But the analysis needed to focus this information onto the particular question is not available and would be complex.

MIRABEL AIRPORT—SALE OF ADJACENT LAND

Question No. 2,067—Mr. Cossitt:

Does the government intend to sell 78,000 acres of land adjacent to the Mirabel Airport and, if so (a) was the land originally purchased by the government along with other land for the airport (b) what was the total cost that was paid by the government for the land that it now plans to sell including all acquisition costs of any kind (c) what is the net estimated or budgeted figure expected to be recovered by the government from the sale of the land (d) on what date will the sale begin and what restrictions, if any, will be placed on the use of the land by purchasers?

Order Paper Questions

Hon. Paul J. Cosgrove (Minister of Public Works): The Minister of Public Works Canada announced on February 3, 1981, that 78,000 acres of land adjacent to the Mirabel Airport would be disposed of by the federal government. Some lands will be sold, others will be leased.

(a) The 78,000 acres was acquired by expropriation on March 27, 1969, along with the other land for the airport operational area.

(b) Total cost for the 78,000 acres was approximately $120 million.

(c) There is no estimated or budgeted figure at this time.

(d) A plan of action for the disposition is being prepared which will include an analysis of the restrictions that may be required.

DND—CONTRACT WITH UNIVERSITY OF B.C.

Question No. 2,091—**Mr. McKinnon:**

Did the Department of National Defence place a contract for $23,541 with the University of British Columbia to develop a life quality improvement program data bank and, if so, what exactly is the life quality improvement program and what is the purpose of the data bank?

Hon. J.-J. Blais (Minister of Supply and Services): On December 29, 1980, the Department of Supply and Services awarded a contract to the University of British Columbia on behalf of the Department of National Defence for the investigation into the development of a Life Quality Improvement Program (LQIP) Data Bank for $23,541.00. The Life Quality Improvement Program is a preventive medicine program designed to shift emphasis from costly diagnosis and cure of disease to the hopefully more cost-effective identification and reduction of health risks for a given population. The purpose of the data bank is to integrate accumulated results from divergent sources including departmental fitness programs, smoking cessation research and lifestyle patterning research at various Canadian universities and government agencies.

CFB PERSONNEL—LAND FORCES—WESTERN CANADA AND NORTH

Question No. 2,133—**Mr. Lambert:**

1. In the four western provinces, the Yukon and the Northwest Territories, what Canadian Forces Bases are manned by ground elements personnel and which units are located at such bases?

2. Which units are on station and which units are in service elsewhere?

3. What is the establishment strength of all ground element forces in western Canada, the Yukon and the Northwest Territories?

4. What are the actual strengths as at February 1, 1981?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. Canadian Forces Bases are no longer exclusively manned by one element or another. However, there is frequently a predominance of one element or another depending on the functional command to which the base belongs (i.e. Maritime, Mobile or Air Command). In providing the following data it is to be noted that maritime, land or air elements are predominating rather than exclusive on the bases so annotated.

Canadian Forces Base	Element	Land Element Units
CFB Winnipeg, Man.	Air	2nd Bn Princess Patricia's Light Infantry (2 PPCLI)
CFB Shilo, Man.	Land	3rd Regt Royal Canadian Horse Artillery (3 RCHA)
CFB Calgary, Alta.	Land	1 Canadian Brigade Group Headquarters and Signal Squadron (1 CBG HQ AND SIGS)
		1st Bn Princess Patricia's Light Infantry (1 PPCLI)
		1 Service Battalion (1 SVC BN)
		Lord Strathcona's Horse (LDSH (RC))
		1 Military Policy Platoon (1 MP Platoon)
		1 Field Ambulance (1 FD AMB)
		Detachment at Wainwright, Alta. (DET Wainwright)
CFB Edmonton, Alta.	Air	Canadian Airborne Centre (CABC)
CFB Suffield, Alta.	Land	
CFB Chilliwack, B.C.	Land	1 Combat Engineer Regt (1 CER)
CFB Esquimalt, B.C.	Maritime	3rd Bn Princess Patricia's Light Infantry (3 PPCLI)

2. All above units are in their home garrisons at present.

3 and 4.

	Establishment Strength	Strength Feb 1, 81
2 PPCLI	599	471
3 RCHA	479	382
1 PPCLI	603	516
1 SVC BN	727	652
LDSH (RC)	357	305
1 CBG HO AND SIGS	266	240
1 MP Platoon	35	33
1 FD AMB	135	111
CABC	69	63
DET Wainwright	167	154
CFB Suffield	31	30
1 CER	286	252
3 PPCLI	599	479
CFB Calgary	162	143
CFB Shilo	329	316
	4844	4147

SECRETARY OF STATE—*HANSARD* TRANSLATORS

Question No. 2,205—**Mr. Herbert:**

How many persons are employed by the Department of the Secretary of State for the translation of *Hansard*, parliamentary documents and translation service for members of Parliament?

Hon. Francis Fox (Secretary of State and Minister of Communications): As of March 12, 1981, 30 translators or revisers are employed by the Department of the Secretary of State for the translation of *Hansard,* and 34 for the translation

of parliamentary documents and translation service for members.

SECRETARY OF STATE—INTERPRETERS

Question No. 2,206—**Mr. Herbert:**

1. How many persons are employed by the Department of the Secretary of State for interpretation work and are they divided between the House of Commons, the Senate and committee work?

2. How many are for (a) official language (b) multilingual interpretation?

Hon. Francis Fox (Secretary of State and Minister of Communications): 1. As of March 12, 1981, 77 persons are employed by the Department of the Secretary of State for interpretation; of these, 12 are assigned to House of Commons and Senate work, and 29 translator-interpreters and reviser-interpreters are assigned to committee work.

2. (a) Interpreters in the official languages number 72

(b) The number of interpreters in the multilingual section is 5.

SECRETARY OF STATE—COMMITTEE TRANSLATORS

Question No. 2,207—**Mr. Herbert:**

How many persons are employed by the Department of the Secretary of State for the translation of Committee Minutes of Proceedings and Evidence?

Hon. Francis Fox (Secretary of State and Minister of Communications): The number of persons employed by the Department of the Secretary of State for the translation of Committee Minutes of Proceedings and Evidence is 33.

EXPENDITURE AUTHORITY—AMOUNT OF LAPSE

Question No. 2,209—**Mr. Herbert:**

What was the amount of the lapse in expenditure authority in each of the past five years and what is the amount estimated for the current year?

Hon. Donald J. Johnston (President of the Treasury Board): The actual lapse of expenditure authority over the last five years and the estimate of the lapse in the current year are provided in the table below:

	$ millions
1975-76	1,270
1976-77	1,954
1977-78	2,208
1978-79	1,496
1979-80	1,276
1980-81	946 (estimated)

The apparent reduction in the magnitude of the lapse in 1978-79 and 1979-80 is attributable to the fact that final authority for spending in each year was derived from Governor-General's Warrants, as Parliament was not in session. The reduced estimate of the lapse in 1980-81 is due to the anticipated impact of the introduction of the pay-at-year-end method of accounting.

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Shall the remaining questions stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed from Friday, March 20, consideration of Bill C-59, to provide supplementary borrowing authority, as reported (without amendment) from the Standing Committee on Finance, Trade and Economic Affairs, and on the motion of Mr. Blenkarn (p. 8463).

Mr. Scott Fennell (Ontario): Mr. Speaker, I am glad to see the Parliamentary Secretary to the Deputy Prime Minister and Minister of Finance (Mr. Evans) take his seat. I was afraid I would be speaking in the absence of someone representing that department today. When we were last in this House, we were talking about a juggling act, and I am very impressed with the act being performed by this government.

The day this debate was cut off, the Minister of State for Finance (Mr. Bussières) referred to our desire to eliminate increased expenditure on social programs. The reason increases are required is that this government's spending programs are out of control, and inflation causes increased spending.

An hon. Member: Ridiculous.

Mr. Fennell: We are not against social programs, but we are against increased government spending. This government is perpetrating a continuous fraud on the Canadian public. This fraud would not be permitted in any other part of the world. If the government was a corporation, the board of directors would be thrown out. In other democracies the government would be thrown out. That is what should be done.

This government has the nerve to come before this House and ask for $14 billion. It already has $4.8 billion in the bank. That would give it a total of $18.8 billion. It is bad enough that it anticipates a deficit of $14 billion, but now it says that it will have to borrow $18.8 billion to keep this country afloat.

I am not surprised the government was wrong about inflation. It is like shooting a gun into the sky. This government is an absolute glutton pretending to be on a diet.

Some hon. Members: Hear, hear!

Mr. Fennell: It has absolutely no respect for the taxpayers of this country. It is the money of the taxpayers which the

government is spending, not the government's. It has not earned it.

In view of this hoard of money which is sitting in the Bank of Canada, it is my opinion that the government should reconsider its request to this Parliament and that our party should reconsider our amendment. We should not even allow it to have $8 billion; we should cut the amount down to $3.2 billion. We should make the government consider how it will spend the money before it squanders it on our behalf.

Every time the government borrows excess funds—which it is doing right now—it destroys the opportunity for industry to raise funds at reasonable rates. It destroys the housing industry. People cannot afford to pay the interest on mortgages. It eliminates the possibility for Canadians to become home owners, which is their one great dream.

Government borrowing creates inflation which is erasing the value of the savings of senior citizens. This is referred to in the pensions conference which is taking place. The government will index that next. The only reason for indexing is that this government knows how to throw its money away.

In our opinion, this government is totally inept and incompetent. This is very clearly exemplified in this bill. Its ineptness is also clearly shown in the energy program which has been presented and which it will now hopefully have to backtrack on.

The government cannot throw the blame for having to borrow this money on to us because we were only in government for nine months. It is necessitated by a series of incompetent budgets presented by the Liberal government since 1968. In those budgets and in its requests for funds, it has never requested funds to help industry. It only borrows funds to spend. What are we doing for industrial development in this country? What has the government done in 13 years? Nothing. Does the government realize that at current rates of interest, without any additional borrowing, if it stopped today and said that it would not borrow any more money, our debt would amount to $200 billion by 1986? That would be the result if we voted in this House not to permit any further borrowing; our debt would still be $200 billion. That is assuming there were no additional deficits and that the government did not require any money. That is assuming the interest rate, which is now in place because of this inflationary spiral, continues.

Furthermore, does the government realize that by 1986—is less than five years away—the interest to carry this debt will amount to $1,000 for each man, woman and child in this country? Let us assume that an average Canadian family consists of 3.5 people, a mother and father and 1.5 children. Assuming that, the amount of $3,500 has to be brought home by the wage earner just for the government to pay the bill. That is assuming we have a balanced budget and that we are not carrying on with this throw-away program with which the government has been doing so well. I plead with the government to stop coming back to the trough. We are destroying ourselves and our country. We must stop doing that and we must stop now. We have run out of goodwill overseas. Where do we go next to borrow money if we are turned down?

• (1220)

The government keeps borrowing additional sums to buy up private corporations. Do hon. members realize that every time a private corporation is purchased a taxpayer is eliminated? Once a company becomes a Crown corporation, it does not earn any money. That is why we are borrowing more money—to buy corporations that can become non-profit organizations. Such a procedure erodes our tax base. It erodes the chance for this country to have a balanced budget.

I maintain it is time for the government to stop borrowing money and start to encourage the private sector instead. Productivity should be increased, and this will result in increased revenue, eliminating the need to borrow money. If a corporation were to carry on in this way, it would go broke. A good example is Chrysler. The government had to bail out Chrysler. That was just another example of throwing money away. In the case of Massey-Ferguson, which kept borrowing too much money, again the government had to bail the company out. But let me ask hon. members this: Who is going to bail out the government?

Mr. Malone: The citizens.

Mr. Fennell: If the government would be reasonable with its energy program and let the price of oil go to 75 per cent of world prices, levy a logical tax on oil instead of the Mickey Mouse taxes the government keeps pushing around, we would have revenues accruing to the government. This would eliminate the necessity to borrow more money. The government has this grandiose economic idea that it does not matter how much money we borrow because we can carry on. The government has no desire to restrict expenditures. It does nothing to earn money. The government has never tried to earn money, nor has it ever tried to save money. The government just likes to spend money.

Mr. Taylor: Other people's money.

Mr. Fennell: A good example, again concerning energy, is that the government has encouraged Canadians to continue to buy gas guzzlers. As a result, Canadian manufacturers have not made small vehicles. No one wanted them. Then all of a sudden, who got caught with their pants down? The government did. I will acknowledge that. However, if the government had faced reality in 1973, the auto industry today would be healthy. Chrysler would not be in the position of having to be bailed out. If the government had allowed the logical sequence to occur, then all the gas guzzlers would have hit the scrapyards and we would be driving cars we hope we will see by 1986. The only reason small cars will be manufactured in this country is that our friends to the south of us had enough sense to realize it is the only way to eliminate excessive use of gasoline.

Mr. Smith: What kind of a car do you drive?

Mr. Fennell: I drive a very economical car. It is called an Omni. There is a plant in my constituency that produces Omnis. Because the Americans will accept world prices for gasoline by 1983-1984, this will have an impact on the cars we buy. It will help production of our cars. But what have we done for ourselves? We have done absolutely nothing.

The government keeps boasting about the employment it has created in Canada. The government has not created any additional employment. It employs many people, and every time the government employs additional people, Mr. Speaker, it simply increases our deficit. This is not productive. It does not produce cars, nor does it produce wheat. It does not produce anything except a bunch of bureaucratic servants in Ottawa.

I suggest that this government should be innovative. It should start an exchange program for civil servants. It should send those people out to the private sector, so long as the private sector can stand them. The government should send these people out to the private sector for two years. They may then learn by experience and by being exposed to the private sector how hard it is to make a buck. These people may then reconsider their free-wheeling, give-away programs. I come from the private sector and I can say I have been successful, but I had to work hard. I would love to employ a civil servant and let him know what it really means to make money and how hard it is to make it. He will then understand that he should not be quite so free in giving money away. What the government is doing is immoral. The government is taking money right out of the Canadian people's pockets. It is not taking it from welfare recipients or from people who do not want to work; it is taking it out of the guts of Canadians, those people who pay the bills.

Many times in this House I have compared the Canadian small business program with the American small business program. What have we done to face the industrial problem in this country? Why do we not plagiarize something that is beneficial? The small business program in the United States has worked well. Small industries are growing throughout small towns in the United States. Why does the government not look at what the United States has done? If the government brought forward a borrowing bill in that regard, I would support it wholeheartedly. I would be behind the government and would do everything to encourage it. I would find people who would be interested in entering the manufacturing sector of Canada. We should stop exporting our raw materials. I would be one hundred per cent behind the government if it did that, and I think hon. members can appreciate that. This is a way to get the country moving. I tell the government to stop purchasing the private sector now. Let the private sector carry on by itself. The private sector can look after itself.

Free enterprise is the right to win and the right to lose. I do not believe we should subsidize free enterprise. Although I believe we should help free enterprise, I do not necessarily agree with what this country has done in the past. Free enterprisers should either swing and be successful or they should fail. But the government must not carry on subsidizing or purchasing private industry. Whenever the government purchases private enterprise, all it is doing is putting money in other people's pockets. In a most recent case, many Belgians will become very rich from our great endeavour in broadening the base of Petro-Canada.

The government should take a good look at what has happened. The government should be directing the way in foreign affairs and equalization. It should be looking after those people who are incapable of looking after themselves. But I say to the government, do not keep treading on everybody and eroding the base on which this country is built.

I am proud when Air Canada makes a profit, but Canadian Pacific has to make a profit or it will go out of business. If a Crown corporation cannot make a profit, I maintain it should be disbanded. I am talking about Crown corporations directly in competition with the private sector, not Crown corporations established from an essential or a security point of view. I say allow the private sector to operate in the real world. The Minister of Finance (Mr. MacEachen) stated, I believe in the last election campaign: "The gradual reduction of inflation and interest rates is the only viable solution to the problem." I support that statement wholeheartedly. I would ask him to read his statement again and put it into practice. This is where the problem must be attacked. The government's spending is out of control and he has not put a lid on it at this time. Do the government really know the consequences of the borrowing authority they are asking for? Do they really care, or is their only purpose to get through the next election?

• (1230)

Miss Nicholson: I rise on a point of order, Mr. Speaker. Will the hon. member permit a question?

Mr. Fennell: When I am finished, Mr. Speaker.

The Acting Speaker (Mr. Blaker): I just remind the hon. member it is his choice whether to accept or not accept the question. If he completes his time, I cannot allow a question after that.

Mr. Fennell: Mr. Speaker, I planned to speak for 20 minutes. If I finish before that I will accept a question. I am trying to follow a theme. I spent time putting this together. If I do not have time, I will speak to the hon. member later.

How long will it be before the government come back again? Are they going to come back and ask for $18 billion? Are the government going to say they need more money because the foreign banks want their interest and they do not have the money to pay it? The only benefactors of this bill will be the foreign banks. This money will be exported out of the country in the same way that we export money to purchase oil, a resource we have in this country which could be developed today.

How many small Canadian businesses and factories will be able to get loans at reasonable interest rates when the government is sopping up the entire capital markets of this country? How many more factories will have to postpone retooling? All

we hear is criticism about the productivity of our work force. The criticism should be directed toward this government, because factories cannot raise the money required to retool and thereby make the workers more productive. Tools are required as well as human beings.

How many more tax dollars will the Unemployment Insurance Commission have to pay out because of this government's greed? Instead of holding their nose, they should look past the end of it. When will Canadians get the long-term, economic planning they deserve?

I have used more than my nineteen and three quarters minutes. I appreciate it very much.

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I am pleased to have the opportunity to speak in this debate, not because I am happy we are dealing with the bill but because I am happy to express some concerns I have about the way the government spends taxpayers' dollars.

To begin, I think it is fair to say that even including the constitutional debate, more people have raised with me the expenditure of tax dollars by the government and the heavy borrowing the government has now undertaken as a matter of course than any other single topic we have had before us in the last year and two months.

I know from canvassing my constituency, travelling around this province and across the country that a great deal of concern is being expressed, and rightly so, by the people of Canada about the future of this country, its economy and the way in which it is being managed or not managed, and the problems of an ever-increasing tax burden on average wage earners. The majority of people have put the case very well. You cannot expect the average wage earner to assume an ever-larger share of the indebtedness caused by government expenditure if his wages consistently fall behind the increasing cost of living.

That has been the case over the course of the last few years. People are earning less in comparison to the impact of inflation and the increasing cost of living. The government is contributing to the decline in disposable income of the average family in Canada as a result of the policy pursued through this bill and the policies it pursues in terms of its over-all economic strategy.

It is important that we give serious thought to the over-all effect of continuing this kind of carte blanche borrowing authority, given without any consideration being placed before the House of Commons as to the purpose and without any careful analysis having been made of the impact on the money markets and the economic growth of this country. I want to say categorically that economic growth cannot be maintained or enhanced by an ever-increasing debt load.

The government cannot and must not encourage unnecessary borrowing in the money markets. As government borrows ever-increasing larger sums of money from what is considered by most analysts a finite market, the end result is that the cost of money is driven up. It influences the availability of funds for small and not so small enterprises. It detrimentally affects the capacity of wage earners to borrow for necessary purchases because the cost of borrowing goes beyond the ability of the average family to repay. No matter what your philosophy or ideology, there are some things that are true and irrefutable and therefore have to be given a great deal of consideration by the House of Commons.

In looking at this bill and the amendment before us we have to recognize, as I said last night, that this bill should not be dealt with in haste. It is far too important to be dealt with in isolation from all other economic considerations and in haste.

I personally believe that the government ought not to be given the amount of money it is asking for. That does not mean I do not understand the necessity to be able to borrow. However, I do not think the government needs, nor should it ask for, a full year's borrowing allowance from the House of Commons. The government should be prepared to come back to the House of Commons, at the bare minimum, every six months to justify both the expenditure levels and the amount of borrowing that must take place. The government must be prepared to come back and allow a more careful analysis of the economic conditions which exist at the time the borrowing is required in order that we can understand the way in which that money is to be used and the way in which we will budget over the course of time for its repayment.

I hate to argue this again as I argued it in another House at another time, but the government should not ask for 12 months' borrowing authority. Neither should it request that it be allowed to carry over unused borrowing powers. We should insist, as Members of Parliament charged with the responsibility of challenging the expenditures of government, that before any approval is given at any time the government should justify its request, not only in terms of use but also in terms of the way in which it will ultimately repay it.

• (1240)

I can see no fundamental justification for moving from $14 billion to $8 billion, so for that reason I am prepared to support the amendment. We should allow the government less latitude rather than more in the amount of indebtedness it incurs on behalf of the people of the country.

I also think it is a flagrant disregard of the obligations of parliamentarians to expect that we will at the early part of a fiscal year give the government the unfettered right to go out and borrow for whatever purpose it sees fit. I cannot support that as a principle which withstands the test of the process for which Parliament was intended to serve.

I have looked at the problems of borrowing. I have believed for years that we have unnecessarily encouraged indebtedness. Let us consider credit cards. My God, who does not have them? We have credit cards without any checks and balances which have permitted people to extend their borrowing far in excess of their ability to pay.

An hon. Member: Even in Scotland.

Mr. Deans: Even in Scotland? That was a very intelligent interjection. I thought the hon. member was saying something important.

The interesting thing about this is that because it is possible for an individual in the country to carry far more than one credit card with limits on each, and to borrow without any cross-reference, we have allowed and encouraged individual citizens to incur debts they frankly cannot afford. The end result of that we can see in every bankruptcy court across the country. We can see people being put into the position of declaring bankruptcy when up until a few years ago they would never have considered the possibility of being forced to do that.

For a long time I have felt that a person in this country requires but one credit card, if one is required at all. The spending limit, calculated on the basis of their indebtedness and obligations, should appear on the face of the credit card. With one phone call it would be possible to check whether a person had exceeded or was almost at the limit of his credit in order that he does not fall into the trap of borrowing beyond his means.

You cannot impose that on the public, even if it is decided that that is in their best interests, unless you are prepared to exercise the same kind of control, caution and care when the government borrows and commits the public of Canada to an ever-increasing tax burden to meet whatever the government decides are the expenditure priorities which fit its particular political mood at the time.

The end result of this kind of bill, which comes before the House of Commons and every legislative assembly almost every year—certainly I cannot think of a situation in which it does not occur—with the pressure this exerts on the money market and money markets of the world, is that others must pay ever higher interest rates. Those higher interest rates are reflected in higher prices and in higher domestic interest rates. Those higher prices and higher domestic interest rates reduce the amount of expendable capital. That reduction in the amount of expendable capital means a reduction in the manufacturing sector because of the reduction in the amount of purchasing which takes place. The end result of that, of course, is that fewer people are required to work. Manufacturers for a while carry a larger inventory, but the cost of carrying that inventory pushes prices up even further. The end result of all that is that there is less available capital in the country. What we see then is the government, because it cannot raise the money it believes it requires through the tax structure, going back to the market place to borrow even more, and the process starts all over again.

Therefore, what I am suggesting to the government, through you, Mr. Speaker, is that we desperately need an opportunity to take a look at the over-all fiscal and monetary policies of the government, and not only of this government. I might say that this is probably true of almost every jurisdiction in this country. I think it is necessary when dumping on the government, as it is the opposition's bent to do, to recognize that the government is allowed to get into these sloppy habits by a House of Commons which does not demand that it respond properly and adequately to the needs, desires, wishes and requirements, if you will, of the electorate, the people who must ultimately pay the bills.

We will not support the bill. We will support the amendment and I suggest the amendment should carry. I hope the government will pay heed to my plea that we not be required to give a full year's approval, but rather that we restrict it to six months at a time. I would respectfully ask the government to consider whether or not it will abandon its request to carry over the billions of dollars into the next fiscal year in the borrowing authority for which it is asking, and which its majority will undoubtedly get for it. I would ask the government to be more cautious and more prudent, to spend money as though it was its own rather than as though it was somebody else's, like the proverbial drunken sailor who never knows when to stop. That is what appears to be happening now and we cannot afford it.

Some hon. Members: Hear, hear!

Mr. Arnold Malone (Crowfoot): Mr. Speaker, talking about borrowing legislation is an all too frequent duty we perform in this House. It would now seem that almost every six months we are called upon as Members of Parliament to talk about the government borrowing more money.

While I will in the time at my disposal try to criticize this particular borrowing legislation, I want to make it clear it is not my opinion that the government should take the view that it necessarily would have to cut down its social and other programs which are of service to Canadians. It is fair to say, I think, that all the programs the government has today are not necessarily of service to Canadians and there is some trimming that can take place.

More importantly, this government has taken the view that it is able to pay for what is required only by taxation and by borrowing, without taking a look at the more important aspect, the generation of wealth in Canada. The very nature of the way the government borrows increases the tax burden on all Canadians.

● (1250)

In this legislation the government is requesting some $14 billion in borrowing authority, but its main estimates show legitimate requirements of only $11 billion. In other words, the government is setting aside an additional $3 billion for movie money, spillage or loose change, and that is not accounted for. That is something which this opposition, combined with members of the New Democratic Party, ought to be opposing. No one should be granting any government authority to go to the market to borrow money when it has not accounted for the need for it.

This government is asking that we as the Parliament of Canada authorize it to borrow money for which it has not indicated any requirement. Why should we be asked to do that? Why should we be asked to give this government money when the people of Canada do not know whether it will be

used to promote the agricultural industry, industrial sales or Lord knows what? This money might be used to promote what might be, in the eyes of some, wasteful programs. The prime purpose behind the establishment of Parliament was control of the King's purse. The purpose of Parliament today is to control government expenditures, and I submit that this government has not really accounted for its expenditures in a justifiable way.

A review of the recent history of this government shows that we should be concerned about more than just today's bill, which may appear legitimate in isolation but is not. I believe in Hamlet a situation like this is described as mirrors facing mirrors—borrowing upon borrowing upon borrowing. In the last four years this government has borrowed some $40.1 billion. The projected deficits for the next four years, not counting this one, amount to an additional $51.8 billion. In other words, in the eight-year period beginning four years ago and projected four years into the future we will have borrowed some $100 billion. Canada has a population of 24 million people. A debt of $100 billion will be an albatross around the neck of Canadian society.

Today the government is asking for the authority to borrow $14 billion. It has indicated a need for only $11 billion. The government is asking for more than it requires, and it has not shown why it needs that extra money. For that reason alone the government ought not to be granted permission to borrow in the international market, because by its very nature that borrowing is a detriment to the Canadian citizen.

The truth of the matter is that of every $4 the Canadian taxpayer pays in tax, one of those dollars goes to pay interest on accumulated foreign debt. By adding another $3 billion to the required $11 billion in the main estimates as a spillage allowance just for unforeseen, unknown contingencies, the government is asking Canadian taxpayers to accept a greater tax burden. That militates against our balance of payments because it is an outflow of money. That outflow will increase taxes in our country but, more significantly, it reduces the rate of growth of wealth in the private sector of our nation. We could have all we have in this country plus more, but we must generate wealth by giving incentives to those people who use their imaginations to create.

This country is being run by a group of men and women who simply do not understand the scope and potential of the land. They do not have any understanding of money. They have the piggy-bank philosophy of people much younger than most of the people here.

During the past year the government chose to bail out Chrysler Corporation and Massey-Ferguson because they were unsuccessful, but the strongest and most successful industry in Canada at the time was the oil industry, which the government chose to nationalize. Through disincentives, the potential for some of the greatest employment and wealth opportunities not only for Alberta, Saskatchewan and British Columbia but also Ontario, Quebec and the rest of Canada has been driven away. Two tar sands plants have been closed down because of the inability of this government to recognize that oil is not found, as it were, in a lake underneath the ground.

Hon. members opposite do not understand the concept of a tertiary formation. They believe, falsely, that the only reason for requested oil price increases is the existence of OPEC. That is false and wrong. There are new capital costs involved in the production of oil in this country. We now have to wash rock with solvents in order to bring oil from under the ground to the surface. The Minister of Energy, Mines and Resources (Mr. Lalonde) has been unable to come to an agreement on price, and that inability has stopped two tar sands projects.

I want to put on the record just what projects have been stopped. Many in this country think this government has hurt only Alberta, which it has. I come from that province and I know. However, I want hon. members opposite to know that they have also hurt very seriously the province of Ontario. The people of that province need jobs. In its 25-year lifetime one tar sands plant would put $108 billion into the Ontario economy through direct expenditure. This expenditure is on iron, steel, financing, trades and services. This expenditure is on the fabrication of machinery. The list goes on and on and adds up to direct expenditures of $108 billion in the province of Ontario.

This country is one of the few which has the luxury of being able to talk about energy self-sufficiency. We have that potential. To realize it we need eight tar sands plants. Something in excess of $800 billion could have been poured into Ontario in the next 25 years, but this government has embarked on a program to stop such progress and has let the citizens of central Canada blame the province of Alberta. According to the Minister of Energy, Mines and Resources, the people of Alberta will be rich beyond our wildest imagination.

Even if there were not direct expenditures in the provinces of Ontario and Quebec as a result of the development of the potential we have, indirect spending would put more money into the pockets of people in the Atlantic region, the north, the west and other regions, and they would do with that money what anyone would do. They would spend it. People would buy automobiles made in central Canada. They would buy clothing made in Quebec or Ontario. They would buy refrigerators, toasters and other appliances made in central Canada. Eighty per cent of newly generated wealth in any region circulates through the industrial basin within six months. There is no truth to the suggestion that if the regions get richer, the centre becomes poorer. That is false thinking. This government does not need to go to the international trough to borrow money because this land has the potential to create wealth to a degree which would be unimaginable to any other nation in the world. Fish and tin are the only resources Japan has, yet it has one of the best economies in the world.

We in this country want for nothing. We have agricultural lands, mineral wealth, forests, fresh waters and oceans. With all this we can create wealth. We do not need to go to the international market.

I see, sir, that it is one o'clock. You are probably hungry, so I will continue at 2 p.m.

The Acting Speaker (Mr. Blaker): It being one o'clock, and the occupant of the chair being hungry, I do now leave the chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

The Acting Speaker (Mr. Blaker): Order, please. At one o'clock when the House rose the hon. member for Crowfoot (Mr. Malone) had the floor.

Mr. Malone: Mr. Speaker, the first thing I want to do on one of the loveliest days that Ottawa has experienced in some time is to thank you, sir, for coming back. Spring is here in Ottawa.

Before one o'clock we were speaking on a most serious matter, the borrowing bill, in which the government is asking Parliament for authority to enter the international markets and borrow $14 billion to maintain its programs. As outlined, and I will not dwell on it, they indicate they need some $11 billion, yet there is a request for $14 billion. In short, they are asking Parliament to underwrite $3 billion for which they have not accounted. And that, sir, as I indicated before lunch, is wrong in principle.

Equally wrong is a country like Canada having to borrow in the first place, when we have the potential for tremendous generation of wealth. If we bear in mind that our gross national debt is now $120 billion, our biggest budgetary expense is the servicing of this debt. The greatest outflow of capital from Canada is not the multinational corporations, as some would have this Parliament believe; it is not somebody coming in from outside and taking our money away. The greatest outflow of capital from Canada is the money paid to service our foreign debt. And that debt hamstrings Canadians in their attempt to achieve the standard of living they deserve.

I believe, sir, it is somewhat difficult for the public to comprehend the magnitude of these numbers. We talk about borrowing $14 billion, and in this amendment we ask that that amount be reduced to some $8 billion, thereby giving the government a portion of what they ask for but also making them more accountable to us for their borrowing requirements. To put this in perspective, I remind those Canadians who have never seen $1 billion that a $1 bill is exactly six inches long, and if you place one billion of them end to end you will have a line stretching from Vancouver to Halifax two and half times. The amount this government seeks under closure is 35 ribbons of $1 bills stretching from Vancouver to Halifax, and this after only two days of debate and analysis. That, I submit, is the second thing that is wrong.

As I was saying before, what we in this nation ought to do is look to the wealth we can create. If we look at a country such as Japan with 110 million people, its only resources are fish and tin yet it has one of the strongest economies in the world. The Japanese are outstripping us in the automotive and electronic markets. Now they are outstripping us in the steel industry; they are producing as much steel as North America and almost as much as the European Common Market. On this little island of Japan, people have been given the incentive to work and have been encouraged to put their industries in place. It is a land with little resource; here we are with virtually everything.

• (1410)

The Japanese import their uranium, coal and oil for energy; they import their wood for whatever they might build. They do this at world prices, yet they are competitive in the automotive industry. We in Canada try to guard against natural increases in the prices of world commodities. Our automotive industry bought that line. Since 1971 the government has tried to pad the cushion. Now we are paying $240 million in guaranteed loans to the Chrysler Corporation because it is not adjusting to world conditions.

Our country needs to get back to a sound basis of economics which will allow us to go forward and make changes that adjust to the new conditions of our time, instead of having government interference. Instead of promoting the entrepreneurial minds of the nation, the government becomes the stumbling block which trips up the private sector.

Our country should not have to borrow. We should be making more than we are at the present time from tax revenues. We should have a much wealthier private sector because there is no nation in the world with resources as rich as ours.

I see Mr. Speaker giving me a victory signal. I appreciate that, but I want to indicate that the philosophy of this nation is doing an untold injustice to Canadians. As a citizen of this country and as a resident of Alberta, I want to share with all that it does not make sense to pour out of our nation nearly $4 billion every year for the purchase of offshore petroleum. This gives Canadians a terrible deal.

We are buying oil from Mexico. Some people think we are purchasing it at world price, but I submit that we are not. We are purchasing it at a price which is much higher than world price. Oil is not just oil. For example, Albertan oil is some of the highest quality oil in the world. Mexican oil is a Maya oil; it is heavy oil; it is sludge oil. In truth it is junk oil. It takes 1.5 barrels to 1.6 barrels of Mexican oil to make the equivalent amount of gasoline which would come from an Alberta barrel. We are not paying $38, $40 or $42 per barrel for Mexican oil because we are only getting a portion of the amount in gasoline. It could be argued that we are paying as high as $54 per barrel because of that conversion factor.

When we get the Mexican oil here, it cannot be refined as cheaply. The federal government tries to make the citizens of Canada believe that somehow it is looking after the centre, when the fact of the matter is that it is holding Canadians back and discriminating against them in many ways.

Before the luncheon break I mentioned the two tar sands plants which have been slowed down in Alberta. They would

have generated wealth not only in Alberta but in Ontario as well. I should like to put on the record what one of those plants would have meant to the province of Ontario in terms of generating wealth. Out of the $108 billion in direct spending in the province of Ontario, $800 million would have been spent in iron and steel; $370 million would have been spent for metal fabrication and machinery; $325 million would have been spent for transportation equipment. I see Mr. Speaker is indicating that my time is up, but I would like to finish by saying that another $740 million would be spent in Ontario for manufacturing and processing and another $370 million for financing.

In conclusion, the country needs money, but borrowing is not the only way to get money. There are other methods; we can generate wealth within the country by encouraging our citizens. This is one of the greatest nations in the world. It has the potential, and we must excite our citizens to it. This is one of the lucky countries which has such potential.

• (1420)

[*Translation*]

Mr. Claude-André Lachance (Parliamentary Secretary to Minister of State (Trade)): Mr. Speaker, I had not planned on taking part in this debate, but what has happened in the House in recent weeks and the repeated delays responsible for the fact that we are only now studying a bill which should normally have been passed several days ago, have perhaps made me more aware of the issue concerning the borrowing authority of the government and the related question of successive budgetary deficits of the Canadian government.

No one likes deficits, Mr. Speaker. I am convinced that the Minister of Finance, or rather the Minister of State responsible for Finance (Mr. Bussières) dislikes deficits as much as the financial manager of a big company or even the couple who, on going over its budget at the end of the month, realizes that it is in the red for a few dollars and will have to borrow money from the bank or another source.

However, Mr. Speaker, the fact is that this estimated deficit of $11 billion, which does not take into account any contingencies, has to be financed. This is necessary if we do not want or are not able to eliminate it completely. And when I speak of eliminating it completely, I mean immediately since the cash requirements of the government aim at meeting commitments that the House accepted in the past and has asked the government to see to it by administering certain programs. Unless we cut back drastically on these programs, the government needs sufficient funds to pay for them. The dilemna which we must therefore face, and this is the reason for today's debate, is that either we have the necessary amount in the treasury or else we do not have it. For the moment, we do not have it!

The second dilemma would be as follows: Either we administer the programs approved by the House itself in the past, or else we cut back on these programs. That is the second dilemma.

What are the facts finally? The facts are as follows: Considering the estimated revenue for the current fiscal year, we have additional cash requirements of $11 billion. Second, because of a certain number of contingencies in the Canadian economy, it might be possible and even desirable that these cash requirements be increased, and the government has provided for this purpose an additional borrowing authority of $3 billion. The government hopes that it will need less, but it could eventually need more. Let us suppose, for instance, that the world oil prices increase and that the compensation offered by the Canadian government increases proportionately. The reserve would melt away like snow in the sun.

These are the facts. The only thing that the government wants to do with this bill is not to approve or reapprove the programs already approved by this House, it is not to obtain a blank cheque to do as it pleases without taking into account any need to reassess some of the existing programs. Not at all! The only thing that the government is doing is to ask the House to provide the necessary funds to administer these programs.

If we, the members of this House, believe that some of these programs should be re-evaluated, that is fine. We only have to make suggestions. The opposition has during every session a number of allotted days during which it can suggest cutbacks to certain programs or any other action that it would like the government to take, and these issues are discussed and eventually voted on. This is the proper way to proceed.

Although some people say it is not enough, in its budget tabled last November the government itself set up a contingency plan in an effort to curb rising government expenditures. That is another possible and regular avenue since the government presents its budget and the House deals with it through the votes taken after the budget debate. But that is not what we are doing today, Mr. Speaker. The only thing we are doing today through this bill is simply to authorize the government to administer its programs and to have the funds to do so.

In the present conditions I find it somewhat difficult to understand why the opposition should be so dead set against this provision. I can see why a certain number of members would rise on both sides of the House to deplore the deficit and increasing government expenditures; that is normal and it is our duty; it is normal as well in the end that distress signals be flashed to spur the government into doing more to put the lid on its expenses, and I accept that. But when they resort to a filibuster to prevent the adoption of a measure which in the end will do nothing more than release funds or authorize borrowing so that the government will be able to administer the programs which we ourselves have adopted, I fail to see there anything so improper that they would force the government to invoke closure. I know that members opposite screamed themselves hoarse, as they are wont to do, when they heard we would bring in closure or time allocation for this measure. It is normal that the opposition should criticize when

a time allocation is slapped on a legislative measure. Indeed, I for one must admit that as a member I am always a bit reluctant every time I have to vote on such a motion. That is normal, I am a parliamentarian. On the other hand I sit on the government benches and I must always weigh the interests involved.

But in this case, Mr. Speaker, we are not dealing at all with a legislative measure which forces new programs upon the people, nor is it a legislative measure which will give the government a mandate to spend more than expected. It is nothing more than a piece of legislation which will enable the government—and I am saying this for the nth time—to administer programs that we have been approved in the House. Under the circumstances, once the distress signals have been sent out, once the deficit has been deplored and the government has been urged to get a handle on the deficit, we have no choice but to take the necessary steps to fulfil those wishes ourselves in the House. Earlier I suggested two ways to go about it, but in the meantime the government must have a free hand to administer those programs. It cannot administer without money.

Our financial requirements for 1981-82 amount to $11 billion. Members across the aisle have complained because the bill under study provides an additional $3 billion as a reserve. A number of speakers have explained why the government is seeking the approval of the House to borrow an additional $3 billion. Personally, I think that it is very wise on the part of the government to make sure in advance that it will be able to cope with unforeseen contingencies which might crop up, and experience has shown that year in and year out there are urgent situations in which we must act.

Besides, I remind my hon. colleagues that the bill in question also provides that, should the amounts required by the government to finance its programs by any chance not reach the $3 billion involved here, the carryover to the next year would be reduced or limited to the $3 billion requested as a reserve. So, there is no danger, as far as the House is concerned, that the government be given a blank cheque to spend as much as it wants, whether it be four, five or six billion dollars in the following year that would not have been approved here. The maximum amount is set at $3 million regardless of what amounts the government might need.

Under the circumstances, I find even more difficult to understand that some hon. members should have suggested that the government be given an amount of only four or five billion dollars, some even spoke of eight billion dollars, to face estimated expenditures of some $11 billion. I fail to understand the rationale behind that proposal. That the hon. members should suggest the use of parliamentary or administrative procedures to eliminate our deficit, I could understand, but the debate in progress in the House at this point has nothing to do with that. The bill before us only provides the government with the amounts requested.

May I be allowed to digress for a moment, Mr. Speaker: when there is a deficit as large as it is now—and under our Constitution the Canadian government is responsible, in the final analysis, for fiscal and monetary policies—and when we see that provincial entities, our provincial partners and their administrations, including municipal administrations, represent over 60 per cent of all government expenditures in Canada, I wonder whether it might not be timely to re-examine seriously the traditional mechanisms for formulating both fiscal and monetary policies.

I know that, traditionally, the Minister of Finance plans his policies together with his advisers on the basis of economic requirements at a given time, and that nothing is supposed to transpire from those discussions, deliberations, cogitations, until eight o'clock on the night when he brings down his budget. I also remember that a minister of finance, the present Minister of Justice and Minister of State for Social Development (Mr. Chrétien) innovated when time came for him to bring down his budget; I believe it was in 1977, and he consulted his provincial counterparts.

Unfortunately, the results were not exactly what had been hoped for: some wrangling followed those consultations, but that is another story. The fact remains that, to my mind, it would be advisable to give serious thought to the process by which the fiscal and monetary policies are implemented with a view to having greater input from the provinces as partners, who represent, if only as far as budgetary matters are concerned, an element of prime importance in government spending in Canada, and whose impact on the economy and interprovincial trade is such that they cannot be ignored when government policies are formulated.

How should we go about it? I think that at the institutional level, we may not have at present the necessary machinery to set up that kind of consultations. Several proposals have been made by various groups to the effect that the Canadian Parliament make of an institution of either House, probably the Upper House or an altered Upper House, a forum where provincial governments could be heard on fiscal and monetary matters.

Such a huge deficit makes you ponder, and I suggest to the Minister of Finance and the Minister of State for Finance that they make overtures to their provincial counterparts, urging them to take a more active part at the consultation and concentration levels, and even perhaps at the decision-making level eventually, in drawing up the fiscal and monetary policies. My comments are perhaps somewhat irrelevant, but since you have allowed other members to stray from the subject, I think you will allow me a last digression.

The last point I should like to emphasize about this measure relates to the so-called draining of funds—that is the allegation made by some hon. members of the opposition—from the capital market in Canada. On March 20 last, the Minister of State for Finance gave some figures which clearly showed—

and I think one had to be blind to ignore them—that the capital market is healthy, thank you, Mr. Speaker, that in spite of such borrowings by the Government of Canada and of provincial and municipal governments, and even by all three levels of government, private financing in Canada has increased considerably in the last few years, on the bond market and on the stock market. I am not concerned about that so-called draining of funds. For the next 20 years, until the year 2000, investments of $500 million have been mentioned in the energy industry alone to develop our energy potential.

I am simply trying to point out to you, Mr. Speaker, that the additional $3 billion requested by the Government of Canada are not going to change the general picture very much. And as for the distress signals sent by the Progressive Conservative members regarding this so-called draining of funds, I am still waiting to hear them from the main economic agents which should normally be the first to complain about this borrowing authority given to the Government of Canada.

In conclusion, Mr. Speaker, if there are problems of a philosophical, methodological or organizational nature with governmental programs, let us discuss them. Let there be proposals to abolish a number of them, to reduce, amend or review some others, But such is not the purpose of this bill. The purpose of this bill is to provide the government with the tools it needs to administer the country. So let us allow it to run the country, Mr. Speaker.

● (1430)

[*English*]

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, I would like to make some comments on this borrowing authority bill. First, we should take a look at why we are in this mess. Why do we have such a debt? Why are we borrowing so much money? Actually, it is the direct responsibility of successive Liberal governments. This goes back to 1968 when it rammed through the House under closure a measure to remove proper control and examination of government expenditures. Since then we have lost all control. Its only solution to any problem is either to print and spend more money, or to borrow more money. This has nothing to do with the Conservative Party; we opposed that measure in 1968.

I have listened to these Liberal members say that we should simply rubber stamp this measure, but I cannot accept that because I have not received any mail or communication from any of my constituents or anyone in the Greater Winnipeg area or Manitoba area which shows support for anything that this government is doing. Therefore, we are fully justified in criticizing the government, and it is legitimate criticism. The actions of the government over the years have put us into this mess. It is not something which it inherited or which simply happened.

I suggest that more of government members should read the Auditor General's report and the Lambert Commission report, and then they would understand what I am talking about. The previous Liberal speaker said that some of the provinces are in debt too, that they are borrowing, and perhaps we should meet with them to discuss mutual problems. We had that in mind, and the Conservative government had an item on the agenda of the first ministers' conference on December 15, 1979—that is, two days after it was defeated—to discuss duplication between the provincial and federal governments. That would have been a real and genuine start to eliminate duplication between the two levels of government. I am sure that would have saved untold millions. However, I do not see any suggestions from this government about getting together with the provinces or anyone else to discuss reducing expenditures or finding ways of eliminating duplication and waste.

Another reason we are borrowing, that so much money is going out of the country and we are in such a mess with our energy policy, is that another program which was introduced by the Diefenbaker government in the early 1960s, a road to resources program to develop all our resources in the north, was discontinued. At that time the Liberal opposition laughed at it, and when the Liberal government took office again in 1963 it dropped the road to resources program to develop the north. We could very well have been self-sufficient today if that program had been continued, and the Liberal Party would have received most of the credit. However, the program was dropped. That is why we are in such a mess. Billions of dollars are going out of Canada, to OPEC countries to buy imported oil, and this is another reason we are in debt and borrowing more money.

We are quite justified in our criticism if we read the statements made by the Prime Minister (Mr. Trudeau) and other hon. members of the government since 1968 to the effect that they would bring expenditures under control, that if they did not bring them under control we would have inflation. Those have been meaningless, empty words. They have done nothing to bring anything under control at all. UIC payments are increasing, which will be another burden on taxpayers. Perhaps many taxpayers do not fully understand what is meant when we talk of expenditures and estimates. Perhaps they believe such expenditure do not affect them, but they certainly do. We are talking about the money of these taxpayers, and they are the ones who must pay all the interest charges and pay for all the reckless spending.

Another example of spending is the metric conversion program which is now going through and will hit the retail food industry so hard. Scales will have to be purchased from outside of this country at a cost of $50 million, and that will be another burden on the Canadian taxpayer and will drive food costs way up. The government is simply ramming that program through, also by order in council, as another example of its contempt for the Canadian people.

I would like to run through the 1981-82 main estimates. This is an overview of overspending. I would like to point out that Conservative Members of Parliament were banned from the briefing on these estimates, and we did not appreciate that. When one examines the government's spending plans for the

next year, it is not hard to see why it wanted to minimize the ability of the opposition to respond quickly in the House.

The total spending forecast for next year is $67.6 billion. That is an increase of 12.8 per cent. So where is the control? Where is the restraint which is always talked about during election times? This is breaking the Liberal commitment to hold spending increases to less than the GNP growth, which is forecast to be 11.3 per cent in the coming year. The forecast of $67.6 billion is achieved only through some juggling of accounts. For example, $2.4 billion of petroleum compensation fund expenditures no longer appears as an expense, as it is now being netted out against the petroleum products levy.

The Liberals will spend $3.8 billion more next year than the Conservative government had planned to spend. That is a legitimate complaint from our side. We do not believe that that is necessary at all. It is a question of philosophy. The socialists love to spend and they love uncontrolled growth in government. I will go into that in a little more detail in a moment.

Government spending next year is equal to the sum of money needed to purchase a $75,000 home for every household in the province of British Columbia. In spite of reports by the Auditor General that the public service is operating at only 60 per cent efficiency, and in spite of commitments made last April by the President of the Treasury Board (Mr. Johnston) that he would take steps to reduce the size of the public service, there will be a net increase of 3,085 person-years next year. We hear repeated statements that we must control growth of the civil service. They are just meaningless, empty and hollow words.

• (1440)

Things could be worse than that, Mr. Speaker. However, the net figure is based on the assumption that the post office will have a net reduction of 461 person-years as a result of expected efficiency gains in postal operations. The public debt charges constitute the fastest growing envelope, rising by $2.1 billion as a consequence of higher debt and higher interest rates.

My colleague, the hon. member for Crowfoot (Mr. Malone), illustrated what a billion dollars means. Many Canadians think that the expenditure of billions of dollars does not concern them. I want to assure the people of Canada that what is contained in those billions of dollars is their hard-earned tax dollars. It is not someone else's money. No one else is giving us money. Canadians are paying for these billions of dollars being borrowed, billions of dollars of uncontrolled spending and debt charges.

The estimates show that while planned spending for this year has not changed since last fall's budget, there has been a change in the composition of the expenditure envelopes. Significantly, instead of spending $7,155 million on economic development as projected, the government will only spend $6,873 million. At least half of the cut will go to pay for the increase in the cost of services to the government.

The estimated cost of services to government was $4 billion in 1980-1981. The fall budget projected the cost at $4.5 billion. This figure has again been revised upward to $4.7 billion; in other words, a 17 per cent increase. Only a Liberal government would consider a significant increase in the cost of its overheads when faced with near bankruptcy. That is why so many hon. members are debating this bill and exposing these people.

In spite of a 50 per cent increase in UIC premiums this year, the government's contribution to the unemployment insurance account is up by $219 million.

The federal government treats national unity the way most people treat the weather; they like to talk about it. The cost of talking about it will rise by $11 million next year, all for increased information by way of advertising. The government might as well cancel the advertising because it is having absolutely no effect on the Canadian public, either in regard to the constitutional package or anything else. It is just a waste of money.

Another area we discuss time and time again, an area that we took some efforts to bring under control when we formed the government, is that of cost overruns. If this government were bringing cost overruns under control, perhaps we would not have so many speakers being so critical. But cost overruns are continuing and the figures are astronomical. There were 497 projects with cost overruns of over $1 billion. This information was released by the President of the Treasury Board (Mr. Johnston). The average overrun was about $10 million. One of the worst departments for cost overruns is the Department of the Environment. Of 223 projects, 153 experienced cost overruns, at a total cost of $283 million. Another example of a cost overrun is the Lachine canal in the amount of $45.9 million. What kind of management do we have from these people if we have overruns to this extent?

One of the largest overruns in dollar terms was in the Department of National Defence, with $98.7 million for the Aurora patrol aircraft. This was almost a 900 per cent cost overrun compared to the original budget. What is going on in national defence to cause a 900 per cent cost overrun? I asked the minister the same question in the House. The Minister of National Defence (Mr. Lamontagne) could give no explanation for this. He did not even seem to be concerned when asked. When we formed the government we set up a committee to investigate cost overruns, but since the Liberals now form the government they feel this work is best done in the public accounts committee.

Another measure we took when we were the government to try to control overruns was to introduce a measure called "double jeopardy." This measure of double jeopardy penalized departments $2 for every $1 overrun. I imagine that measure has been dropped by this government.

Another area where there does not seem to be any control is the number of Crown corporations we have in Canada today. We have approximately 436 Crown corporations. Why on earth does Canada need 436 Crown corporations? In 1962

there were 35 Crown corporations. That figure is up to 400 plus today.

Prior to the Conservatives taking over as the government, we tried to find out in committee how many Crown corporations there were. The government could not even tell us how many Crown corporations there were, but we ferreted the information out in the committee. It took us a few weeks and I see some of the members who were involved in that process are here today. The officials told us that the figure was around 100 Crown corporations. Then we were told there were 125 Crown corporations. The number of Crown corporations then increased to 200 and now there are 436 Crown corporations. We do not even know if that is the correct figure. And the Liberals criticize us for speaking out against the government borrowing more money when conditions like this exist under Liberal governments!

By contrast, when we formed the government one of our priorities was to rationalize the functions and purposes of these corporations as well as to bring them under a scheme of financial accountability. Using the recommendations of the Lambert commission as a basis, the Conservative government introduced Bill C-27 to increase the accountability of and control over Crown corporations. The bill also made provisions to privatize a number of Crown corporations.

I received a document in my office this week on accountable management. It is a progress report to Parliament from the President of the Treasury Board. I see Crown corporations are included in this document. Let us hope that this is a genuine report and that the government is making a genuine effort to control the growth of Crown corporations and make them more accountable.

One example brought to my attention recently concerned the CBC. The Canadian Broadcasting Corporation is talking about establishing CBC-2. The CBC has been before the CRTC with an application, but it did not get very far. Questions have been raised in the House as to whether the government supports CBC-2. The government has not said too much as to whether or not it is committed to the formation of CBC-2. I have information that the CBC is spending money developing logos and new tapes for CBC-2. The government should be questioning the Canadian Broadcasting Corporation to find out why that money is being spent on CBC-2 when the CBC does not even have the permission of the CRTC, the cabinet or of anybody else to develop that channel. I hope the government will be making a statement about this matter very soon or I shall continue my own investigation.

One wonders about the finance minister—

Mr. Regan: He is the best we have ever had.

Mr. McKenzie: The Minister of Labour (Mr. Regan) says he is the best minister we have ever had. I shall quote from the *Toronto Star* for March 23. An article appeared in that edition on our finance minister. Bob Hepburn of the *Toronto Star* in his article wrote that there were very many funny, strange things going on in the finance department and there seems to be utter confusion among the senior officials and everyone else. Mr. Hepburn certainly has the Liberal party pegged.

I will read some of the statements made by Mr. Hepburn, particularly as they refer to the finance minister who, in my opinion, is a brilliant political manipulator. That is how I would describe him. He has been in the cabinet longer than the Prime Minister. He is probably one of the senior members of the cabinet. He is more responsible than anyone for removing control over expenditures and getting us into these massive borrowing positions. He has made no contribution in cabinet to keep expenditures, Crown corporations or anything else under control. Mr. Hepburn writes:

● (1450)

> In addition, leaders in Canada's business and financial circles are becoming increasingly unhappy about their communication—or rather lack of it—
>
> Finance department officials are unsure whether their ideas and policy options are being actively considered by the minister. "He keeps everything close to his vest, then acts himself," one official said.

I have observed this finance minister for many years. I know his priorities. It is the Liberal Party first and the country second. His main concern is to do all the manipulating he can to keep the Liberal Party in power. That is his top priority. The article goes on to point out that the finance minister has injected more politics into the department than any of his predecessors. That comes as no surprise.

I am getting the signal, Mr. Speaker, to wrap up my remarks, but first I will give one or two other quotations from this article. It states the finance minister appears more interested in his role as Deputy Prime Minister than as finance minister and that he has failed to hire an established tax lawyer to head the critical tax policy after a 13-month search. Maybe nobody wants to work with this finance minister. He has not been able to implement his plan to initiate sweeping tax reforms. He had better find a tax lawyer in the very near future.

These are some of the disturbing facts about the minister. That is why we are not going to rubber stamp this borrowing authority bill. We will speak as often as we can in order to expose the government. I am dedicated to that on behalf of my constituents and the Canadian people for as long as I am in this chamber.

Mr. Paul E. McRae (Thunder Bay-Atikokan): Mr. Speaker, I have always participated in some stage of a borrowing authority debate, and this is the second opportunity I have had with regard to this bill. I would like to go over some of the problems this borrowing bill creates and the reasons for those problems. The borrowing bill does not present a totally bad picture; some parts of it are quite favourable.

When we talk about debt and how much we have to borrow because of the national debt, we must do so in terms of assets and income. I wish to cite an example which I have cited before. If I owed $10,000 and my income was $100,000 a year, there would be a relationship between my income and that debt. If I owed $10,000 and my income was $20,000 a year I would be talking about a different ratio. The amount of debt

would be the same, but my ability to pay would be very different. The same is true with assets. If my assets were ten or 20 times the amount of debt I owe, I would be in good shape. However, if my assets were very small compared to the amount I owe, I would be in bad shape, even though the amount owed would be the same.

The same is true at the federal level. We cannot speak of a $10 billion debt 20 years ago and a $70 billion or $80 billion debt today and say it is a terrible situation, that we are much worse off now. That is not quite true. In 1951 the net national debt as a portion of the gross national product was approximately 51 per cent. In other words, the federal debt that year was 50 per cent of the gross national product. After the Korean war, that figure came down. By 1962 it was something like 32 or 33 per cent. Last year, without getting into a lot of detail, it was in the order of 30 per cent.

One can say that we are better off today in terms of the relationship of debt to revenue than in 1951. When talking about these figures, one must talk in terms of revenues and GNP. It is foolish to talk about them in any other fashion.

If we look at government expenditures, we see that 68 per cent of the total is by way of transfers to provinces and municipalities through various and sundry subsidies. Of the remaining 32 per cent, 27.7 per cent is for the operation of the government and 4 per cent is used for subsidies to Crown corporations. Added together, the total operation of the government is something in the area of 32 per cent of all expenditures.

The opposition keeps talking about cutting expenditures and reducing the deficit. What bothers me most is that they want all of that reduction from the 32 per cent. They say it is absolutely essential to cut back on government expenditures, the number of civil servants, salaries of civil servants and government waste. That will not solve the problem. There may be some fat, there probably is, and we may be able to cut that back by 10 or 15 per cent; but to really do something about a $16 billion deficit, you have to do something very significant in the area of transfer payments.

If we are going to cut back, it must from the 68 per cent. It is fine to argue that we must cut back and reduce the deficit, but where are we to make the cutbacks? Is it to be in transfer payments to provinces, most of which is spent on medical and hospital care or those on welfare? Should we cut back on unemployment insurance payments?

I had some discussions yesterday regarding a significant cut by provincial and federal governments in educational grants to young adults who do not have a decent education. Are we going to cut back in that area? That may make sense to some people, but if we cut back in that area, I can assure you that for the next 40 years those people who are not going to have this educational opportunity will be the ones on the welfare, UIC rolls, and so on. If we cut back in that area, will we really be doing something?

• (1500)

I can remember talk about cutting back in the province of Ontario, particularly in medical expenses, and cutbacks in areas like halfway houses for people with mental health problems. We may save $30 a day in this way, but then we have to pay $200 a day to keep the same person in an institution later on in life.

When we talk about cutting, we also have to talk about which cuts make sense and which do not. I would make a wager that every one of us in this House has half a dozen things we would never want to see cut back. I do not want to see cutbacks in those educational grants for young adults who have, for some reason or other, not acquired an adequate education to function properly. Other members have other special interest areas such as medicare. Some suggest we need more police, more prisons and we have to tighten up our laws. Where do we cut? If we cut what you want maintained, it may have something to do with the law, and if we cut what I want maintained, it may have something to do with the future of young people.

It is very easy for the opposition to say we have to cut back, but it is not easy when you have to sit down and decide what are the cuts you want. Let the opposition tell us the things they want cut, those things that are significant.

Do not tell me we are going to solve the deficit problem by making cuts in the public service. I can tell you this represents only 32 per cent of total government expenditure. It is a good portion, but if there are to be cuts, they will have to be made in that other 68 per cent or we will have to increase our revenues to make up the difference.

I know we all come to the cutting stage as members of this House, and we come to that stage every day. Someone thinks something should be cut and some of us say: My God, that cannot happen because it is important that this money be supplied. All I ever hear from the other side is that we have to cut back, but I have yet to hear what they want us to cut back. It seems to me we all face the same problem. We have good programs. For one reason or another I think a specific program is good. For example, I think housing programs for native people are good programs, and I can think of all kinds of other things we have to do which are important. Either we do these intelligent things or we ignore all kinds of segments of our society which are weaker or for some reason cannot manage.

Either we cut back, or we start talking about how we raise revenues. When the Minister of Finance (Mr. MacEachen) talks about tax expenditures, I think this is an approach which has to be looked at. Whether or not that is the approach we will take, or the approach you would take, is immaterial, but in some way we have to begin considering revenues.

There is another notion I would like to deal with in the next few minutes which has to do with this whole business of big government, government revenues and expenditures. Let me give you some idea of what has happened since World War II in terms of government revenue. These figures again relate to

gross national product. There is no point in saying we had a certain revenue in 1951 and today it is five times that much. That does not mean anything. What is important is how much is our gross national product and how that figure relates to revenues. That is what is important.

I should like to look at provincial and federal revenues, and, if we want, we could add municipal revenues. For the moment let us just consider federal and provincial revenue.

In 1943, and this was in wartime, 22.3 per cent of the gross national product of the country went in revenue to the federal government. In the same year, 3.3 per cent of the gross national product of the country went to all the provinces. By 1955, the percentage of the gross national product in these terms had dropped to 17.6 per cent, while the provincial share had gone up to 4.8 per cent. I am referring to the percentage of the gross national product.

These figures are taken for every five years, so I am not picking out odd years. In 1960, the federal portion of the gross national product in terms of revenue was 17.0 per cent and the provinces' share was 6.1 per cent. In 1965, the federal share had dropped to 16.4 per cent and the provincial share had gone up to 8.9 per cent. In 1970, the federal share was 16.1 per cent and the provincial share was 12.3 per cent. In 1975, the federal share was 19.2 per cent and the provincial share was 13.5 per cent.

The last year for which I have figures is 1979, so there is only a four-year gap there. The federal share had slipped back to 16 per cent of gross national product and the provincial share was 15 per cent. The provincial percentage had increased by about 500 per cent, from between 3 per cent and 4 per cent to about 15 per cent of gross national product, while the federal share had gone from 22.3 per cent to 16 per cent.

Everyone always talks about the federal government as being the cause of inflation and of everything else, but is it this government that is to blame? If it is to be blamed, then we on this side have to accept that blame because for all but about six or seven years of that period we were in power.

Let us get away from war years and not even consider those. Let us move to 1955 when we were out of both wars, nicely away from them. In that year, the percentage was 17.6 per cent federal versus 4.8 per cent provincial, or about four times as much. Let us go back to 1979, 24 years later, when we find that the federal share was down to 16 per cent from 17.6 per cent, whereas the provinces' share had one up to 15.0 per cent.

When we are talking about the borrowings of the government, government debt, and so on, we have to look at the areas of government spending. We are now talking about 1980-82. In this period of time the federal government will transfer in terms of tax transfers and direct transfers something like $18.8 billion to provincial revenues. That is something in the order of 23 per cent or 24 per cent of all government spending. Let me have a look at those transfers because I think they are tremendously important.

I must say something about the nonsense that has been said in this House, particularly by the Tory party, about the Constitution. The real constitutional story relates to how we are to face this tremendous transfer to the provinces; how we are to deal with it in the next few years.

• (1510)

I will talk about that a little more a little later on, but I would like to talk first about the kinds of things on which we actually do transfer funds to the provinces. I said the amount was $18.88 billion, but basically it is $18.9 billion out of $67 billion. That money goes to things like hospital insurance, which amounts to $2.9 billion. These are rounded-off figures. Medicare gets $1 billion; post-secondary education, close to $2 billion; extended health care, another $700 million; and so forth. The Canada Assistance Plan gets $2 billion to assist the provinces to pay welfare. Federal money is transferred to a whole series of these kinds of things. The amount transferred for bilingualism comes to something less than $200 million. It is not the major factor many Canadians think it is. The amounts spent on all these things total a very substantial transfer from the federal government to the provinces and other levels of government. I think this is a fundamental matter we must consider.

In its latest issue, the Economic Council of Canada dealt in detail with the amount of revenue the provinces have and the amount of revenue transferred by the federal government to the provinces. The council produced an interesting chart on page 60 of "A Climate of Uncertainty," the seventeenth annual review in 1980. The chart deals with surpluses and deficits going back to 1967. The chart shows that all governments in Canada were in surplus positions from about 1967 to about 1974. Then, in the period from 1974 to about 1980—

Mr. Deputy Speaker: Order, please. I regret to interrupt the hon. member, but the time allotted to him has expired.

Mr. Harvie Andre (Calgary Centre): Mr. Speaker—

An hon. Member: Continue, Paul.

Some hon. Members: Hear, hear!

Mr. Andre: Mr. Speaker, I did not expect to hear applause from the other side when I stood to speak. It seldom occurs in this House.

Mr. Cullen: You just haven't been listening, Harvie.

Mr. Andre: I want to open my remarks with just a few comments on the remarks of the previous speaker, the hon. member for Thunder Bay-Atikokan (Mr. McRae), who uses figures in an attempt to establish the position that somehow the federal government in this country is not large enough yet and that it must become much, much larger because the provinces have, relatively speaking, closed the gap in terms of the difference—at least as measured on an expenditure scale—in power between the federal government and the provinces. What the hon. member has neglected to do is to examine the data he has put forward. Instead, he has taken the figures which have been produced by the propagandists in the federal-

provincial office in an attempt to justify this constitutional coup d'état.

If the hon. member examined the figures put out, he would realize that the description of what constitutes the federal government's proportion of the gross national product omits a considerable amount of federal government activity. For example, those figures are based on the spending estimates as defined in our estimates, which are not the federal government's spending in total by any stretch of the imagination. The blue book estimates describe only those expenditures which go through the consolidated revenue fund and, as I intend to show in a few minutes, that is not the total government spending by any stretch of the imagination. The numbers the hon. member talked about do not account for expenditures by the some 436 Crown corporations which are wholly owned by the federal government. They do not account for the separate government operations which do not go through the consolidated revenue fund, such as UIC, the Canada Pension Plan or the oil import compensation plan, all of which amount to another $7 billion or $8 billion which should be added to the figures about which the hon. member spoke.

If the hon. member looked at the real figures, and not those figures cooked up by Dr. Goebbels' workers over the unity information office, he would find that, in fact, there is not a case to be made that somehow this federal government has had its power reduced to such an insignificant level in this country that it should beat off those terrible, voracious provinces which are trying to usurp the power which rightfully belongs to the federal government. The facts simply do not substantiate that argument, if we look at the real facts and not just those produced by those propagandists the federal government employs as part of its campaign on the Constitution.

Bill C-59, and the amendment thereto which we are discussing at the report stage, is one of those bills which can be defined very simply. It contains just a few clauses. It is one of those simple bills with just a few clauses which, as usual, are the most profound in terms of their impact. What the government is asking for is authority to borrow $14 billion. That is a colossal amount of money. A billion is beyond my capability to imagine. My colleague, the hon. member for Crowfoot (Mr. Malone), mentioned that a billion minutes ago Jesus Christ was walking on the earth. We are talking about $14 billion which the government wants to borrow. The government needs this money, we are told, because it has run out of authority. We are already into debt to the tune of $140 billion. Hon. members opposite need more money with which to operate the government because spending is simply out of control. The borrowing of this $14 billion will just cover, with a little extra, the interest on the debt which has been accumulated by this government over the last few years. This $14 billion will not be used for all those nice programs about which the previous speaker spoke. This $14 billion will not be used to assist old age pensioners, to assist native Canadians or to assist other people in this country with their problems. The $14 billion we will be authorizing the government to borrow will be used to pay the interest on previous borrowing. We will be borrowing $14 billion to pay the interest on the accumulated debt of previous years. Next year we will have to borrow that much more to pay the ongoing interest plus the interest on this $14 billion, which will be another couple billion at least. And on and on we go on this upside down pyramid. It is an atrocious situation.

As citizens, Mr. Speaker, you or I cannot operate our own personal finances that way. No one would lend us the money if we attempted to operate our finances that way. If we tried to borrow more money simply to cover the carrying costs of what we had borrowed before, no one would lend it to us. No company can do that. No family can do that. No provincial government can do that, as a matter of fact. The only institution which can do that is the federal government because it has something no one else has. It has a printing press which can print money. The government owns the money presses. It has the central bank. The federal government is the only one which can get away with this, and even the federal government can get away with it only for a while because even central governments in large, rich countries like Canada at some point in time are faced with the same kinds of realities faced by individuals, institutions, corporations or anyone else in the world.

• (1520)

The previous speaker talked about the marvellous ways in which government can spend money, and there is no denying that. He says it is easier to spend than to cut or save. Well, that is hardly an argument. Everybody recognizes that, of course, it is easier to spend than to cut, and there are all kinds of worth-while things the government should be doing. There is not a member in this House who could not dream up 10, 20, 30 or 100 new spending programs which would have a very beneficial impact. So there is no question that there is a demand, very worth-while in many instances, on government for new programs. There is no question that a civilized government and Parliament, consisting of people genuinely concerned about their country and fellow citizens, must look at the possibility of coming to the assistance of those in our society who need it. We have to be concerned about health care, about education and about our senior citizens. We have to look after them; there is no argument on that.

So, Mr. Speaker, the hon. member arguing that point was arguing with a strawman. However, on the other side, there must be recognition by government that these programs have to be financed from taxes. There is no such thing as a free lunch; somebody has to pay, and I humbly submit that the people of Canada are more than ready to pay the taxes to look after our senior citizens. I have no doubt that Canadians are more than willing to pay for adequate health services and adequate education, and to pay those taxes necessary to fund programs which they approve of. Where we get into trouble, Mr. Speaker—and this government has habitually been in this phase since 1968—is where the government wants to undertake programs of benefit to Canadians but does not want to take the responsibility for saying: you will have to pay for it. They do not want to admit that taxes have to be raised, so they

pretend that is a separate function and they do it in a number of ways.

One of the ways of doing that is running up deficits, because while they have to be paid off eventually, they are paid off by the next generation five, ten, 20 years from now. And in ten years, when some members are standing up here complaining about the accumulated debt, we could stand up and say: a lot of this is the fault of Mr. Pearson; and it is his fault, but who cares? He is gone, there is no political fault.

So members of this government recognize they can introduce programs today, get the political benefit and then let future generations pay for them because by then they will be gone to their just rewards as directors, or as presidents, or chairmen of Crown corporations, and they do not have to worry about it. So there is the irresponsibility of their approach.

The other way they do it, Mr. Speaker, and this offends me perhaps more than anything else, is by disguising the actual level of spending. They are not honest about what they are spending. They do this in a lot of ways. To begin with, the government, this one in particular in the last few years, has never told the Canadian public honestly what it is spending in its estimates. For example, when the main estimates were brought down this year, there was a press lock up. No experts were allowed, no members of the opposition, only working members of the press gallery were allowed in. They were given prepared press releases by the government which carried this message. They were kept locked up until the House opened for business, and then they ran off and announced to the Canadian public that government spending was 12.8 per cent.

An hon. Member: While you ran a filibuster.

Mr. Andre: Well, Mr. Speaker, the next day, when the experts had a chance to look at the figures, when people not quite as gullible perhaps as members of the media—and I should not fault them because they are under pressure of time and have to produce their stories—they found that spending had gone up 16 per cent, not 12.8 per cent. But the story had gone out; the public had been told by the government it was 12.8 per cent. The real figure of 16 per cent went out in a few columns. Don McGillivray of Southam's brought it to the attention of those who read the business pages of which are not many. There were a few Canadians who saw the truth and pointed it out, but the vast majority of Canadians still believe the original figure put out by the government. They were able to get that figure before the public because of blatant manipulation of the media, by having that lock up and not allowing in there members of the opposition and experts to examine and cross-examine the Treasury Board officials who were there.

Another way they disguise the spending, Mr. Speaker, is through the supplementary estimates. Again, across this country the figure went out that spending this year is 12.8 per cent above last year. That is a false figure. The correct figure is 16 per cent. But in addition, that is a comparison of the main estimates with the total spending of last year as shown in the main and supplementary estimates A, B and C. We know there will be at least three more sets of supplementary estimates this year and we know that the year to year comparison, even using the cooked books, is going to be in excess of the 12.8 per cent for sure, and well in excess of 16 per cent. In fact, spending year over year, based on past experience, will likely be of the order of an 18 per cent increase. All the while, the Minister of Finance (Mr. MacEachen) and the Prime Minister (Mr. Trudeau) will say: we are keeping our campaign promises of keeping government spending within the trend line of the growth in the economy. That is the kind of chicanery and downright dishonesty that goes on in terms of disguising spending.

Another way they disguise spending, Mr. Speaker, is through Crown corporations. If the government borrows money directly to undertake a program, that shows up in spending. So what they do instead is to create a Crown corporation, guarantee its loans, which is the same as if the government had borrowed the money. It never shows up in government spending and they can claim: gee, look, we are keeping spending under control. In the process, you end up with another Crown corporation, a lot more government spending and a minister who can say with a straight face, "we are under restraint; we are keeping spending under control", which is a blatant falsehood.

Another way in which they disguise the true spending is the creation of revolving funds which operate outside of the consolidated revenue fund and therefore do not show up in the blue book estimates as government spending. For example, the petroleum compensation fund whereby they subsidize some imports, is a fund separate from the blue book procedure and that money does not show up in government spending. There is also the UIC revolving fund, the airport revolving fund, and I do not know how many others. This is money being collected and spent by the government, but it never shows up in government spending so that they can continue to claim: we are holding expenditures under control, we are operating under constraint. A blatant falsehood.

Even more offensive than that, Mr. Speaker, is the use in the estimates of negative expenditures, if you can imagine that. A couple of years ago, when they had a desire, for political reasons, to claim that they were holding government spending under control, they had CMHC sell some mortgages. In other words, they sold some capital. They did not list the receipts of those sales as an income item; they listed them as a negative expenditure to keep the expenditures down. It was the kind of book-cooking for which individuals in the private sector would end up in court.

● (1530)

In this year's main estimates of the Department of Energy, Mines and Resources, there is a negative expenditure, under the petroleum compensation fund, of $2,665,400,000. It was a negative expenditure, because they raised more money than they spent in that revolving fund. Rather than taking the honest approach and listing it on the revenue side of the

ledger, they have taken the dishonest approach and described it as a negative expenditure.

There is another manner in which government spending is hidden. Who knows what dollars are involved? It is very difficult to identify. I am referring to the government's increasing propensity to push expenditures onto the private sector. If they want a certain task undertaken, if they want a certain program or some particular action which may have some social benefit implemented, rather than paying for it directly through the government consolidated revenue fund, which would show up in their expenditure plan, they pass a law requiring the private sector to undertake that expenditure. It never shows up as a government expenditure item, but in fact it is spending for a government cause. Therefore, it is in exactly the same category as any other type of spending.

One estimate of the consulting group in Ottawa showed that the spending under this item alone could be in the order of $15 billion. If we are to bring spending and deficits under control, first and foremost, honesty is necessary. First and foremost, the government must stop disguising what it is doing. It must stop trying to fool the people. It must draw a direct relationship between spending and raising funds. It must be honest and open about the process. Then perhaps we would have a better selection of programs which should be funded. Certainly we would have better control over the government spending process, and we would not be called upon year after year to authorize untold billions of dollars of new debt.

Mr. Nelson A. Riis (Kamloops-Shuswap): Mr. Speaker, it is interesting to follow the colourful hon. member for Calgary Centre (Mr. Andre). Certainly I would like to pick up where he left off and raise some of the problematic sides of Bill C-59 which is before us. It is a request to borrow $14 billion. This immediately poses some very, very interesting questions.

First, when we look at the estimates, we find that $11 billion is all that is actually required. So this raises the following questions: how will the $3 billion be spent; is it a slush fund; is it simply there in case it is required somewhere down the road?

When we look at the account of the government, we find that it has $4.8 billion in the bank. This really raises the question: is it necessary at this point for the government to receive authority to borrow $14 billion? The amendment of the Tory party which recognizes the more reasonable figure of $8 billion is something we feel encouraged to support. Perhaps it is somewhat simplistic in approaching this very serious and problematic situation but, nevertheless, it is a step in the right direction.

In the short time remaining, I want to focus on four problems in terms of this request to borrow $14 billion. My concern is primarily with small businessmen, the small entrepreneurs in Canada, and what this request means to those individuals who are out there in the corner stores, the service stations, the small pharmacies, the small plants and manufacturing centres. What does this mean to these people?

First, we must recognize that the government will have to go to the domestic capital markets in order to borrow $14 billion. This will have an immediate effect of increasing interest rates. It is the type of thing which jacks up interest rates and encourages higher rates than ever. Of course, higher interest rates for small businessmen mean increased carrying charges. Certainly this reduces the ability of small businessmen to compete effectively with larger corporations and companies of regional, national or even multinational spheres of influence. For example, it reduces the amount of inventory small businessmen can maintain. Therefore, it reduces the level of service they are able to provide. It adds prices to his products which makes competition very, very difficult. Needless to say, it reduces the ability of small entrepreneurs to expand their operations, to develop new product lines, or to develop new entrepreneurial activities. In a sense, it makes it very difficult for small businessmen or women to operate in a competitive fashion with larger companies, particularly those with larger spheres of influence.

When the government goes out to borrow $14 billion from the domestic capital markets, we must recognize that this in turn has a negative impact upon the medium and small business community. If the Canadian government is borrowing $14 billion from the domestic capital markets, it is $14 billion which is not being used by investors in the private sector to expand its operations. It hinders productivity, development and expansion of our economic, industrial and manufacturing sectors.

Another problem is that the government cannot borrow $14 billion from the domestic capital markets because it will jack up interest rates beyond an acceptable level. Thus, the government is forced to sell bonds and treasury bills to the Bank of Canada which increases the money supply. As the hon. member for Calgary Centre indicated, the government has the ability to print money. The printing presses come out, and the money is printed; it leads into an inflationary spiral. If there is one fear of the small businessman today, it is the fear of inflation, the inability to plan accurately for the future, and the further erosion of his small profit margin.

If the government goes beyond domestic capital markets to borrow money abroad, the possibility of very serious problems develops. For example, if there is a reduction in the value of the Canadian dollar, it is forced to repay those loans at inflated levels. In my own experience as an alderman in a western municipality, I felt that we could make a better deal if we borrowed in Swiss francs, only to see a reduction in the value of the Canadian dollar and those borrowings being paid back in deflated dollars. This is the type of situation with which the government will be faced, if it continues to borrow money abroad or from foreign markets.

The government is running headlong and borrowing $14 billion unnecessarily, but nevertheless it is being borrowed. It indicates a real insensitivity to the small business community. In fact, this insensitivity was demonstrated in the last few weeks when we were looking at the marginal manufacturing tax in the Standing Committee on Finance, Trade and Economic Affairs.

● (1540)

This is an opportunity for the federal government to obtain revenues, but the confusion which exists in the business community over the marginal manufacturing tax is quite unbelievable. The fine tuning is not being done before the fact, it is being done after. There are a great many people who did not recognize that they were marginal manufacturers. They now find themselves in a situation where they must revise their plans for the future, they must revise their inventory development plans. Yet they still do not know the fine points within that legislation. They phone the Department of Revenue and the Department of Finance for clarification, and even then grey areas exist. These areas are being fine-tuned, now, when in fact this legislation will be effective as of January 1, 1981.

We would be much better off if we gave the business community a clear indication about this new method of obtaining revenue for the federal government and told the community that the measure will be in effect as of January 1, 1982. This would give them an opportunity to adjust to this tax which will be coming their way. This is the kind of sensitivity that many of us would like to see from the federal government, particularly as it relates to the small business community.

One can say, "Oh well, not all is lost. The government did provide some assistance to the small business community; they brought in the Small Business Development Bond." Unfortunately, when you look at the small print and the restrictions associated with that bill, you see that 95 per cent of all small businesses in Canada are prevented from taking advantage of the Small Business Development Bond. When you look very closely at the mechanics of that particular bond, you will find that the real beneficiaries are not the small entrepreneurs of Canada or the small businesses across the country but the chartered banks. The lending institutions are the ones which really benefit from the Small Business Development Bond, not the small entrepreneur.

When considering the $14 billion that we are being asked to authorize today, we recognize that none of this money will be used for new programs, new projects or new opportunities for Canadians. It will be used simply to service the existing debt. One must ask the question: What is this money being used for?

Contrary to the opinion of many of us in this House, and those of us who read the front pages of the newspapers, particularly here in central Canada, who get the impression that the main problem today is the Constitution, that that is the subject on everyone's mind, it is not the case. When you get out into the community and talk to the men and women in your constituency, you find that patriation, amending formulas, and so on, are not the topic of priority. In fact, the priority is how mortgage payments will be met, how living costs and food costs will be met. Inflation is seen to be in the 11 per cent plus range and wage increases in the last round of contracts have been 11 per cent, 8 per cent—which is less than the cost of living. The people know the effect that these figures will have on their lives and the lives of their children. They are concerned about this. They are also concerned about government expenditures. They look at this kind of bill, a bill to borrow $14 billion, and they ask what the money is being spent on. They ask what the new plans of this government are, and how it will get the economy back on track.

If there is one thing that all the best economists in this country agree upon, it is industrialization. They look at the countries in the western world and see that they are all industrializing, even the underdeveloped and developing countries.There is one country in the world which is de-industrializing, and that country is Canada. We are de-industrializing at a time when all the good economists of the world see other countries industrializing. What on earth is our plan? What is our economic blueprint for the next decade? The simple answer is that we have none. We do not have an industrial strategy. We do not have a manufacturing or transportation strategy. What we need is a revision of our spending to include a measure such as the one the hon. member for Broadview-Greenwood (Mr. Rae) brought forward a number of months ago in the House. We must clearly distinguish between those items termed government spending and those termed government investment.

Mr. Deputy Speaker: Order, please. It being 3.45 p.m., pursuant to the order made Thursday, April 2, 1981, it is my duty to interrupt proceedings and put forth every question necessary to dispose of the motion in the name of the hon. member for Mississauga South (Mr. Blenkarn). The question is as follows:

That Bill C-59, an act to provide supplementary borrowing authority, be amended in Clause 2

(*a*) by striking out line 18 at page 1 and substituting the following therefor:

"eight billion dollars, as may be required"

(*b*) by striking out lines 25 to 27 at page 1 and substituting the following therefor:

"expire on March 31, 1982."

Is it the pleasure of the House to adopt the said motion?

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

Mr. Deputy Speaker: Pursuant to order made Thursday, April 2, 1981, a recorded division stands deferred until Monday next at 3 p.m.

Is there unanimous consent to proceed to private members' hour at this point?

Some hon. Members: Agreed.

Mr. Deputy Speaker: If it is so agreed, the next 60 minutes will be—

Mr. Andre: On a point of order, Mr. Speaker. I was under the impression, and perhaps the government House leader can correct me if I am wrong, that at this time there would be a vote on the report stage of the motion.

Mr. Deputy Speaker: The amendment before the House has not been voted on. It is clearly not possible to vote on the report stage without having first voted on the amendment.

Mr. Andre: I agree.

Mr. Pinard: Mr. Speaker, that is absolutely right. We will have to wait until three o'clock on Monday to vote on the amendment. The way I understand the House order, and I agree with the hon. member, it is that next Monday at 3 p.m., once the division has been taken on the amendment, the question will be put on the report stage and we will then proceed with third reading on Monday.

Mr. Deputy Speaker: Is there unanimous agreement to proceed now to private members' hour for the next 60 minutes?

Some hon. Members: Agreed.

Mr. Deputy Speaker: Private members' hour will conclude at 4.48 p.m.

PRIVATE MEMBERS' MOTIONS

[*English*]

Mr. Deputy Speaker: Shall all notices of motions preceding No. 44 stand by unanimous consent?

Some hon. Members: Agreed.

* * *

CAPITAL PUNISHMENT

FREE VOTE ON REINSTATEMENT

Mr. Scott Fennell (Ontario) moved:

That, in the opinion of this House, the government should consider the advisability of allowing a free vote in the House of Commons on the reinstatement of capital punishment for first degree murder.

He said: Thank you, Mr. Speaker. It was a pleasant surprise for me, not only to speak twice in this House in one day but also to finally see my motion come before the House for debate.

● (1550)

I am called a guillotine man. I think you will find, as I go through my debate, that I am really not. The motion I put

forward is an extremely important concern, more so to my constituents than to myself. We are continually accused of being sheep, of being herded and of only voting the party line. What I am proposing in this motion is that capital punishment should be put on the floor of the House as a free vote, totally free, no party affiliation, no party controls. Usually we are frightened of the criticism of our leader and the repercussions therefrom. I believe that this should be a free vote and not a contrived or controlled vote. It is a situation which is of great concern to many of our citizens, both those who are opposed to capital punishment and those who are in favour of it.

Since I have been a member of this House, there have actually been two cold blooded murders in one part of my riding. The first one occurred shortly after I was elected in May, 1979. I received a phone call concerning it. A very young policeman was murdered. His young wife was left with two very young children; one was yet a baby in her arms. This hit home with me, as I had met this man during the election. He had run up to me in the street and said, "Please, Mr. Fennell, what is your stand on capital punishment?" I listened to him, and he explained the fears of the members of the police department. I said, "That is important to me. I will definitely go to my constituency to find out how all my constituents feel." I did this, and the results were that 87 per cent were in favour of capital punishment. This young man was killed at short range while performing his duties as a policeman protecting the innocent citizens of this country. It was hard to go to his funeral, as I realized that only a few weeks before I had talked with this man on the street.

The second murder happened only last fall. It was rather tragic because a young lady, 21 years of age, was not only molested but was also murdered. Her body was thrown behind a sign board alongside a main street in one of the towns in my riding. Nobody knew what had happened to her until the next morning when children who were going to school found this body and reported it to the police. These were young children of public school age who were shocked by this.

This act was committed by an accused man about whom I have already written to the Solicitor General (Mr. Kaplan). This man was out on bail. In checking with the Durham Regional Police Department, I found it had never been notified that he had been allowed out on bail. In checking with his parole office, I found it had never been notified that he was out on interim bail. It was while this man was out on bail that he committed this crime upon one of my constituents.

What will stop these crimes? What is the deterrent? I have heard all the "goodie" side, which suggests it is not a deterrent. Yet between the years 1961 and 1978, the rates of crime have doubled. We have tried this route, and found it not to have been effective. That is why I brought this motion forward.

I do not believe in capital punishment. I do not believe in the way it is carried out. However, we must deter these terrible criminals who are a threat to our society. One keeps hearing that it is not a deterrent, that it is, it is not. I am convinced by statistics.

The hon. member for Scarborough East (Mr. Gilchrist) spoke to me this afternoon. He said, "I am glad you are up. I am sorry I will not be here because in my riding alone the crime has increased 23 per cent this year." It is increasing everywhere. Crime is on an upswing and the tragedy is that we have lost our morality.

Minor offenders realize that there is really no penalty for breaking a window and stealing out of a store, sticking a toy gun in a shopkeeper's stomach. We are not dealing with the most serious crimes of the land: cold-blooded murder and molesting. Those must be dealt with. We must do something. We are doing nothing. We are sitting on our buttocks and acting like a bunch of sheep. We will not stand on our own feet and do something.

It is important to bring a bill before this House quickly before it is too late. If you look at Section 12 of the resolution on the Constitution, it clearly states there that capital punishment would be removed forever from our law books. Believe me, we will never change that Constitution. Equal rights amendment people in the United States have tried for years but have not been able to change it. So we had better do something quickly because it is our last shot and our last chance.

I am sure that all of you received—some of you may not have read it—a letter from the attorney general for the province of Ontario. He has given a prime example of what we are doing to the people of this country. It concerned a case in the United States where certain information was not admissible. I am not a lawyer so I cannot give the technical explanation. This was a case where a young girl went to a basketball tournament with her family. She subsequently went to the washroom and did not return. The only clue as to what had happened was that a young man saw a man carry something in a garbage bag out of the door. The man was subsequently identified and caught. After the police picked him up, his rights were read to him, and he was told that he was believed to be at fault. He told them, "If you are that convinced, I'll take you to the body." So he took them to the body of this child whom he had molested and killed. Hon. members have all read about this and know that it had happened in the United States. The courts would not accept that as admissible evidence because he did not have a lawyer with him at the time, even though he had voluntarily admitted to the crime.

Those are the kinds of people we are allowing to walk the streets of this land. I hope we do not entrench that section in our ill-conceived Constitution. At the beginning I mentioned that I did a survey in my riding. Actually I had a response from 87 per cent of the population. I had a large return. I believe 2,200 people answered my query. Some of them expressed their view against capital punishment. Many of them expressed their view for it. They are concerned with putting some teeth back in the law. That was really the message which came through: "Please, will you get morality back in this country? We have lost it. We let those terrible people away with anything they want to do. They walk the streets." That was their feeling and those are the people on whose behalf I am speaking. They are scared, they are frightened. Do not let our cities turn into cities like Detroit, Cleveland or the northeastern cities where thousands of murders occur each year. We are lucky in this country. We are fortunate that our people are much more passive. However, we could change. Crowded conditions in cities create a dangerous situation.

I would like to ask the hon. members of this House how they would have felt if we, as Canadians, had had to endure and witness what happened to the Americans in October of 1963 in Dallas or on Monday of this week in Washington. Do we want one of those murderers to go to prison for a short term or do we want to attempt to deter him from doing it again? Would we want him out walking the streets again? Possibly the next time it could be one of the leaders of our country. I do not think we want that. We must stop it, and we must stop it now. How would hon. members feel if it was the Prime Minister (Mr. Trudeau)? I do not believe that this would appeal to anyone in this House. This epitomizes the danger of allowing these people to run free. I am sure all hon. members would stand on their feet and speak out if anything like that were to happen. In our hearts we would look at what we are doing. We would look beyond our prejudices and we would listen to our constituents. I believe if that kind of a situation happened here, and pray to God it never does, we would be reconsidering our stand. We all have consciences. Hon. members know that, I know that, and if something like that did happen here, it would really touch my heart and my conscience.

• (1600)

We cannot let these people go free. We cannot keep them in jail. It is an injustice to a person to incarcerate him for 25 or 50 years. What are we going to do? Many of these murderers are in jail. The man in Utah who recently went to the gas chamber is a perfect example. Before going to the gas chamber, he said, "Please, I do not want a reprieve. My life is over".

In my motion I am referring only to premeditated, cold-blooded murder and high treason. We must do something about these crimes.

I have heard the argument that we should put the matter to a referendum. In my opinion this is a chicken-hearted way for this House of Commons to deal with it. It is passing the buck to the people who have elected us. I, for one, am not in favour of a referendum. I say we are the people who represent our constituents and we must stand up with our feet firmly on the ground and make our own statements. We should not be chicken-hearted and go back to the people asking them to do it for us. It is the same thing as using a referendum for the Constitution. I am against that. It is our responsibility. People want to enjoy their lives, people want to work. They do not have time to do all the reading and studying that we do. It is our responsibility to make decisions here in a democratic way.

Earlier on I mentioned the guillotine man. Let me say, in response to that age old accusation of being a hangman, that I would propose, in conjunction with this bill, that the reintro-

duction of capital punishment be subject to the use of a more humane method. I believe there are humane ways. I believe there are easy ways. I was a farmer. I had sick cattle that I could not cure. I had crazy bulls I could not cure. They were dangerous. There was a very simple procedure, but I hated to use it because I have a hard time hurting anything, even an ant, but I used it. There is a humane method, and everyone knows there is.

People who commit crimes are sick, incurable souls who go out and perpetrate the same act again and are a danger to our society.

I plead with the members of this House today to consider my motion if we have an opportunity to vote on it. It is very clearly stated as follows:

That, in the opinion of this House, the government should consider the advisability of allowing a free vote in the House of Commons on the reinstatement of capital punishment for first degree murder.

Hon. Bud Cullen (Sarnia-Lambton): Mr. Speaker, I listened with interest to the hon. member for Ontario (Mr. Fennell). I am somewhat surprised at the attack he made on his colleague, the hon. member for Erie (Mr. Fretz) who has a motion on the Order Paper which specifically provides:

That, in the opinion of this House, the government should consider the advisability of holding a national referendum on the issue of capital punishment and, following such referendum, should amend the appropriate sections of the Criminal Code to conform with the majority views of the people of Canada.

I would say to the hon. member for Ontario that he had better check with his colleague about this matter. When motion No. 4 comes up, I expect the hon. member will give the somewhat strident argument he gave today against the idea of a referendum. Frankly, I happen to agree with him. I do not think that is the way to resolve a problem of this nature. There has been a lot of talk about surveys. I often wonder about the days of Wilberforce. He wanted to abolish slavery. If he had taken a survey in his riding, or for that matter anywhere in England, at the time the odds probably would have been that slavery was okay, and it probably would have been approved by 90 per cent of the population. It was only through showing leadership that people of his stature were able to bring to the attention of the public they were serving that abolition of slavery was a step forward. Any referendum or survey taken at that time would certainly have been against what Wilberforce was endeavouring to do.

I agree with the hon. member, as this House has agreed on several occasions, that votes on such subjects should be free votes. In the time that I have been here since 1968, give or take the hiatus from 1979 to 1980, we have heard some splendid arguments. Some of the better debates in the House of Commons have come about as a result of free votes in the House. The last free vote I participated in was at the initiative of the then solicitor general. We had not only a good debate and heard forceful arguments on both sides, because there are cases to be made for both sides, but in the final analysis, this Parliament, this House of Commons to its credit saw fit to vote against and abolish capital punishment, we hoped and thought at that time, for all time.

It is of some interest to me that it was a Progressive Conservative who probably did more to convince me on this subject that abolition was right for the twentieth century. I had the pleasure on more than one occasion to listen to a very eminent Canadian, the Hon. Arthur Maloney, who spoke with feeling about this subject, about the need for this country to finally move into the twentieth century. Never again would the state be put in the position of taking the life of one of its citizens, whether we do it humanely by hanging, by electrocution, by the use of a guillotine, or by whatever other method.

The hon. member made the point that some of these people are sick and incurable. Surely they are not the ones we should be putting to death. Those, of all people, are the ones we should be helping. Let us find out why they are sick and why they are incurable. By doing that, perhaps we can prevent other murders from taking place in the future. The hon. member, if he is fair, will recognize that no jury or court in this land will convict an individual who is sick and incurable and tell him he has to face the death penalty. This is not the way the system works.

I support a free vote totally. But it seems to me that those of us who believe in abolition, who believe the last vote taken was the correct one, find that the onus, if there is to be a change, should be on those who want a change.

I have been waiting for a motion to be put, but not in the general terms we have here: let us bring back the death penalty. We find though that those who are for capital punishment cannot get their act together. Some of them would have capital punishment for the murders of police officers, prison guards and political leaders. Others have different choices. We hear that anyone who carries a gun in the commission of a crime should be subject to capital punishment. Many of us argued as strenuously as we could, sometimes knowingly putting our own political careers on the line, because we take what seems to be an unpopular position in our riding, taken because we feel and we know in our hearts that it is right. Leadership does not come about by taking a survey and finding out what all of the people want, and then running around ahead of them, saying "follow me". Leadership, and that is what we should be giving, calls for more than a survey and an indication about the way a member will vote because the people or the crowd are telling him to vote.

● (1610)

If we are going to have another debate on this subject, it is not up to those of us who believe in abolition to bring it forward. It is up to those who believe in capital punishment to see if they can get their act together, bring in a motion and try to have it carry in the House of Commons. That is not our responsibility. We fought our fight and are prepared to fight it again if need be. I do not intend to take the initiative to move away from what the House has already decided in a free vote.

On this particular subject, a tremendous amount of research has been done by those on both sides of the issue. It is interesting to note that in the last debate in the House in which I took part, approximately half the members of the

House participated. After a while the arguments on both sides took on a certain similarity. It was time to put the matter to a vote, which we did. I will concede that the vote was very close, but the majority of the members of the House of Commons, to their credit, voted. I said at the time that I hoped capital punishment would be abolished for all time. I think the vote was 130 to 124.

I know this subject interests many members of the House. For that reason I will not pursue it any further other than to say I cannot agree with the hon. member that this is something we should be doing, moving us back toward the nineteenth century rather toward the twenty-first century. It is a retrograde step. It is saying to what is now an enlightened society: let us move back a little into the shadows. This is what Canada wants in the twentieth and twenty-first century. We want to say to our children that we were involved and participated in that debate.

The hon. member says now we should hang the sick and the incurable. If we do that, we will start with all kinds of nonsense in this country. We made the decision in the last vote. I hope that vote will have the effect of abolishing capital punishment for all time.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I was very interested in hearing the last speaker degrade the matter of a referendum. It is going to be very interesting to see how he votes on referenda—

Mr. Cullen: On a point of order, Mr. Speaker. I know the hon. member does not want to mislead the House. I was indicating that the hon. member for Ontario (Mr. Fennell) was the one denigrating it. I said I hoped he would speak in as strident a voice about the motion put forward by his colleague from Erie who wants a referendum. I do not think a referendum is the right way to handle it.

Mr. Taylor: I accept the statement of the hon. member. I hope I will be given an extra minute. I am sure he would not want to deprive me of that.

There are two sides to this question. As Sir Roger de Coverley said in the primary readers, much can be said on both sides. I support capital punishment. In my view, a large percentage of the people of Canada support it. In fact, well over 70 per cent do.

There are two philosophies. One was put forward by the last speaker who said we should provide leadership. That is said in many countries when government wants to tell the people what is good for them. I do not believe in that type of philosophy. I believe in providing leadership, but I also believe in reflecting the thinking of the people.

I was elected by a large majority of my constituents to support capital punishment. In a democracy, there is a responsibility on members to reflect the thinking of those who sent them here. One does not suddenly become knowledgeable because one happens to be elected. The origin of democracy was that since all the people could not go to Parliament, a few were sent to represent the thinking of the majority.

We are getting too far away from that today. We are telling the people what is good for them once we have been elected. When a person is elected, he does not have any more wisdom than he had before. The primary purpose of being elected is to reflect the thinking of the people. That is democracy, and that is what I am going to talk about now.

If I did not believe in capital punishment, I would have made it a point to tell that to my constituents at my nominating convention and throughout the election campaign. However, I do believe in capital punishment. I made a point of telling the people that if I was elected, I did not want them to ask me to oppose capital punishment because that is something I cannot do. I was elected on the basis of my conviction.

I want to deal with some of the reasons why I believe in capital punishment. This is a House of debate. The idea of debate is to endeavour to carry the judgment of other people, not to tell them what is good for them. I respect the view of the last speaker. I do not agree with it, but I respect it.

When he was referring to the sick, the hon. member for Ontario (Mr. Fennell) was not asking that those who are insane be subjected to capital punishment. That is not what he intended. No court will convict someone who is sick.

When I talk about capital punishment, I want to define it right from the beginning. I am talking about the death penalty for the murderer of another human being who has deliberately planned and killed a person and has been found guilty in the courts beyond the shadow of a doubt. That is the type of person who should suffer the death penalty. Let me tell you why.

When I was a child, I was punished if I did something wrong. If I did something worse, I was punished more severely. We accept punishment in our homes. It is a necessary part of upbringing.

One time a minister of the gospel came to me to tell me that he did not believe in bringing death to another individual. I asked him if he would punish his child if he stole something. He said yes, absolutely. When I asked him whether he would punish his child more severely if he stole to a greater degree, he said yes. When I asked if the degree of punishment would continue based on the wrong that was done, he said yes. I asked why he would stop when a person commits the ultimate crime and the ultimate sin of taking the life of another human being. He stopped and reflected, but he did not give me an answer.

I believe that capital punishment is the ultimate punishment for the ultimate crime. When a person in his right mind deliberately plans and kills another human being and is found guilty in the courts beyond the shadow of a doubt, he too should be executed. I will not deal with the method of execution. That may vary. However, he should be executed.

Let me go into this a little further and discuss whether it is a deterrent. I believe it is a deterrent because we all love life. We do not want to die. Very seldom do you come across someone who wants to die. We all want to live because we love life. Why should we assume that someone who takes the life of

another does not want to live? Love of life is a fact of life, and that is why some do not want the death penalty. I believe capital punishment is a definite deterrent to murder. The fear of death is instinctive.

• (1620)

Many people today will say they are ready to die. A very fine Christian woman spoke to me a short time ago saying she was prepared and ready to die. I asked her whether she wanted to die, and she replied, "No, no, I do not want to die but I am ready whenever the good Lord calls me." She loved life even though she was old and suffering from disease. We all regard life as a precious possession. People love to live.

Whether or not capital punishment is a deterrent is really irrelevant. It is utterly impossible to determine how many people were not killed because of the fear of the death penalty. We know how many people have been murdered, but we do not know how many were not killed for this reason. The argument, either way, therefore, is inconclusive. My idea is that the fact that people fear death and love life makes capital punishment a realistic deterrent.

Let me deal with this point a little further. In our society today, many people are becoming concerned with the extent of unlawfulness, and unruliness. Some have come to the conclusion that the only possible deterrent to the brutality committed in this country and throughout the world is the reinstatement of capital punishment in those countries where it does not now exist.

A few weeks ago, the world was shocked by the senseless and brutal murder of John Lennon. I was not a particular fan of John Lennon's but I was horrified that he had been shot. He actually did not sing the kinds of songs or play the kind of music I like best, but I was sorry that this artist had been brutally killed. I immediately asked why this had been so, and came to the conclusion it was senseless. What do we say to a person who deliberately commits that kind of murder? I think the answer to that question is that the death penalty will be applied in respect of those who plan that type of thing.

The hon. member for Ontario mentioned the senseless shooting in Washington the other day. If the man is insane, that is one consideration, but, on the evidence so far, the indication is that he was completely sane, knew what he was doing, planned the event and carried it out deliberately. He had the gun and he was ready for the event.

I have a number of nephews who are police officers. When I go back to Alberta or visit British Columbia I am never sure whether they are still alive. Every day police officers take chances with their lives in order to preserve order for you and me. Hundreds of young men and young women in the RCMP and in our city and village police forces take their lives in their hands when they put on their uniforms. They become the targets of those who deliberately want to break the law.

I know of one police officer who spent several weeks tracking down a murderer. He was finally successful; the man was charged and brought to court. The judge said to him, "You" know, this was bad; this was not good. Do not do that again. The court let him off on probation. Recently a policeman in Calgary was killed by someone who was let go free.

On one occasion I asked a convicted murderer whether the fact that he had taken a human life bothered him. His reply was: "No, and I would do it again." The man was guilty of a crime of passion, but he said he would do it again. I wondered, as I looked at that man, whether I would want him living next door to my house after he was released from his short term behind bars. Would I want him living in an area where there are innocent boys and girls? My answer is, of course, that I would not, and I do not think any members in this place would want him living near them.

These convicted people do not stay in prison for very long, and that creates a problem. Today we have between 100 and 200 murderers in our prisons. I sympathize with the difficulties facing our Solicitor General (Mr. Kaplan). The penitentiary in Drumheller in my constituency is supposed to be a medium security prison, but for some time now officials have been putting individuals who belong in a very strongly guarded environment along with those who should be in a medium security prison. Exactly what happens when you put bad apples with good apples? I have never heard of bad apples turning good but I have often seen good apples turn bad.

A young man in the penitentiary I just mentioned said to me on one occasion when I visited him, "I hate it here. I am learning more about how to commit crime than I ever thought there was to know." It is for this reason I recommended to the Solicitor General that we should not put those who should be in tight security in medium security prisons.

What are we to do with these 100 or 200 murderers? They have killed once. They spend 12 years, 15 years or 20 years in prison if they go the full term. Some of them are fairly young and have quite a bit of life left. They know the death penalty has been abolished in Canada so there is no deterrent to them not to kill.

Let me return to the consideration of capital punishment as a deterrent. The individual who deliberately takes the life of another human being, is found guilty beyond a reasonable doubt and meets the death penalty, will never murder anybody else. Fathers and mothers do not have to worry about that man harming their sons and daughters. People in Toronto, Calgary or any of our large city centres are concerned for the safety of their children. Senior citizens in most of our urban centres are afraid to go out in the streets at night.

The death penalty is symbolic. It is a warning to those who break the law that they will be punished; if they commit the ultimate crime they will face the ultimate punishment. Do not tell me that anyone in his right mind cannot understand that. Capital punishment is a deterrent. It would not be much of a deterrent in the case of a killing as a result of an argument in a bedroom or a bar room. These killings occur without any planning or deliberation, so perhaps there is not much of a deterrent there. Those things just come up. No one is saying there would be a deterrent in such cases. Such crimes of passion are beyond reason. However, in my view, capital punishment is a deterrent to those who would deliberately plan

the death of other persons. Canadian statistics indicate that if a robber, burglar or rapist knew with reasonable certainty that killing his victim would result in his own execution, he would think twice about it. I know that is not a very good example, but newspaper stories I have read with respect to the yellow dogs who killed the shoeshine boy in Toronto have told about what they said in court about discussing the matter before they killed that little boy. One of them gave evidence in court and said that they discussed the fact that there was no death penalty, and that was one of the reasons they killed that little boy. Today the taxpayers of this country are keeping them in prison. I suppose the taxpayers are keeping them pretty well because the bleeding hearts of this country make sure they have their televisions, radios, entertainment and their good times.

● (1630)

Mr. McKenzie: Colour television.

Mr. Taylor: Colour television, yes, which many people cannot afford.

I believe in rehabilitating people, but let us make sure we have a chance to rehabilitate someone who has committed the ultimate crime before we attempt rehabilitation. In this country today many Canadians are digusted because we are concerned more about those who kill than we are about their victims. We sometimes forget about the little boy, the little girl, the police officer, the guard or the man or woman. I do not care who it is; if he or she is deliberately killed by someone who thinks it out, plans it and schedules it, in my view that person is ready for the death penalty, and he should face it.

To come back to the motion, what we want is a free vote because this is not a matter for parties to decide. It is a matter on which members should reflect the thinking of the people who sent them here. It is a moral matter. I do not know of any party which has taken a definite stand one way or the other. There are probably people in all the parties of this country who take one side or the other, but a free vote would reflect the thinking of the people, and we would be carrying out real democracy.

Mr. Chas. L. Caccia (Davenport): Mr. Speaker, the hon. member for Ontario (Mr. Fennell) ought to be congratulated for having brought forward this motion. Today is a good day because it is really the first day on which Parliament has started working normally again. It is very refreshing to be back to normal business after seven or eight days of having to listen to some 60 phony, empty and meaningless questions of privilege—

Mr. Deputy Speaker: With all due respect to the hon. member, this is not the item before the House at this time.

Mr. Caccia: —most of which were rejected by Madam Speaker. I am happy to see something of substance and concern to Canadians at large being brought forward. It is in this sense that I offer my congratulations to the hon. member for Ontario. It is very reassuring that we are back again to normal business. Let us hope that we will not be distracted in the days and weeks to come by the intentions expressed only a few days ago by the hon. member for Nepean-Carleton (Mr. Baker) when he said in this very House—

Mr. Deputy Speaker: With all due respect to the hon. member, the item before us is a private member's bill dealing with capital punishment.

Mr. McKenzie: Mr. Speaker, I would like to speak on this bill; the hon. member can speak on that at another time.

Mr. Caccia: I am coming to the point. I am trying to establish the importance and the constructive nature of the motion put forward by the hon. member for Ontario, in contrast to what his colleagues have done for the past seven days. It seems to me to be a very legitimate point that we are not today wasting parliamentary time as advocated on March 27 by the hon. member for—

Mr. Patterson: Mr. Speaker, I rise on a point of order. I very, very seldom intervene in a debate such as this, but the hon. member has been called to order two or three times by Your Honour, and he ought at least to have the courtesy to recognize Your Honour's challenge and stick to the point.

Mr. Caccia: Mr. Speaker, having made that point, I would like to say to the hon. member for Ontario that we in this House have done exactly what he has advocated. We did have a free vote. The hon. member is shaking his head, probably because he was not present. I remember that the galleries were packed that day. The atmosphere was tense. Everyone knew that it was a very historic moment. Mr. Speaker, you were also in this House. We knew it was quite an important moment. We voted. It was a free vote, so much so that there were hon. members opposite who voted for abolition and hon. members on the government side who voted against abolition. It was a truly free vote. In a sense, every party broke up because every member voted according to his or her conscience. It was quite an historic day. As the hon. member for Sarnia-Lambton (Mr. Cullen) mentioned a few moments ago, it was a very close vote. The motion passed by only some six or seven votes.

Mr. Knowles: Mr. Speaker, I rise on a point of order. I wonder if I may ask the hon. member if he would keep the record straight. He said that every party broke up. Our party members voted each as he chose, but it just so happened that we were unanimous in our opposition to capital punishment.

Mr. Caccia: I thank the hon. member for having produced that additional element of historic precision. I am very grateful for that. I suppose he is very proud of that, and quite rightly so.

The speakers on the side of the hon. member for Ontario seem to live under the impression and notion that capital punishment would once and for all eliminate, or at least reduce, murder. That is an erroneous notion. It is disproved by the fact that in countries where there is a capital punishment there is a high murder rate. In countries where there is no

capital punishment there tends to be a lower murder rate. In other words, the two are not related, as proved by the fact that even last Monday when we witnessed on television with horror what happened in Washington, we know that in most of the states south of the border there is capital punishment, yet that did not prevent that man from shooting and attempting to kill. It did not prevent another man in 1968 from shooting and killing Robert Kennedy. It did not prevent another one from shooting and killing President Kennedy. It did not prevent another person, in 1975, from attempting to murder President Ford. Yet in most of the states south of the border there is capital punishment. So I ask, what does it do? Is it a deterrent? Hon. members opposite have not discharged the onus of proving to us that it is. They have just said—as the hon. member for Bow River (Mr. Taylor) says he believes—that it is a deterrent. The hon. member for Bow River has not produced any evidence or any proof.

South of the border is the classic example. There is capital punishment in most of the states, and yet there is a high rate of attempted murder and murder. Is there a deterrent? If we knew there was, we would look at the matter in an attempt to solve the problem for society and to eliminate the constant occurrence of tragic events, as described so well by the hon. member for Ontario and the hon. member for Bow River. We do not want that to happen and we have to find the answers. But those who believe capital punishment is a deterrent have the responsibility to prove it with facts, not with sensation, feelings or belief, as desirable and moving that approach may be. It needs more proof because the history of mankind is filled with instances, some cases in the United States, where it turned out that an innocent person had been executed.

● (1640)

We hear the hon. member for Ontario telling us about humane methods, the way he applies it to his bull and his cow. Perhaps he fails to realize that there is a distinction between an animal and a human being, or perhaps, in his opinion, there is no distinction, in which case that is where we part ways. Those of us who participated in the free vote he advocates, believe in and prefer by far a humanistic approach until it can be demonstrated that there is a deterrent, which has not been proven, otherwise this House, when we had the vote last time, would have arrived by means of reasoning at the inevitable conclusion that there should be capital punishment. But those who wanted capital punishment failed to prove this is a deterrent and that is why they lost.

On the eve of the twenty-first century, in trying to solve this problem that has been with us since the very beginning, we have to come to the conclusion that prevention is the route to follow. Preventive measures such as gun control have their limitations because we all know that they are not that effective. Prevention should be attempted by way of social measures at the neighbourhood level, in the schools and in family life, so that harmonious and healthy family situations from birth enable youngsters to grow up in a healthy environment. These and other measures on the preventive side should be undertaken, rather than trying to cure a situation after the problem has occurred and a life has been lost.

What the member for Bow River is asking in essence is that the state cold-bloodedly execute one of its citizen, as the member for Sarnia put it so well. The hon. member says: you kill, I kill, and we all kill in the name of the collectivity because that is the best way we can come to grips with this dramatic, tragic and difficult situation that not only affects Canada but affects every society in the world.

The fact is, Mr. Speaker, that in those nations where capital punishment has been eliminated, the crime rate has not been affected. Abolition of capital punishment is an important recognition that capital punishment is not a deterrent, and I challenge the hon. members who have spoken before me to prove with facts that it is. I would be most interested in hearing this evidence, which has to be a result of thorough study and analysis of whether or not there is a relationship between capital punishment and murder rates. The onus of proving that is on the hon. member for Bow River and the hon. member for Ontario, if they really believe that human beings should be treated like the bull and the cow because that is the way he does it on his farm when he has sick animals in the field.

An hon. Member: That is not what he said.

Mr. Caccia: That is the essence of the message, Mr. Speaker. The point really is whether capital punishment also brings in its wake a serious element of injustice, if one looks at what has happened in other jurisdictions over the years. At the time of debate in this House when we had a free vote, as advocated by the hon. member for Ontario—

An hon. Member: Why the smile?

Mr. Caccia: —there were no whips on, everybody was free to vote according to his or her conscience. Many Conservative members voted for abolition and, if they were free to vote, the same thing applied to Liberals who voted for the retention of capital punishment, because there were some on this side who voted that way. So a free vote has taken place.

However, the question that comes to mind is the element of injustice, which has been raised by other speakers. What we are going through here today, Mr. Speaker, is really an echo of a debate that took place in this chamber many years ago. In a way we are convering the same ground because, unfortunately, and this perhaps is a sad conclusion, in the years that have gone by since 1976 we have discovered nothing new about this phenomenon. At that time, the majority of members voted freely in this chamber, and I repeat the word "freely" because it does not seem to get through to the hon. member for Ontario. But the only difference between him and me was that he was not in this House whereas I was.

The measure as such brings in its wake an element of injustice because there have been a number of cases in history, as I mentioned earlier, as in the case of people who have been

executed in Sing-Sing, when years later, it turned out that the wrong person had been executed. Of course, the inevitable question that no one can answer is: how do you bring back to life someone who has been wrongly executed? How do you apply a law that will inevitably fall more heavily on those who are uneducated, on those who are probably mentally sick, on those—

Mr. Deputy Speaker: Order. I should like to raise another matter at this time. On February 19, the Acting Speaker (Mr. Blaker) in his capacity as Assistant Deputy Chairman of the Committee of the Whole, brought to the attention of the House that there is a number of private members' bills for which a title existed but the text had not been printed. Madam Speaker subsequently indicated to hon. members that those bills which had not been printed prior to today, April 3, would lose their position on the Order Paper.

With the exception of Bill C-527, which I believe stands in the name of the hon. member for York-Sunbury (Mr. Howie), where a technical problem has delayed the printing but which will be available at the beginning of the week, is there agreement that these bills lose their place on the Order Paper?

Some hon. Members: Agreed.

Mr. Deputy Speaker: Agreed. The hour provided for the consideration of private members' business has now expired. It being 4.49 p.m., this House now stands adjourned until Monday next at two o'clock p.m. pursuant to Standing Order 2(1).

At 4.49 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, April 6, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

INCOME TAX

RETROACTIVE APPLICATION TO TRAPPERS' EARNINGS—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, under the provisions of Standing Order 43 I would like to introduce the following motion. Whereas the Department of National Revenue has commenced a crackdown against northern trappers, I move, seconded by the hon. member for Peace River (Mr. Cooper):

That the Minister of National Revenue call to mind the attitude in the Northwest Territories toward Ottawa fur taxes ever since the days of Louis Riel, and that he think twice before levying retroactive taxes on trappers' income when these trappers do not share in the benefits of the northern remission order designed to assist public servants and employees of large corporations.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

NEGOTIATIONS BETWEEN FEDERAL GOVERNMENT AND PROVINCE OF ALBERTA—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under Standing Order 43. Whereas the Canadian taxpayer is taking a beating through the action of the Canadian government in buying foreign oil at double the price of oil which could be purchased from Alberta which if bought here would, in addition, keep the money and the jobs in Canada, therefore I move, seconded by the hon. member for Calgary South (Mr. Thomson):

That the Minister of Energy, Mines and Resources start negotiating for a change with the government of Alberta or, alternatively, accept the offer made by Premier Lougheed last year which would bring benefits to all Canadians.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AUTOMOTIVE INDUSTRY

PLAN TO CURB JAPANESE CAR IMPORTS—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, as we all know, there are serious problems within the North American auto industry operating here in Canada. The solution to these problems has been compounded by the degree to which export vehicles are entering Canada, particularly from Japan. At the moment the United States and Japan are in the final stages of an agreement to limit Japanese auto imports to the United States. Most experts are of the opinion that this could and will cause severe problems in Canada. I therefore move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the government, being aware of the likelihood of economic damage caused by Japanese autos being dumped in our market, be required to produce within thirty days its plan to deal with this urgent matter, and further, that the government consider the initiatives being taken by other countries in defence of their own workers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PUBLIC SERVICE

MOBILITY RIGHTS OF CANADIANS—MOTION UNDER S.O. 43

Mr. Jim Hawkes (Calgary West): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that secretaries who live outside of Ontario and Quebec, in places like Cardigan, Cape Breton, Bathurst, Halifax, Newfoundland, and the west, were today not eligible to work as secretaries in External Affairs, I move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That this House condemns the Grit cabinet for its numerous gross violations of the mobility rights of Canadians and, in particular, its failure to allow any secretary, living anywhere in Canada, the opportunity to compete for a job in one of our diplomatic missions, to serve Canada in other countries.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

CALL FOR NEW POLICY—MOTION UNDER S.O. 43

Mr. Vince Dantzer (Okanagan North): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas the national energy policy is in complete chaos and has proven a national disaster; and whereas it is essential a policy be devised which will provide Canadians with a secure supply of energy and the rapid development of Canadian oil and gas to provide jobs and incomes for Canadians across this land, I move, seconded by the hon. member for Red Deer (Mr. Towers):

First, that the government move immediately to rescind its national energy policy. Second, that an all-party special committee of Parliament be formed with power to hold hearings in the maritimes, in central and northern Canada and in the west, with the oil industry and other interested and involved Canadians, in order to establish a rational and reasonable national energy policy which will work.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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OFFICIAL LANGUAGES

APPLICATION OF LANGUAGE CRITERIA TO EMPLOYMENT OF SCIENTISTS—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of some urgency. In light of the fact that Treasury Board is pressuring several government departments and agencies to increase the number of scientists on staff on the basis of artificial language criteria, and because the Department of Agriculture, in response to that pressure, has indicated it plans to pay francophones to return to school until they can qualify for research jobs, I move, seconded by the hon. member for Prince Edward-Hastings (Mr. Ellis):

● (1410)

That the government be condemned for using quotas to exclude naturally developing expertise in the field of scientific research, and for continuing to drive talented people out of government service and out of the country.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

THE CONSTITUTION

DETAILS OF PROVINCIAL AGREEMENT—MOTION UNDER S.O. 43

Mr. David Smith (Don Valley East): Madam Speaker, I rise on a matter of urgent and pressing necessity. In view of the failure to agree on constitutional reform in the past 54 years; in view of repeated efforts by the Prime Minister and the premiers to achieve a national consensus; and in view of the divisive actions being taken by the "gang of eight" premiers, I move, seconded by the hon. member for Willowdale (Mr. Peterson):

That this House reject the blackmailing tactics of the provincial cabal and urges Premier Lyon to state immediately if there is agreement by all ten provinces on an alternative to the constitutional resolution now before the House, and to state the terms of such an agreement.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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FINANCE

EFFECT OF TAXATION ON COMMUNITY NEWSPAPERS—MOTION UNDER S.O. 43

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity especially to the small independent community newspapers across Canada. Unlike other countries which use their taxes to encourage the growth and development of independent newspapers, the government's Bill C-57 will have an adverse effect on those small newspapers which best reflect the views and personality of Canadian communities. Therefore I move, seconded by the hon. member for Beaches (Mr. Young):

That this House request the Minister of Finance to amend those sections of Bill C-57 which place serious financial burdens on Canada's small independently owned newspapers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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HEALTH RESOURCES FUND

LEVEL OF MEDICAL RESEARCH GRANTS—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. In the past two elections the Grits have supposedly been very concerned with the amount of medical research grants being allotted and the manner in which they

were being distributed by the provinces. Now the Liberal government is decreasing these grants by over 10 per cent, which will result in a 33 per cent drop in the number of research projects carried out in Manitoba. In light of this hypocritical stance taken by Liberal members, both in Manitoba and throughout the country, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That the Liberal government immediately restore the health research grants to the level which had been promised earlier in the year and show themselves, at least in this regard, not to be worthy of the label "hypogrit".

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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FEDERAL-PROVINCIAL CONFERENCES

SUGGESTED INITIATIVE BY PRIME MINISTER—MOTION UNDER S.O. 43

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. The Prime Minister, together with the government House leader, had an extensive meeting with the House leader of the New Democratic Party after the vote on Thursday night. Therefore I move, seconded by the hon. member for Burlington (Mr. Kempling):

That the Prime Minister show the same initiative and aggressiveness and desire in meeting with the provincial premiers as he does with the House leader of the New Democratic Party.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

CALL FOR FEDERAL-PROVINCIAL CONFERENCE—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. In his book "Federalism and the French Canadians", the Prime Minister quoted Jefferson as follows: "Nothing then is unchangeable but the inherent and inalienable rights of man." Then, in his own words, he wrote: "Nevertheless, I have always wished to assure myself that the changes would be for the best and not for the worst." Therefore, I move, seconded by the hon. member for Cambridge (Mr. Speyer):

That we have seen the worst and it would be for the best if the Prime Minister would accept the invitation of the premiers to sit down with them on April 16 and reason out the impasse which separates Ottawa and the provinces and, in the interim, adjourn the debate on the Constitution.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MARINE TRANSPORT

REPORTED REMOVAL OF WEST COAST ENVIRONMENTAL MORATORIUM—MOTION UNDER S.O. 43

Mr. Jim Fulton (Skeena): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact that the Minister of Energy, Mines and Resources (Mr. Lalonde) is preparing to lift the environmental moratorium on the B.C. coast, and in view of the fact that this will jeopardize both Canada's international position on west coast tanker traffic and open the coast to oil and gas drilling prior to appropriate consultation with British Columbians, I move, seconded by the hon. member for Cowichan-Malahat-The Islands (Mr. Manly):

That the Thompson inquiry be immediately reactivated with a mandate to hold a public inquiry into tanker traffic, oil and gas ports, and the proposed drilling activity under Bill C-48.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

TELEX MESSAGE FROM PREMIER LYON OF MANITOBA—QUERY RESPECTING RESPONSE BY PRIME MINISTER

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is to the Prime Minister, who on Friday received a telex from Premier Lyon, the chairman of the provincial premiers conference, indicating that eight of the provinces have negotiated and come to an agreement on what Premier Lyon describes as a new Canadian patriation plan, including an amending formula. The premier went on to ask that the Prime Minister suspend parliamentary consideration of the resolution and agree to join the provincial premiers at the conference table to achieve the goal of a made-in-Canada Constitution.

My question to the Prime Minister is whether he will respond positively to that very positive initiative taken by eight provinces, adjourn the debate on the matter in the House of Commons, and meet the premiers to discuss a made-in-Canada Constitution.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the short answer is no. The longer answer is that I still continue to entertain very grave doubts about the veracity of the statement that they have reached agreement. We have been told that many times before. The agreement has never been forthcoming.

In this particular case we know from Mr. Ryan that he would not attend such a meeting. I presume he has not been consulted on the formula. Mr. Ryan is the leader of the party which, just last week, the Leader of the Opposition was saying would presumably win the election.

We know from Mr. Lévesque that he has seen some vague draft, but I am convinced that if he had seen anything which is near to an agreement he would be making it public, as would be his duty during a provincial election campaign, so that the people would know if it is good for them and the people of Canada, or if it is just another bluff on the part of the premiers.

REQUEST FOR ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I must express not only regret at the Prime Minister's response but at the tone of that response, in which he calls into question the veracity of the eight provincial premiers of the country who have worked through the summer, worked through the winter, and sent a telex to him. I think that indicates Canada has reached a new low in federal-provincial relations caused by the unreasonable position taken by the Prime Minister of Canada.

The question I have for the Prime Minister is this. Will he at least consider delaying and adjourning debate in this House on the constitutional resolution until the people of Quebec have the opportunity to elect a government on April 13, and then be prepared to discuss with the seven other premiers and whatever party forms the government of the province of Quebec the possibility of meeting, so that we can discuss and resolve here in Canada this Canadian question in a Canadian way of agreement, rather than aggravating and deepening the differences in Canada by the Prime Minister pursuing his own path and standing up in the House of Commons to insult the integrity of eight provincial premiers?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, once again we have the key strategy of the Tory party in this question. Once again the Leader of the Opposition wants delay. First it was delay because of the substance, then it was delay because of the process, then it was delay because of the courts, and now it is delay because of the premiers. It has been quite clear that that is the only capacity of the Tory party for decision. It is not to make up its mind, it is to seek delay.

If anything characterizes this Parliament and this House of Commons, it is that it must take its responsibility for its actions. When a former leader of that party used to call this the supreme court—Parliament—he was following a valid doctrine in political theory and in parliamentary terms, Certainly he would not have suggested that this House not take its responsibility when faced with a serious question like that and wait for the premiers or for the courts to give us their blessing.

POSITION TAKEN BY PRIME MINISTER ON TIMING OF FEDERAL-PROVINCIAL MEETINGS

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, the purpose of this party, and I would hope of this Parliament, is to keep this country Canada together and not to drive it apart through unilateral, stubborn action on the part of the Prime Minister.

• (1420)

May I ask the Prime Minister whether it is his position that the Government of Canada will under no circumstances meet with provincial premiers to discuss a Canadian way to bring our Constitution home and to amend it here, until his personal resolution has been rammed through the House of Commons by whatever means?

Some hon. Members: Oh, oh!

Mr. Clark: Is that the position of the Government of Canada, that there will be no discussion until he has had his way with his resolution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the expression "rammed through the House" seems a little bit hyperbolic when one realizes we have been debating this very subject for six months; that is hardly a ramming procedure. It has given six months to the premiers in order to come up with a resolution or some kind of a suggestion. Now they are telling us to wait again, and the Tory leader is supporting them.

The question was: would I meet with the premiers? I have pointed out that the resolution before the House provides for two years of meetings to find an amending formula which would be the result of a consensus between the premiers and the Government of Canada; two years to do that. If the premiers have indeed made some progress, which I continue to think unlikely or implausible, they could tell us now. We could, within days of having our own Constitution in Canada, convene that meeting. We could use the formula provided in the resolution to have whatever amending formula we could all agree upon. Failing agreement, we could have the people decide on the differences of opinion between some premiers and the federal government and some other premiers. So the meeting, if indeed it is fruitful, will not be lost, because we will meet with them as soon as we have our Constitution, and get

this magic amending formula which they say will be good for Canada.

Some hon. Members: Hear, hear!

Mr. Clark: Madam Speaker, let me be clear about this question which goes to the heart of our ability to exist and to prevail as a nation. Has the Prime Minister of Canada ruled out absolutely the possibility of any meeting with the premiers of the country to discuss a patriation package and an amending formula before his own personal resolution is passed by the House of Commons?

Some hon. Members: Personal?

Some hon. Members: Yes or no?

Mr. Trudeau: Madam Speaker, I do not know why the Leader of the Opposition persists in caricaturing this resolution. It is the result of months of deliberation by a joint committee of both Houses.

An hon. Member: Organized by you.

Mr. Trudeau: The hon. member's own members sat on that committee. Hon. members opposite brought various amendments to the charter. That charter is the product of many months of deliberation. Most parties and members of the House supported those amendments. How can the Leader of the Opposition say that it is my own privilege?

Mr. Clark: Answer the question.

Mr. Trudeau: What I am saying is that it is something the people of Canada want; the spokesman of the Tory party in the joint committee said the people of Canada want a charter. It is something the premiers say they do not want.

Some hon. Members: No, no.

Mr. Trudeau: I see the Leader of the Opposition indicates skepticism.

Mr. Clark: I am wondering whether you will answer my question.

Mr. Trudeau: It is quite clear that Premier Lyon does not want a charter of rights. It is quite clear that Premier Peckford does not want a charter of rights if it includes mobility rights. It is quite clear that Mr. Ryan—Mr. Lévesque does not—

An hon. Member: Answer the question.

Mr. Trudeau: I have answered the question. I have said that we would meet with them after we had our Constitution in Canada.

Mr. Clark: And not before?

Mr. Trudeau: And not before.

Some hon. Members: Hear, hear!

PROCEDURE RELATING TO CONDUCT OF FEDERAL-PROVINCIAL RELATIONS

Hon. Jake Epp (Provencher): Madam Speaker, my question is directed to the Right Hon. Prime Minister. No matter what are the differences in the House or in the country, I think there is a certain manner in which all of us expect federal-provincial relations to be conducted; not by raising the veracity of the other partners in confederation, nor having them described as a cabal or a gang of eight by one of the members of the government back row.

● (1425)

In view of the fact that the Prime Minister has now rejected meeting with the premiers, despite the formal request by the chairman of the premiers, has the Prime Minister replied formally to the premiers that he will not meet with them? Has he given them the reasons why he will not meet with them, or are federal-provincial relations now to be conducted by press comment, media assessment or, for that matter, by comments made from abroad?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the opposition seems to make much of the statement that I doubted the veracity of the premiers in saying they had reached agreement. If they had reached agreement, can the hon. member opposite tell me why they would not make it public now? Or are they too only seeking delay in order to make up their minds, which is the position of the party opposite?

Some hon. Members: Hear, hear!

Mr. Epp: Madam Speaker, obviously the Prime Minister does not intend to answer the question I asked him.

Mr. Lalonde: Why not make it public?

Mr. Epp: The message was sent to the Right Hon. Prime Minister. He can reply. He should.

DETAILS OF PROVINCIAL PREMIERS' PROPOSAL

Hon. Jake Epp (Provencher): Madam Speaker, my supplementary is directed to the Minister of Justice. The Minister of Justice is charged with the responsibility of federal-provincial relations, in the cabinet. In view of the fact that he made the statement at the weekend that he would be surprised that this party would welcome the initiative of the premiers and "We did not know the details of the proposal," why would he then reject the proposal if he himself does not know the details?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, we are dealing with a purely hypothetical situation. I suspect that some of the premiers have no interest in making the formula—if they have one—public at this time because of upcoming elections. I do not want to deal with a hypothetical question. I dealt with ministers three months on this question, and I have no reason to believe now that there will be agreement among the eight

premiers. They could not agree in the summer. We explored all avenues. The checkerboard proposition they made was not even accepted by the hon. member in the committee because he proposed another type of amending formula which was completely different from the Vancouver formula. I am quite sure there will be no such thing.

What disappoints me most in the statement of Premier Lyon is that he did not refer at all to the charter of rights. That is something which a great majority of members of this House believe we should have. They believe we should have a charter of rights which will give exactly the same rights to all Canadians.

Some hon. Members: Hear, hear!

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CANADA LABOUR CODE

APPLICATION TO FEDERAL CIVIL SERVANTS

Mr. Rod Murphy (Churchill): Madam Speaker, my question is to the President of the Treasury Board. In some ways it follows the statement of the Minister of Justice about a charter of rights for all Canadians.

Earlier today the Canadian Labour Congress in a paper entitled "A Strategy for Workplace Health and Safety in the 1980s" called for changes to Part IV of the Canada Labour Code. On page 7 of that report it says:

> The proposed new legislation must apply equally and without any reservations to all workplaces and undertakings in the federal jurisdiction. Activities such as uranium mining and processing, the entire transportation sector, or the federal civil service are examples of undertakings which must be included without exception under the coverage of the new law.

With that and the recent statement of the Minister of Justice in mind, is the President of the Treasury Board willing to guarantee that federal civil servants will come under any new legislation under Part IV of the Canada Labour Code?

Hon. Donald J. Johnston (President of the Treasury Board): No, Madam Speaker, I would not give such a guarantee, but I would guarantee that the protection enjoyed by federal civil servants will be at least equal to, if not exceed, that provided by Part IV of the Canada Labour Code.

ENVIRONMENTAL PROTECTION FOR PUBLIC SERVANTS

Mr. Rod Murphy (Churchill): Madam Speaker, the problem is that the present system does not provide protection. Protective clothing is not required for meat inspectors in Agriculture Canada. There are three lab technicians who have liver damage. They are being told to be careful. There is the infamous example of Les Terrasses de la Chaudière, where asbestos and formaldehyde have been found in the atmosphere but, because of overlap and lack of guidelines, the workers there are calling it "Les Terrasses of Shoddy Air." That is what is happening. We cannot trust directives.

I ask the minister to consider putting public servants under Part IV of the Canada Labour Code in the same way that government workers come under Canadian human rights legislation at the present time, because it is only through legislation that they will have the real guarantee of protection. I ask the minister to consider that very seriously.

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I am obviously prepared to consider anything which will provide better protection for federal public servants, but the statistical data I have seen—unless the hon. member has something contrary to what I have seen—indicate that the accidents and hazards suffered by federal public servants are considerably fewer than those suffered in other sectors covered by Part IV of the Canada Labour Code. In any event, of course, I am prepared to consider it, if it would provide better protection for federal public servants.

* * *

● (1430)

HEALTH AND SAFETY

ASSIGNMENT OF JURISDICTION

Mr. Derek Blackburn (Brant): My question, Madam Speaker, is a supplementary one but I will direct it to the Prime Minister, if I can get his attention. Given the fact that the Minister of Labour has been trying unsuccessfully since August of 1980 to reach a consensus with his cabinet colleagues over the consolidation of federal occupational health and safety jurisdiction, will the Prime Minister undertake to guarantee that all aspects of occupational health and safety, after Part IV of the Labour Code is amended, will be under the sole jurisdiction of Labour Canada?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I will be happy to consider this suggestion.

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EXTERNAL AFFAIRS

POLAND—BUILD-UP OF SOVIET FORCES IN ADJOINING AREAS—GOVERNMENT POSITION

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is for the Secretary of State for External Affairs. The entire western world is concerned with the mounting threat of a Soviet invasion of Poland. East German news sources have reported on a continuing build-up of Soviet forces in and around Poland, and at the meeting of the Warsaw Pact countries this morning mention was made and the prospect was raised of a Soviet invasion. Given this tense situation, I should like to ask the minister how he intends to carry out his undertaking made in this House on December 15 when he said:

> The government's policy is clearly one that there will be a strong and appropriate reaction to any intensification of the crisis with respect to Poland.

Does the minister consider that there has been an intensification of the crisis since he made that statement and, if so, what is the strong and appropriate reaction which he said in December would be the government's response and the government's policy in the face of this intensification?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, the situation around Poland is indeed a serious one and we are most concerned about it. We are in very close touch with our allies with respect to the situation. As the hon. member well knows, in my comments in December the word "intensification" was used in that context to refer to an actual interference by the Soviet Union, or by other countries, in the affairs of Poland. We are consulting with our allies on all the situations which may occur, but we do believe and trust that all countries will allow Poland to settle her own problems in peace.

EXTENSION OF SOVIET TROOP MANOEUVRES

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I had asked the minister if he had considered whether there was any intensification of the crisis, as has been stated by his counterpart, the foreign minister of West Germany, in his statements of last week to the Soviet Union, and as has been stated by other members of the NATO alliance. However, the minister has not answered whether or not the government believes there is any intensification of the crisis at present.

I would like to ask him another question with regard to the statement he made last week on March 23, when he said:

> Soviet troops are not present at this time because of any disposition relating to the present problem, but because of their normal manoeuvres at this time of the year.

Since then, the manoeuvres have been extended indefinitely and there has been a very real increase in the number of Soviet troops along the border. I would like to ask the minister if he has been personally in touch with any Soviet officials to convey Canada's concern about this problem, a threat not only to Poland but to world peace, as his counterpart, the foreign minister of West Germany has done, or does he still believe that these manoeuvres taking place within Poland are really the ordinary and normal manoeuvres that are carried out at this time of the year?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, the continuation of the manoeuvres, as the hon. member's question would suggest, is indeed a new factor, and that is one of the factors, of course, that has given us cause, along with our allies, for considerable concern. But I must say that I do not think the interests of world peace would be served by any tub thumping or brinkmanship by Canada at this time.

Oral Questions

PUBLIC ARCHIVES

REPORTED WITHDRAWAL OF PAPERS AND DOCUMENTS

Hon. Allan Lawrence (Durham-Northumberland): Madam Speaker, since last Tuesday I have been attempting to ask some questions of the minister responsible for the national archives, namely, the Secretary of State, who seems to have the bad habit of coming into the House for a few minutes at question period and then leaving, which effectively blocks our questions. In the interest of ministerial accountability, however, I will ask the Acting Secretary of State my question in the hope that, if nothing else, I can eventually obtain an answer from the minister responsible.

Over the last month several responsible individuals, and the week before last the Canadian Historical Association, made the allegation that a large number of papers and documents have been withdrawn from the Public Archives by bureaucrats and civil servants. My question to the acting minister is whether this is true, whether actually a large number of documents have been withdrawn from the archives, and is it really possible for civil servants on their own to withdraw government documentation placed in the Public Archives for safekeeping?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): Madam Speaker, I should like to inform the hon. member that only a week ago the Association of Archivists appeared before the Standing Committee on Justice and Legal Affairs to give evidence on the access to information bill, but that subject was not brought to the attention of the committee. However, I will look into it and report back to the hon. member.

TASCHEREAU ROYAL COMMISSION PAPERS AND MACKENZIE KING DIARIES

Hon. Allan Lawrence (Durham-Northumberland): I hope the eventual answers will be given in the House by a minister who is responsible.

I will ask the Prime Minister a supplementary question, in the absence of the minister. Apparently major portions of the same chronological period are coincidentally missing from the Taschereau royal commission papers and the diaries of Mackenzie King. They both happen to cover exactly the same period. We were led to believe that both of them had been placed in the archives for safekeeping. My question to the Prime Minister is whether there has been a determined search within the government and within Public Archives for those papers; is there not a record of what was deposited and what was there, and is there any record that any of these papers have been withdrawn from the archives and, if so, by whom?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I have been informed that there has been a search and that it has been fruitless thus far. As to the other aspects of the question, I will have to take notice of them; I do not know the answer.

Oral Questions

PENSIONS

REQUEST FOR INCREASE IN OAS AND GIS BENEFITS

Mr. Neil Young (Beaches): Madam Speaker, my question is for the Minister of Finance. The minister recognizes that hundreds of thousands of Canadians are spending their retirement years in poverty, particularly single women, and this simply cannot wait until the pension system is reformed, as everyone agrees it should be. Will the minister agree to increase OAS and GIS pension payments immediately by appropriate amounts, to correct what everyone knows and what the Prime Minister has said is not tolerable in a nation which believes in social justice?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I have already indicated, both at the pensions conference last week and in the House on Friday, that the government recognizes that more needs to be done in certain areas, particularly with respect to single pensioners who at present are not living at the same standard of living as, say, married pensioners. That is high priority, and it will be dealt with as soon as fiscal and economic circumstances will permit the government to do so.

GOVERNMENT ADVERTISING EXPENDITURES

Mr. Neil Young (Beaches): I have a supplementary question for the same minister. The minister has said that pension reforms can only be made if the economic health of the nation permits such changes. It is estimated that it will cost $100 million to bring those pensioners above the poverty line. I want to ask the minister if he will consider shifting his spending priorities so that pension increases can be made now, for example by cancelling the government's advertising budget of $60 million a year, which is to be increased by a further amount this year.

• (1440)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, in the budget we clearly indicated our priorities. We have increased the outlays of the government in the general field of economic development, which I believe is very relevant in the present circumstances. I assure the hon. member that unless we do experience a strong economy it will not be possible to do all the things that we might wish to do in the field of social development.

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FISHERIES

DROP IN PRICE OF HADDOCK—REQUEST FOR STUDY

Miss Coline Campbell (South West Nova): Madam Speaker, my question is for the Minister of Fisheries and Oceans. In view of the fact that the price of haddock to the fishermen in South West Nova has dropped from 35 cents a pound to 22 cents a pound, at a time when the grounds are closed and, supposedly, fish are scarce, will the minister immediately appoint a board composed of fishermen from the southern part of Nova Scotia, industry representatives from the small fishing companies, as well as the large ones, and an economist, to do a one-month study into this distressing situation?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, the suggestion is an interesting one. If the forces which have driven the prices down were within our control, I would be a little more relaxed about this matter. The fact is that haddock are scarce at this time in Canada but are very plentiful in another part of the world, particularly in the American fishery. The prices have been beaten down for this reason. But I will certainly look at the suggestion made by the hon. member.

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ROYAL CANADIAN MOUNTED POLICE

PROVISION OF SERVICE TO PROVINCES

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question is for the Solicitor General. In a statement last Friday he confirmed that he had asked the RCMP Commissioner to look into ways in which his department could save dollars with respect to policing in Manitoba, Saskatchewan and New Brunswick. Would the minister explain his position and his actions with respect to this particular issue, and tell the House the criteria that he selected to determine that Saskatchewan, Manitoba and New Brunswick would be the recipients of the supposed cutbacks?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, that is certainly not an accurate characterization of the direction I gave to the RCMP last week. If it was reported in that way, then I am glad to have this opportunity to set the matter straight.

The Government of Canada is anxious to continue providing RCMP services to those provinces which have been using them in the past. We have been negotiating for seven months to try to reach new agreements to take effect as of last Tuesday. The negotiations have gone slower than I would have liked. Thus, the contracts expired without a new agreement.

I indicated to the provinces that we would be prepared to continue providing the services without a new cost-sharing agreement, while we try to reach a new cost-sharing agreement. British Columbia understood this and there has been an exchange of letters which has led the RCMP services to continue there while bona fide negotiations are being carried on. But when I went to work on Friday morning I received a bombshell from the Attorney General of Saskatchewan. Mr. Romanow indicated that he will only accept continued RCMP services on the basis of the cost-sharing agreement which expired. For seven months I have been saying that those terms would not be renewed, that we wanted new terms and we were willing to negotiate them.

We are willing to provide the services without an agreement, but we are not willing to continue providing services on a price unilaterally imposed by the provinces.

Some four or five other provinces have joined with Saskatchewan in insisting that services will only be accepted on the basis of the old price. At law, if you continue to provide services when the other party imposes a price, you are stuck with that price. That is not acceptable to Canada. In the next few hours I am hoping to talk to the attorneys general.

When I phoned Mr. Romanow on Friday his executive assistant told me that Mr. Romanow's schedule did not permit him to come to the telephone to speak to me about his telegram. I hope that I will meet with him in the next little while.

Some hon. Members: Hear, hear!

TERMS GOVERNING CONTINUATION OF SERVICE

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my supplementary question is for the same minister. Can he confirm or deny that he has asked the RCMP Commissioner to look into ways in which money could be saved, specifically in Manitoba, Saskatchewan and New Brunswick? Can the minister also advise the House whether or not he will live up to the commitment he made to the province of New Brunswick in a telegram he sent last Monday to the attorney general of that province in which he said that his department will continue to perform normal policing functions as in the past, until a new agreement is reached?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, indeed that is the proposal I sent to New Brunswick and to all other contract provinces. The reply I received from the Attorney General of New Brunswick was that he would not accept to continue negotiating to try to reach a new agreement, but that he would accept the services of the RCMP under the old cost-sharing agreement. That is unacceptable to the Government of Canada. We want to negotiate a new agreement which, when settled, will come into effect as off last Tuesday. We will not continue to provide services on the basis of a unilaterally imposed cost-sharing agreement.

* * *

METRIC CONVERSION

REQUEST FOR RESCINDING OF ORDER

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, my question is for the Minister of Consumer and Corporate Affairs. In view of the announcement in *The Canada Gazette* of February 28 that the federal government intends to amend the Weights and Measures Act within 60 days, and since the retail food sector in the Hamilton-Wentworth region, at least, and presumably this applies all across the country, has only until April 28 to respond to the metric conversion deadlines, which have very severe penalties attached for non-compliance—this is not as the minister said in the House on March 24, that those who want to express their views have ample time to do so before 1982—will the minister consider rescinding or postponing the order if I dump on his desk a great number of negative replies from Canadians to this latest push toward forced implementation of metric before April 28?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, the deadline for sending comments on that draft regulation is the twenty-ninth of this month. I repeat, this regulation will not come into force before 1982. Between now and the end of the month I am prepared to entertain the comments and opinions of the hon. member. Since he still has a few weeks to do so I would urge him to send me his comments. I would suggest three weeks is enough time for him or the Canadian public to make all the comments they may have to make on this regulation.

[*English*]

Mr. Scott (Hamilton-Wentworth): Madam Speaker, my supplementary question is for the same minister. There is a suspicion on the part of Canadians—and I would ask the minister to confirm this—that the only reason these latest deadlines were published in *The Canada Gazette* was because the minister had to publish them, that it was a mere formality, and that it does not matter how many retailers, small businessmen and Canadian consumers respond before April 28, the Metric Commission and the minister's colleagues in the government intend to implement this unilateral decision? Will the government listen to the people of Canada and reconsider this order in council? Will he rescind it if the feeling of the people of Canada is negative toward the imposition of metric?

[*Translation*]

Mr. Ouellet: In that field as in many others, Madam Speaker, the Progressive Conservative Party has adopted a negative approach. That party looks to the past rather than to the future. My answer to the hon. member is that in that field as in many others, the approach of the Liberal Party is to look to the future, not to the past as the Progressive Conservatives do. We will move forward in that field as in others.

* * *

[*English*]

HUMAN RIGHTS

INTRODUCTION OF LEGISLATION TO END DISCRIMINATION AGAINST INDIAN WOMEN

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is for the Secretary of State for External Affairs. In November, 1980, Canada replied to questions from the United Nations Human Rights Committee regarding the case of Sandra Lovelace. Canada indicated that legislation will be introduced in the House by mid-1981. Such legislation

would end the discrimination against Indian women which now exists under the Indian Act. Last month, when I asked the Minister of Indian Affairs and Northern Development about consultation relating to this proposed legislation, he replied—he hemmed and he hawed, and he talked about the Constitution, but he did not give any indication—

● (1450)

Madam Speaker: Order, please. Will the hon. member please ask his question?

Mr. Manly: Will the Canadian government honour its commitment to the United States Human Rights Committee and introduce this legislation and, if so, when will it be introduced?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, of course my colleague is much more informed about this than I am. However, I believe he would be able to inform the member that he is negotiating with the provinces, and when that process is completed we will be able to proceed with the legislation.

* * *

INDIAN AFFAIRS

REQUEST FOR INCREASE IN BAND RESOURCES

Mr. Jim Manly (Cowichan-Malahat-The Islands): I do not know what negotiations with the provinces have to do with this jurisdiction which comes under the federal government. My supplementary question is directed to the Minister of Indian Affairs and Northern Development. The problems that Indian people have with discrimination under the Indian Act have been caused by federal government policies, and the federal government should help to solve these problems. Considering that many bands feel an increase in poverty will result from the readmission of Indian women and their children to band membership, will the minister introduce a program of land and financial entitlement so that band resources will be increased to the extent of their membership increase when these women and their children are reintroduced into band membership?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, as I indicated to the hon. member some time ago, we have already adopted a policy where a chief and a band council, by band council resolution, can ask me to exercise those rather extraordinary powers under the Indian Act to set aside these provisions which discriminate against status women who marry white men and lose their status. We have received some of these resolutions now, and I am acting on them. That is during a bridge period because, under the constitutional proposals before the House, within a three-year period all discrimination of this kind will automatically cease in any event.

Miss MacDonald: I would do it now!

Mr. Munro (Hamilton East): This would permit us to work matters out with the provinces, where questions of enforcement and administration will give us an opportunity to explore that problem.

Also, to answer the latter part of the question of the hon. member, with respect to the number of new people who will come on the reserves when this takes place, yes, my department and officials are looking into the implications, in terms of costs and land base, and are studying the question very thoroughly in anticipation of this eventuality.

* * *

ROYAL CANADIAN MOUNTED POLICE

POSSIBILITY OF COMPENSATORY PAYMENTS TO ONTARIO AND QUEBEC

Mr. Hal Herbert (Vaudreuil): My question is directed to the Solicitor General, and it also deals with the problem in reaching an agreement on the use of the RCMP forces in eight provinces. Would the Solicitor General consider concluding an agreement with all ten provinces so that the two largest provinces, Ontario and Quebec, which use their own police forces, could receive compensatory payments in lieu of the benefits which are received by the other provinces?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I think there are great benefits derived for Canada when the RCMP are used by provinces as provincial police, and by the municipalities as municipal police. But it is not intended to be a cost-sharing agreement, and never has been. There is no realistic prospect of the RCMP being accepted as provincial police in either of those two provinces.

* * *

NATIONAL ENERGY PROGRAM

CAPITAL REQUIREMENTS OF ENERGY INDUSTRY FOR TEN-YEAR PERIOD

Mr. Bill Yurko (Edmonton East): Madam Speaker, I would like to direct a question to the Minister of Energy, Mines and Resources. The National Energy Program has several aspects to it which will impact substantively upon several sectors of the Canadian economy, indeed, particularly on the financial community. Can the minister advise whether the government has done an analysis or an investigation? If so, can he inform this House how much capital will be required by the energy industry in the next decade, how much of such needed capital will be Canadian capital, and how much of that capital will be public capital, that is, capital required for input by the federal government?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the government has carried on a number of internal studies in this regard. However, the type of information requested by the hon. member should more properly be sought in the form of a question on the Order Paper, or I would be very happy to put it in the form of a letter, because it is very elaborate and, second, it is subject to many assump-

tions. It is of a speculative nature by necessity, since we are trying to foresee at least ten years down the line.

IMPACT ON OTHER SEGMENTS OF ECONOMY

Mr. Bill Yurko (Edmonton East): The National Energy Program forecasts prices over a ten-year period, and that is why I use the ten-year time-frame. It also indicates self-sufficiency by 1990. I would like to ask the minister if he can give the House any assurances that the capital which will be raised will not mean a deficiency of capital in other segments of the Canadian economy, particularly mining, forestry, real estate, and the food growing industries. If there is not sufficient capital for these other industries, at the same time as we are involved in Canadianization and nationalization of the energy industry we will be involved in massive Americanization and internationalization of some of these other very key industries because of the shortage of capital in Canada.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): I am advised that I can say yes to the question of the hon. member.

* * *

THE CONSTITUTION

PROCEDURE FOR CONVENING FEDERAL-PROVINCIAL CONFERENCES

Mr. John Gamble (York North): Madam Speaker, my question is directed to the Prime Minister and arises out of his response to earlier questions, when he indicated that he did not intend to meet with the provincial premiers although they apparently requested a meeting with him. At the same time, he indicated there would be ample opportunity over the next two years, or two years after his constitutional proposal became effective. In that regard he is referring to Clause 37, which provides that the Prime Minister shall indeed convene a conference of himself and the first ministers of the provinces.

In the event that the Prime Minister will not attend a meeting requested by the provincial premiers, how does he propose to get the provincial premiers to a meeting which he, under his constitutional proposal, is obliged to call? By bringing them in chains?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I believe that the hon. member, when he referred to Section 37, meant to refer to Section 35. It came over here as 37.

Mr. Nielsen: Two digits in crossing the floor.

Mr. Trudeau: There is no way of obliging the premiers to attend such a federal-provincial conference, any more than there is any way to oblige me to attend one that they would convene. They are welcome not to come if they do not want to come.

Mr. Gamble: The lack of availability to attend meetings or even answer telephones has been made obvious by the response of the Solicitor General, who cannot even speak to the attorney general of the province of Saskatchewan, any more. I think if that type of thing develops, it is very destructive of the system. What the Prime Minister has just indicated is that Section 35, although it is in the resolution, may in fact be useless like so many other provisions of the resolution.

The Prime Minister has indicated that other leaders of this party have said in the past that Parliament is indeed the supreme court and that this House is the supreme court of Parliament. Will the Prime Minister acknowledge that after his constitutional resolution is adopted, that state of the law will cease to exist when the Supreme Court of Canada alone will legislate, as a consequence of its interpretation judgments, in dealing with an interpretation of the resolution which he has before this House?

Mr. Trudeau: On the preamble, the hon. member argues that Section 35 is useless. The reason Section 35 is in the resolution is so that premiers, if they wish, and if they can find a better formula than the Victoria formula, can put it to us at a federal provincial conference. That is why in an earlier answer I said we would be happy to meet with them if indeed they can find and have found a better formula. Well, an hon. member says "Why not before?" Before we must have our Constitution. If what they are worried about is an amending formula, then they have a guarantee that they can reach agreement on the amending formula and put it to us. That is what the resolution says.

• (1500)

What the opposition seems to be saying is that they do not want to have our Constitution until there is a national consensus. We are saying that we have tried a national consensus for 54 years and it did not work. Let us have our Constitution and then we can bring in the amending formula, if indeed it is accepted by everybody.

As to the question itself regarding the role of the courts and Parliament, it seems to me that the hon. member is under a misapprehension. What I have said is that both branches of government should be autonomous and should operate autonomously. It is our job to legislate. It is the court's job to judge whether the legislation is intra vires or ultra vires. That is the law of the land and that is the basis of Parliament. That is true in a federal system and it is even true in a unitary system, where it is obvious that parliamentarians do not go around asking themselves if the courts are going to give an okay to what they do.

Mr. Baker (Nepean-Carleton): They don't?

Mr. Trudeau: They don't; no.

Mr. Baker (Nepean-Carleton): In a federal system, they do.

Mr. Trudeau: Madam Speaker, I have several interruptions—

Madam Speaker: Order, please. In order to facilitate matters, the Prime Minister might simply answer the question posed to him.

Mr. Clark: You have insulted the premiers.

Mr. Trudeau: Madam Speaker, it is basic to our system that three judges, five judges, or nine judges, cannot tell us what is right. We are elected by the people. We are answerable to the people.

Some hon. Members: Hear, hear!

Mr. Clark: What about premiers?

Mr. Trudeau: It is our job to pass laws.

Mr. McGrath: What about the premiers?

Mr. Trudeau: It is the job of the courts to judge whether these laws are intra vires or ultra vires. What the opposition has been doing is saying "We are timid fellows—"

Some hon. Members: Oh, oh!

Mr. Trudeau: —"because three non-elected officials have told us that such a thing could not be done."

Some hon. Members: Oh, oh!

Mr. Trudeau: And these some 90 elected members are saying "We will wait until we get permission from the courts."

Some hon. Members: Oh, oh!

Madam Speaker: Order, please.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): You should belong to Actors' Equity.

Madam Speaker: Order, please.

* * *

CIVIL RIGHTS

EXERCISE OF FRANCHISE BY PENITENTIARY INMATES

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is for the Solicitor General. The Solicitor General, supported not surprisingly by Quebec Liberal leader Claude Ryan, has refused to implement the legislation of the province of Quebec extending the right to vote to prisoners in federal institutions in the upcoming Quebec election.

I have before me a copy of the confidential minutes of the February ministerial conference on human rights at which the Solicitor General promised:

> But for those provinces that decide to extend the right to vote in their elections to inmates over whom we have custody—I wanted to indicate that we are prepared to do everything we can to see that your law is given effect in the institutions—

Why is the Solicitor General now changing his mind and reneging on this commitment made to the province of Quebec and denying some 2,000 prisoners their fundamental democratic right to vote, as passed by the legislature of Quebec?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I stand by what I said, as quoted by the hon. member. But I am not satisfied that the system which was put forward by the province of Quebec will work within the institutions in the province of Quebec. I have indicated that I will watch with interest during the provincial election to see whether fair elections can be held with due respect to order and security without violating the privacy of particular inmates. I am not certain that it can be done. If it can be done, then I stand by my undertaking that we would be prepared in the future to accommodate any provincial legislation within federal institutions.

I indicated at the same time that the Parliament of Canada has not extended the right to vote to prisoners. That is a matter for each legislature or for Parliament to decide within the limits of its own franchise. The strong view was expressed by all but a very few of the attorneys general who were present, that inmates did not deserve the right to vote while they were incarcerated, and I agree with that.

RIGHTS OF PERSONS HELD ON REMAND

Mr. Svend J. Robinson (Burnaby): Madam Speaker, the minister should be aware that in the 1979 B.C. provincial election prisoners were granted the right to vote and there was no threat to security, order or whatever. The Solicitor General should also know that a study for his own department concluded "on an operational level, the problems associated with the enfranchisement of inmates are straightforward."

My supplementary question relates to another group of inmates who were denied voting rights, namely, those who were held on remand in provincial institutions during federal elections. The Solicitor General also knows these inmates are presumed to be innocent. Therefore, why does the federal government deny these inmates, presumed to be innocent, the right to vote in federal elections in violation of the Canada Elections Act?

An hon. Member: They won't vote Liberal; that's why.

Hon. Bob Kaplan (Solicitor General): Madam Speaker, the problem of voting during remand, when individuals are being held in provincial institutions, would be largely a problem for their custodians, the provincial governments. I will certainly look into the problem about inmates voting in provincial or federal elections when they are under remand. But the problem there is clearly not one that would be my responsibility to account for as Solicitor General.

BUSINESS OF THE HOUSE

Mr. Baker (Nepean-Carleton): Madam Speaker, as a result of an order of the House, we have settled the business of the House until tonight at ten o'clock. Therefore, is the government House leader in a position to tell us what his intentions are with respect to government business for tomorrow?

Mr. Pinard: Madam Speaker, I will be glad to discuss this with my colleagues, the House leaders, later on this afternoon.

* * *

PRIVILEGE

DEFERRAL OF QUESTIONS

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise concerning several notices of questions of privilege of which the Chair is now seized. There was no House leaders' meeting last Friday, but from the response of the government House leader just a minute ago it appears likely there will be one this afternoon. I ask, therefore, on behalf of all those members who have questions of privilege standing in their names, with the same exceptions I noted last Friday, that those questions also be deferred today in order to give the upcoming House leaders' meeting every possibility of success.

Madam Speaker: The hon. member gave me the assurance that he had been speaking to all hon. members who had sent me notices of questions of privilege. Usually I do not accept the statement of an hon. member speaking on behalf of all other hon. members, but if he gives me that assurance and no member in this House rises to tell me anything to the contrary, then in turn, I will say the questions of privilege can be deferred. Therefore, I will take them in order when we return to the normal procedure.

Mr. Nielsen: Madam Speaker, I did note three exceptions last Friday morning.

MR. MANLY—TYENDINAGA INDIAN RESERVE—S.O. 43 MOTION OF MR. ELLIS

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, I rise on a question of privilege relating to a motion moved last Friday under the provisions of Standing Order 43 by the hon. member for Prince Edward-Hastings (Mr. Ellis). The hon. member claimed statements regarding the Mohawk Inn on the Tyendinaga reserve that I had made earlier, also under the provisions of Standing Order 43, were false. The hon. member for Prince Edward-Hastings has good reason to be extremely sensitive about his relationship with the Tyendinaga reserve, but that sensitivity has nothing to do with the truth or the falsehood of my statements. The hon. member's statements were unfair and untrue and they affect my privilege as a member of this House. They affect my right and my responsibility to speak for my party on questions regarding Indian affairs. They reflect on the right of every member of my party to speak on issues of national importance.

If I have misled the House in any way, then I believe I have reason to apologize. If I have not misled the House, then I believe the hon. member should be called on to answer my question of privilege.

Since Friday I have checked the facts regarding the Mohawk Inn situation on the Tyendinaga reserve. Andrew Clifford Maracle, Jr., the proprietor of the Mohawk Inn, has been charged under Section 97A of the Indian Act and under the liquor licensing act of Ontario with having intoxicants in his possession on the reserve. Mr. Maracle had already been acquitted on a similar charge on similar grounds by the Supreme Court of Ontario—

• (1510)

Madam Speaker: Order, please. I have a good idea to what the hon. member is referring. I must say to him that it seems he is trying to correct some facts. There is a difference of opinion between two members as to what are the exact facts, and I am afraid I must interrupt the hon. member because this does not constitute a question of privilege. He might feel very strongly about the way another hon. member is representng some of those facts, but that is a grievance, a difference of opinion, or something other than a question of privilege. I cannot hear the hon. member further. There is no question of privilege so I must ask him not to comment further.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed from Friday, April 3, consideration of Bill C-59, to provide supplementary borrowing authority, as reported (without amendment) from the Standing Committee on Finance, Trade and Economic Affairs, and on the motion of Mr. Blenkarn (p. 8463).

Madam Speaker: It being a little past three o'clock, pursuant to order made Thursday, April 2, 1981, the House will now proceed to the taking of the deferred division on the motion standing in the name of the hon. member for Mississauga South (Mr. Blenkarn) at the report stage of Bill C-59, an act to provide borrowing authority.

Call in the members.

The House divided on the motion (Mr. Blenkarn) which was negatived on the following division:

Borrowing Authority Act, 1981-82

● (1520)

(*Division No. 51*)

YEAS

Messrs.

Althouse
Andre
Baker (Nepean-Carleton)
Benjamin
Blackburn
Blaikie
Blenkarn
Bradley
Broadbent
Cardiff
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cook
Cooper
Corbett
Crombie
Crosby (Halifax West)
Dantzer
Darling
Deans
de Jong
Domm
Ellis
Elzinga
Epp
Fretz
Friesen
Fulton
Gamble
Gilchrist
Greenaway
Gurbin
Gustafson
Halliday
Hamilton (Qu'Appelle-Moose Mountain)
Hamilton (Swift Current-Maple Creek)
Hargrave
Hawkes
Hovdebo
Ittinuar
Jarvis
Jelinek
Jewett (Miss)
Keeper
Kempling
Kilgour
King
Knowles
Kushner
Lawrence
Lewis
MacDonald (Miss)
MacKay
Malone
Manly
Mayer
McCain
McCuish
McDermid
McGrath
McKenzie
Miller
Mitchell (Mrs.)
Mitges
Munro (Esquimalt-Saanich)
Murphy
Murta
Neil
Nickerson
Nielsen
Nowlan
Oberle
Ogle
Paproski
Patterson
Rae
Reid (St. Catharines)
Robinson (Burnaby)
Sargeant
Scott (Hamilton-Wentworth)
Shields
Siddon
Skelly
Speyer
Taylor
Thacker
Thomson
Towers
Vankoughnet
Wenman
Wilson
Wise
Wright
Young
Yurko—95.

NAYS

Messrs.

Allmand
Appolloni (Mrs.)
Axworthy
Bachand
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Berger
Blais
Bloomfield
Bockstael
Bossy
Breau
Caccia
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Chénier
Chrétien
Collenette
Corbin
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Daudlin
Dawson
De Bané
de Corneille
Demers
Deniger
Desmarais
Dingwall
Dion
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Duclos
Dupras
Erola (Mrs.)
Ethier
Evans
Ferguson
Fisher
Fleming
Flis
Foster
Fox
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Harquail
Henderson
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hudecki
Irwin
Isabelle
Johnston
Joyal
Kaplan
Kelly
Killens (Mrs.)
Lachance
Lajoie
Lalonde
Landers
Lang
Laniel
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Leduc
Lefebvre
Loiselle
Lonsdale
MacBain
MacEachen
MacGuigan
Mackasey
MacLaren
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McRae
Munro (Hamilton East)
Nicholson (Miss)
Ostiguy
Ouellet

Messrs.

Pelletier
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Reid (Kenora-Rainy River)
Roberts
Rompkey
Rossi
Roy
Savard
Schroder
Simmons
Smith
Stollery
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Watson
Weatherhead
Whelan
Yanakis—125.

● (1540)

[*Translation*]

Madam Speaker: I declare the amendment lost.

[*English*]

Hon. Pierre Bussières (Minister of State (Finance)) moved that Bill C-59, to provide supplementary borrowing authority, as reported (without amendment) from the Standing Committee on Finance, Trade and Economic Affairs, be concurred in.

Madam Speaker: Is it the pleasure of the House to adopt the motion? Is the hon. member for the Yukon (Mr. Nielsen) rising on a point of order? Of course, the hon. member knows that this is not a debatable motion. The motion is simply to concur in the bill. Is it the pleasure of the House to adopt the motion?

Some hon. Members: On division.

Some hon. Members: Agreed.

Motion agreed to.

Madam Speaker: Pursuant to order made on Thursday, April 2, the bill will be read the third time later this day.

ROUTINE PROCEEDINGS

[*Translation*]

CANADIAN COMMISSION ON HUMAN RIGHTS

TABLING OF ANNUAL REPORT

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Madam Speaker, pursuant to Standing Order 41(2), I have the honour to table the annual report of the Canadian Human Rights Commission for 1980.

[*English*]

PETITION

MR. JELINEK—UNBORN CHILD'S RIGHT TO LIFE

Mr. Otto Jelinek (Halton): Madam Speaker, I have two petitions before me from my constituents in Halton. One is from the Holy Rosary parish in Milton, while the other is from Saint Andrew's parish in Oakville. I wish to present these two

petitions on behalf of 671 persons as one petition, since both deal with exactly the same subject matter. May I read just part of that petition, Madam Speaker. It reads as follows:

We, the undersigned, members of Saint Andrew's parish, Oakville, Ontario, and Holy Rosary parish, Milton, Ontario, do demand at this crucial time in our Canadian history, that our Canadian Constitution be based on the first and primary principle, the supremacy of God. Because it is God, our creator, who bestows on all mankind the gift of life, we demand that this inalienable right to life be clearly defined in our Constitution granting legal protection to all Canadians, especially the weakest and most defenceless members of Canadian society, the unborn child, and that this legal protection be granted to all from the moment of conception (fertilization) to natural death—

I believe, Madam Speaker, this petition is timely, particularly in view of the threat of closure before us. May I add my compliments to the two parishes in question for being able to collect 671 names over just one or two weekends without any apparent advertising or solicitation.

Some hon. Members: Hear, hear!

* * *

● (1550)

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 902, 903, 1,907, 2,122, 2,128, and 2,243.

[*Text*]

RCMP—COMMISSION OF INQUIRY

Question No. 902—**Mr. MacKay:**

1. What was the expenditure by the Privy Council office for the fiscal year (a) 1977-78 (b) 1978-79 (c) 1979-80, for the Commission of Inquiry concerning certain activities of the Royal Canadian Mounted Police?

2. What was expended for (a) legal counsel (b) non-legal investigative services?

3. What was the total in salaries and benefits for the commissioners?

4. What was the total expenses for (a) office accommodation (b) office administration (c) travel (d) hotel accommodation?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council):

1. (a) 1977-78 $ 732,893
(b) 1978-79 $1,999,065
(c) 1979-80 $2,671,823

2. (a) Legal counsel

1977-78	$ 177,507
1978-79	$ 577,687
1979-80	$ 950,393

Includes fees and travelling expenses.

(b) Investigative Services

1977-78	$ 81,842
1978-79	$ 262,903
1979-80	$ 361,932

Includes salaries and travelling expenses.

3. The following honoraria were paid to two commissioners. The salary of the chairman is paid by the Department of Justice pursuant to the Judges Act.

1977-78	$ 81,854
1978-79	$ 168,425
1979-80	$ 200,000

4. (a) Office accommodation is provided by the Department of Public Works without charge.

(b) Office administration

1977-78	$ 333,163
1978-79	$ 872,572
1979-80	$1,020,052

(c) and (d) Living expenses and hotel accommodation. Expenditures for hotel accommodation are not recorded separately. The figures shown exclude travelling expenses included in answer to 2 (a) and (b).

1977-78	$ 58,527
1978-79	$ 117,478
1979-80	$ 139,446

Question No. 903—**Mr. MacKay:**

1. For the fiscal year (a) 1977-78 (b) 1978-79 (c) 1979-80, what are the names of all legal counsel engaged by the commission of inquiry concerning certain activities of the Royal Canadian Mounted Police and for whom were they engaged?

2. How many current and former ministers of the Crown and public servants, who were requested to appear before the commission of inquiry, were accompanied by legal counsel and, in each case, did the government provide such counsel and, if so, what was the total cost?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): I am informed by the Prime Minister's and Privy Council offices and the Ministry of the Solicitor General as follows:

1. (a), (b) and (c)

J. F. Howard, Q.C.	Eleanor Cronk
A. J. Campbell, Q.C.	Hon. Angelo E. Branca, Q.C.
Pierre Sébastien, Q.C.	Brian Crane, Q.C.
Louis Leclerc	Timothy Ray
Ross Goodwin	Richard J. Scott, Q.C.
John Sopinka, Q.C.	F. Keith Turner, Q.C.
S. N. Lederman	John P. Nelligan, Q.C.
Bruno Pateras, Q.C.	Allan M. J. Rock
Mark Paci	Eva Marszewski
Bryan Williams	Yvon Tarte
J. J. Robinette, Q.C.	Simon Noël
W.A. Kelly, Q.C.	Colin McNairn

All were engaged as commission counsel.

2. Twenty-one current and former ministers of the Crown and public servants, who have been requested to appear before the commission of inquiry, have been accompanied by legal

counsel provided for at public expense. The costs associated with this counsel to June 30, 1980 were $1,199,346. It should be noted that this figure includes the costs of the representation of the Government of Canada by counsel before the commission, which representation has been continuous from the inception of the commission.

Former ministers	$443,540.00
Government (including representation for present and former public servants)	$755,806.00

TELIDON

Question No. 1,907—**Mr. Beatty:**

1. Did the government exhibit Telidon at INTELCOM 80 in Los Angeles and, if not, for what reason?

2. Was the government aware that the French videotex system, Antiope, would be exhibited at the show?

3. Has the government any estimates of promotional budgets for competitive systems produced in other countries and, if so, what are such estimates?

4. Since the development of Telidon, by year, what amount was budgeted for its development and promotion and what is the anticipated budget for 1981-82?

5. What experience exists within the Department of Communications in the promotion of technological developments, of the importance of Telidon?

6. Did the government consider transferring the responsibility for promoting Telidon to the Department of Industry, Trade and Commerce or to another branch of the government with the experience and budget to engage in promotional programs comparable to those of Telidon's competitors and, if so, for what reason was such a course rejected?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): In so far as the Department of Communications is concerned, the answer to the above question is as follows: 1. The Department of Communications did not exhibit Telidon at INTELCOM 80 because of funding and human resource limitations which restricted the department's attendance to a limited number of important trade expositions and conferences. However, much has been accomplished within the previous promotional budget. For example, there have been approximately 75 distinct promotional activities since June, 1980, including attendance at several international expositions and conferences. In addition, there have been publicity tours in the U.S.A. and West Germany and one recently completed in Australia. The department's Telidon program strategy, in conjunction with the Departments of Industry, Trade and Commerce and External Affairs, is to assist Canadian industry wherever possible within approved budgets to acquire contracts for field trials and operational Telidon systems in the U.S.A., Europe, Latin America and Australia.

2. The department was indeed aware that the French Antiope system would be exhibited. The French government is supporting Antiope with a large promotion budget which permits the exhibition of Antiope in virtually all important trade shows and conferences.

3. It is difficult to obtain authenticated figures for the exact promotional budgets of the competing British (Prestel) and French (Antiope) systems. However, both countries have specific marketing branches in the U.S.A. called Aregon and Sofratev respectively. The science counsellor of the Canadian embassy in Washington, D.C. has estimated that the British are spending approximately $10 million to $15 million per year for the promotional activities in the U.S.A. alone and the French some $20 million per year. The respected British Organization Communications Systems and Planning Ltd. has stated that British government expenditures to date are in excess of $84 million and annual expenditures are currently running at $42 million. Equal or greater investments are being made by the British industry.

4. At the time of the INTELCOM 80 exhibition, the department's total Telidon budget from FY 79/80 to the end of the Telidon program in FY 82/83 was $13.241 million. Since recent cabinet approval of the augmented Telidon funding, this figure will rise to $40.341 million. This amount and the portion allotted for promotion (including standards and industrial strategy) is broken down by fiscal year as follows:

FY	Total Program Budget (000's)	Promotional Budget (000's)
79/80	3,298	200
80/81	6,943	495
81/82	19,050	1,500
82/83	11,050	1,500

The promotion budget has thus been increased by some $2.35 million for FYs 81/82 and 82/83, thereby ensuring a more vigorous DOC marketing strategy. The above figures have been approved for commitment by the economic development envelope and are subject to Treasury Board approval.

5. Within the research sector's Telidon program the promotional activities are primarily carried out by the directorate of applications development containing three permanent staff and four term employees. Its functions are to develop and implement promotional activities, to contribute to international standardization activities, to work with other groups for the development and implementation of industrial and marketing strategies, to facilitate technology transfer to industry and to identify new research and development work. Other sectors within the department contribute much to promotion as well. The international telecommunications branch of the policy sector has provided assistance in both international marketing and legal matters. The information services section of the deputy minister's office gives continuous aid in the execution of promotional exhibits. Outside the department, of course, External Affairs and Industry, Trade and Commerce provide continuing assistance. Recently a marketing-promotion committee has been established with representation from all three departments.

6. The government has not considered transferring primary responsibility for promoting Telidon to other departments although considerable assistance is being given by the Departments of Industry, Trade and Commerce and External Affairs. The reasons relate to both experience and budget. First, the

department considers its group of technical experts which invented and developed Telidon in the first place essential for the promotion of what is still a fledgling technology which though recognized as the world's superior videotex and teletext technology is still threatened by the financially massive marketing efforts of its competitors. The contribution of these experts to promotional activities would be hampered were such activities primarily controlled by another department. Secondly, other departments do not have promotional budgets substantially greater than those of the Telidon program. Steps are being taken, however, to set up an organizational structure which will focus both government and private-industry investment in Telidon to a coherent promotional and marketing thrust internationally.

STUDY ON CONDITIONS OF FOREIGN SERVICE

Question No. 2,122—**Mr. Herbert:**

Was a special study commissioned on the terms and conditions of foreign service from the point of view of foreign service officers and their families and, if so, has it been completed and who was responsible for the study?

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): The royal commission on conditions of foreign service was appointed by order in council of August 27, 1980, PC 1980-2336, but its work has not been completed.

SEASAT U.S.—SURVEILLANCE SATELLITE

Question No. 2,128—**Mr. McKinnon:**

1. Did Canada, in 1978, participate in the SEASAT U.S. surveillance satellite experiment?

2. What were the effects of the ionosphere in Canada's auroral zone and the radar properties of the sea surface on the performance of the synthetic aperture radar being tested in the experiment?

3. Did the experiment identify any problems which would prevent Canada from using a synthetic aperture radar for surveillance of Canadian territory?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. Yes.

2. Auroral activity did not produce detectable effects on the performance of the SEASAT synthetic aperture radar (SAR). However, experiments indicated that the SAR images would be degraded during severe magnetic storms. The radar was optimized to image ocean waves and validation experiments showed the wavelengths between 100 and 500 metres and significant wave heights between 1 and 3.5 metres could be measured. Ships 100 metres long could be detected when moving slowly on a calm sea but even large ships were concealed by the sea clutter from waves during the storm. Often a ship moving at high speed could be detected only by its wake. The radar proved capable of producing usable imagery through rain and snow.

3. The U.S. SEASAT A experiment and the Canadian surveillance satellite (SURSAT) program have demonstrated the technical feasibility of a spaceborne synthetic aperture radar system for environmental surveillance, particularly of sea ice. However, small land targets such as those associated with human activity in the Arctic require much higher spatial resolution than that provided by the SEASAT SAR. Also, it is unlikely that rapidly moving or manoeuvring targets such as aircraft would be imaged by the SEASAT radar.

DND—CONTRACT WITH E.A.C. AMY AND SONS LTD.

Question No. 2,243—**Mr. McKinnon:**

Did the Department of National Defence place a $29,440 contract with E.A.C. Amy and Sons Limited for the preparation and carrying out of a seminar on effects of an earthquake in British Columbia and, if so (a) on what date and for what reason is the seminar to be held (b) who will be invited (c) will the results be made public?

Hon. J.-J. Blais (Minister of Supply and Services): The Department of Supply and Services placed a $29,440 contract on behalf of Emergency Planning Canada for preparation and carrying out of a seminar on effects of an earthquake in British Columbia.

(a) The date of the seminar is yet to be determined. The reason for the seminar is to study the appropriate method of responding to the emergency caused by an earthquake in Canada, using British Columbia as the case study.

(b) The list of people will include federal and provincial emergency planners from across Canada.

(c) The results of the seminar will be made public.

[*English*]

Mr. Collenette: Madam Speaker, I ask that the remaining questions be allowed to stand.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

Hon. Yvon Pinard (for the Minister of State (Finance)) moved that Bill C-59, to provide supplementary borrowing authority, be read the third time and do pass.

Mr. Jack Shields (Athabasca): Madam Speaker, it gives me a great deal of pleasure to address this body today on the borrowing authority bill. I would particularly like to address myself to the imposition of closure. A rose by any other name is still a rose and closure is still closure, which we know is taking place on this measure.

I would like to draw the attention of the House to the fact that, while this House is considering a bill authorizing the borrowing of $14 billion to run government business, there exists a situation in northeastern Alberta which I can only describe as deplorable. The Bigstone band, in company with their chief, William Beaver, are on a trek from Wabasca in northeastern Alberta to Edmonton to draw attention to their plight. They are asking for financial assistance for their community so that poverty can be alleviated as well as unemployment, which reaches beyond 75 per cent.

I draw this set of circumstances to your attention, Mr. Speaker, because we have a government which has exercised no restraint whatsoever with respect to the economy. It is prepared to borrow $14 billion just to keep operating. A very small fraction of that sum of money could be used in a permanent way to aid in the alleviation of the conditions in many Indian communities, but, more particularly, the Bigstone band in Wabasca. The chief and council, indeed the people of the Bigstone band, decided on this action to draw attention to their plight after a 14-year-old girl, who looked around the community on her birthday and felt that life was no longer worth living, committed suicide. She committed suicide because of the lack of funding, lack of opportunity, lack of jobs and abject poverty that all people in the Wabasca reserve face. I find it difficult to comprehend a government which has set priorities in the way that this government has. It is borrowing $14 billion to run a government when a very small portion of that sum could begin to alleviate the suffering, inequality and lack of jobs which exist on the Bigstone Reserve.

Consider the mortality rates on the Indian reserves in comparison with the national deaths per thousand figures for each age group during the period 1973-76. In the age group one to four years, we find the mortality rate of Indian populations on reserves to be 3.1 deaths per thousand as compared to the national average of 0.8 deaths per thousand. This is over three times the national average. In the age group five to 19 years, the rate is 1.9 per thousand as compared with the national average of 0.7 deaths per thousand. Some of these deaths on Indian reserves are the result of suicide. The figures are very alarming when one looks at the age group 20 to 44 years. The mortality rate for the non-Indian population in this age group is 1.5 per thousand, while the rate for the Indian population is six per thousand. I would like to point out that this is the age group in which men and women marry and have families.

Can you imagine, Mr. Speaker, the total worthlessness a man must feel, day after day, going home to face his family and children knowing that he cannot provide for them? Can you imagine how devastating this can be to a man's or woman's ego? I find it deplorable that we are forcing our native people into this position. The government should take a minute portion of that $14 billion and aim it at alleviating poverty and creating jobs in native communities, a situation where men and women can hold up their heads and where Indian parents are able to provide for their families as every member of this House can and, indeed, as every Canadian across our nation wants to do. There is absolutely no future for young Indian people growing up on a reserve.

I would like to outline the events of the last six months. Chief William Beaver, a very honourable man who wants to create a situation on his reserve where men can be employed and the children have an equal opportunity to that experienced elsewhere in Canada, says that he wants to reduce welfare and create jobs. The budget on the reserve was cut to a point where they had to lay off 17 workers at the sawmill. This was a project they had initiated themselves. Seventeen men had to be laid off and were forced to go on welfare. More importantly, logs were left in the bush. In northern Alberta you cannot leave logs in the bush over the winter because they rot in the muskeg. Their whole work for the winter is down the tube because there is no way those logs will survive until the summer; they will be rotted.

● (1600)

The doors of the band office had to be closed because there was no money to pay the workers who were all laid off. There is now one girl at the Bigstone band office who is answering the phone. All the economic programs they had designed and were working on to create employment and give a sense of pride to the Indian people of the Bigstone band have been stopped. The Bigstone band members are forced to walk 400 kilometres from their band office in northeastern Alberta to Edmonton to draw attention to their plight. For the past ten days they have been attempting to negotiate with the minister of manpower because he is responsible for such negotiations. He has been appointed as negotiator with the band but he has failed to meet with them.

On Friday the minister indicated that he was prepared to speak and negotiate with the Bigstone band. One half hour after that statement in the House of Commons, the chief got a telephone call from the regional office in Edmonton informing him that the minister was grounded in Ottawa and could not leave. Therefore, he could not sit down with them and negotiate.

I ask, where are the priorities here? The government is prepared to spend $60 million on an advertising campaign, yet a very small percentage of that amount can save lives. This march from the Wabasca area by the Bigstone band was precipitated by the death of a young girl, 14 years old, who decided on her birthday that she did not see it worth while to live in that community under conditions of abject poverty and with no future.

Not one cabinet minister from this government has said that he would be prepared to sit down with the Bigstone band chief and his council. It is a deplorable situation in Canada when elderly people, young people—I am talking particularly about them—people with arthritis, have marched 400 kilometres to bring attention to their plight. However, the very sad thing is that although they are getting some attention from the media, the attention of the government is not being focused on the problem. The government is ignoring them completely. It is

warning them: "Do not occupy offices, do not do that sort of thing, or we will not be able to deal with you". I find that to be a very sad situation indeed.

If one looks at the social support expenditures of all federal programs for native people, one finds that they are increasing dramatically in some areas. But support for economic development programs is decreasing dramatically. The Indian people in Canada do not want handouts. They do not want to be on welfare. They do not want to go home at night to face their children, knowing every day that they cannot provide for those children in the same manner as you and I, Mr. Speaker, can provide for our children. Can one imagine the very devastating effect this must have on these people who face their families every day knowing they do not have proper nourishment and that they cannot supply the basic needs of their children because they are on welfare? They want jobs. They are marching for economic equality.

Mr. Speaker, $14 billion, if we say it fast enough, looks pretty good. It is very difficult to equate what $14 billion means and what it will buy. The Wabasca band, the Bigstone band, is asking less than 1 per cent of that amount of money—0.2 per cent. This would launch an economic development program on this reserve which is completely surrounded by the tar sands and oil companies doing exploration work. They want to be trained so they can take jobs which are now available around their area. They sit on the bridge in the summertime and watch the trucks go by day after day, through the reserve, to the in situ plants, the experimental plants which are working in the area.

They see neighbouring their reserve ranchers who are raising cattle and producing feed for their cattle, and yet they are systematically dropping further and further behind because they do not have the necessary expertise. They need training, and money is needed to provide this training. Some of the men I talked to are still surviving on trap lines and have not used welfare. However, they are now finding that their trap lines are being destroyed by the encroachment of civilization on to the reserve. There is no compensation for that. You cannot compensate a man for the loss of his business and life's work with a settlement of $10,000.

The government is doing absolutely nothing for these people. The Department of Indian Affairs is responsible for them under the treaties. In fact, all governments at the federal level have that distinct responsibility to the native people, who were the first citizens of Canada.

We must examine economic conditions surrounding reserves in Canada. I particularly ask that the government sit down and negotiate with the Bigstone band at Wabasca, the chief, and his council, so that they can do a survey on economic conditions, prepare a minerals inventory, examine job opportunities and draw up a general plan so that the people of the Bigstone band can participate in the economic development which is taking place around them.

Can anyone imagine a 14-year-old girl taking her life on her birthday because she sees absolutely no future for herself? We must address ourselves to this problem. We must develop the reserves in exactly the same way as we are prepared to support the Department of Regional Economic Expansion to help the have-not areas of the provinces.

• (1610)

On Saturday of last week I met with the chief and council of the Bigstone band. They were amazed that Canadians would allow some of their elderly people to walk 400 kilometers. One arthritic lady, 65 years old, walked with her grandchildren. They were amazed that there is a need in Canada to do this kind of thing before anyone will pay attention to their plight. I say that is a shame on every one of us in this House. We must do something to assist the Bigstone band gain economic equality in northeastern Alberta.

The borrowing authority bill will be passed, Mr. Speaker, and the money will be spent on a number of frivolous programs, such as the advertising program to sell the centralist view on the Constitution and on the energy program to the rest of Canada. It will be used to sell a number of ideas that the Prime Minister (Mr. Trudeau) might have. I ask that we, as the representatives of our areas, as legislators, urge the government and the cabinet to consult with the Bigstone band. I ask that the government take just a small portion of the funds being borrowed and redirect them to the Bigstone band. This would allow the band to continue its economic development so that its people can take their place in society, walk straight, be proud of their heritage and so their children can see a future for themselves.

Mr. Bob Rae (Broadview-Greenwood): Mr. Speaker, I want to begin by congratulating the hon. member for Athabasca (Mr. Shields) for reminding all of us in this House of the importance of the fact that there are in Canada today, and not only in his constituency, millions of Canadians living in conditions of poverty, ignored by their government and by their fellow citizens.

Since we are discussing today the fact that the government is asking for authority to borrow some $14 billion, it is very important to remember the purposes for which the money is intended and the people who are affected by the programs that have been established. In the last six months that we have been debating the Constitution, we have heard a great deal about the alienation of groups of Canadians from their government and particularly western alienation; in fact, we have heard a great deal from the hon. member for Athabasca about western alienation.

I should like to suggest that there is a deeper kind of alienation in all of Canada, and that is the very real problem that most Canadians do not have a voice in Parliament. When they see what we do here, they cannot recognize this House as a forum in which their views and concerns are being expressed. The government is so preoccupied with one question, that is, the formal arrangements under which we govern ourselves—and that is all a constitution is, the formalities of constitutional life—that it has forgotten about the fundamentals of a society. The questions are, how does a society feed itself and what do people pay for food? How does a society clothe itself and what

do people pay for clothing? How does a society house itself and what do people pay for housing? Do people have jobs or not? Do we have an economic policy? When people hear us talk about monetarism and all the other subjects we talk about, they feel very remote from us. The real question is, do we have a government which is as concerned about and determined to deal with the economy and the human problems that face the average Canadian as it is with all the other matters that so obviously preoccupy it?

I say to my western friends in the House, as I have said in my own caucus, that of course there is western alienation, and for very good reason. There is a variety of reasons which go back into our history. Central Canadian financial institutions have played a dominant role and a national policy has been created which has meant that the hinterlands in the east and the west of the country were used as metropolitan centres; and, of course, that has created resentment.

I suggest there is a deeper kind of alienation at work in the country today. It applies not only to people living in Alberta or in the constituency of Athabasca, about whom the hon. member spoke so eloquently this afternoon, but even to those in my riding, which is in the very shadow of Bay Street. From my home I can look across the Don Valley and see the towers lit up at night, yet the people in my constituency are just as alienated from the large economic forces that control them and from their government. When they look to their government or to their Prime Minister (Mr. Trudeau), do they see a government or a Prime Minister who knows the cost of a loaf of bread? Do they see a government or a Prime Minister who responds to inflation, which is 20 per cent higher than predicted in the budget of the Minister of Finance (Mr. MacEachen)? Do they see a government that is prepared to act with a degree of fairness when it comes to treating the most powerful economic figures and the most vulnerable people on the same terms? Do they see a government or a Prime Minister that can respond to the broader, abstract, structural problems in our economy about which I and many members of my caucus have spoken on the few occasions when we have had the opportunity to speak on the economy in the last few months? Do we have a government which understands what it means to be unemployed, to be living in poverty, to have 60 per cent of our senior citizens living below the poverty line?

Many hon. members speak about Ontario as if it were some vast, wealthy, opulent province—as if no one in Ontario is poor, or knows what it means to be out of work. I have taken the opportunity to travel to and speak in every province, Mr. Speaker. I have talked to people all across the country. I would invite people to look behind the billboards and the so-called image of affluence which is projected from central Canada and see some of the hard realities that face every Canadian, whether they live in Ontario, Quebec, the maritimes, Newfoundland or the west.

The reality is that we have a government which does not understand the basic social and economic problems which face the average Canadian. That was the problem with the Crosbie budget. It was the budget which dealt with abstractions and not with the problems which face the average Canadian. That is the problem with the MacEachen budget and it is the problem that we face now with the government saying, "Give us another $14 billion so we can borrow and get our house in order."

• (1620)

I should like to deal briefly with some of the basic problems that face the country. The request in this borrowing authority bill for $14 billion is a strange one. As consumers, we frequently face the prospect of going into a bank, a credit union or a trust company to ask whether we can borrow a lot of money, or even a small amount of money. The first question which the bank manager will ask is, "What are you doing with the money you are borrowing?" I have always compared the granting of borrowing authority with that basic question. Of course, the sums are much larger. The amount of $14 billion is almost inconceivable to the average person. It is about 20 per cent of what the government spends in a year. It is a very substantial sum of money.

Let me come back to the basic question, "What are you using this money for?" Instead of borrowing money to invest or to ensure that eventually we will be out of debt, this government's budgetary policy is to borrow money to pay for groceries.

Mr. Mayer: Yesterday's groceries.

Mr. Rae: That is the critical problem facing the government.

There are two kinds of debt. There is the budgetary deficit, money that we borrow, money which the government is asking for now, in order to pay for its own expenditures. Then because of increased imports, our balance of payments with the rest of the world is in a deficit position. That is the second kind of debt that we have.

One would have thought that the intelligent way to run the budget of Canada would be to say, "We have these two kinds of debt, and in order to get out of debt we will borrow money and invest it." That would seem to me the basic thrust of the position, taking for granted, as we do in this party, that there are occasions when it is perfectly appropriate for the government to borrow money and go into debt.

I would remind hon. members that there are times when it is perfectly appropriate for the average citizen to go into debt. For example, it is perfectly appropriate for the average citizen to go into debt to buy a house. I do not know anyone in my party who is in a position to buy a house outright. For example, I do not know anyone in my party who could go to Vancouver, where the average price of a house is $171,000, and pay for it in cash. I see the hon. member for Edmonton North (Mr. Paproski) is smiling. Maybe he is in a position to do that.

Mr. Paproski: No way.

Mr. Rae: He says no way.

Mr. Paproski: Mr. Speaker, I rise on a point of order. I was enjoying the speech of the hon. member for Broadview-Greenwood (Mr. Rae), but he has raised a delicate, personal matter. I have the same problem as any member of this House who is not wealthy. I am wealthy in one way, and that is because I have a wonderful wife and family and I can look after their needs.

Mr. Deputy Speaker: Order, please. I think the hon. member has made his point very effectively.

Mr. Paproski: I was just getting to my point of order, Mr. Speaker.

Mr. Rae: Mr. Speaker, I agree with the hon. member about his wife and family. They are wonderful. The best part of his family is his wife and children.

Some hon. Members: Oh, oh!

Mr. Rae: Might I say to the hon. member that my reference was made only in fun.

There are economic decisions which we as individuals make requiring us to go into debt. When we go to the bank, the credit union or the trust company and ask to borrow, say, $5,000 for a $55,000 mortgage on a house, the lending institution will want to look at the reasonableness of the investment being made and of the request to borrow. A mortgage is probably the biggest debt most of us will ever take on, but we are taking on this debt because we want to own something and think that our investment and our equity share in it will grow.

Let us look at what the government is doing in the energy sector. The government's general economic policy does not make any kind of sense. What this government has said, and what the Conservative Party said when it was in government, is that the question of who owns our economy is not an important one. I say the real problem facing our country is that we are in a position of being, as it were, tenants in our own land. We are industrial tenants. Look at how little research and development takes place in Canada, Mr. Speaker. In the automobile industry, for example, we find we are simply tenants. We are trying to get a better deal for our automobile workers, but they work in an industry that is entirely foreign controlled. We are trying to get a better deal for people in other industries, also entirely foreign controlled. But let us not be under any illusions that we are really in an ownership position in those industries.

In the oil and gas industry, Imperial Oil is 70 per cent controlled by Exxon. That company will be totally unaffected by the government's energy policy. In fact, Imperial Oil will probably grow, for a reason which I will come to in a moment. Shell Oil is 70 per cent controlled by the international company. If we go right down the list, we can see that all of the largest actors in the oil and gas sector, with one exception, Petro-Canada, are owned and controlled by outside economic interests and we have become tenants.

The oil and gas sector will grow in value and importance. This sector will be vitally important over the next five or ten years. The price of the resource will increase because of scarcity. All parties agree the price must go up. The only question is how far and how fast, and who will get the revenue. Everyone is agreed that prices are going to rise.

There are various ways, which I can detail, to take over ownership of that industry as Canadians, as provinces, as the federal government, as credit unions, as co-operative institutions and as small businesses. Everyone in a mixed economy will move in this area. The government could have come to us and said it wants to borrow so it can invest in human capital and resources, that it has decided we can no longer survive economically by automatically condemning 10 per cent or 15 per cent of our young people coming out of secondary schools across Canada to unemployment. In some parts of my constituency, the unemployment rate among young people 16 and 17 years old is upwards of 35 per cent and 40 per cent.

● (1630)

This is not the problem the government is going to tackle. It is not going to invest capital in order to reduce and solve basic economic problems, either in the field of human resources or energy. The government has no strategy, plan or organized intention to deal with fundamental problems. It says, along with many members of the Conservative Party, that we cannot afford greater Canadian ownership at the present time, that we cannot afford to take on the multinationals in the oil and gas industry. That is the position of the Conservative Party: we cannot afford it because it will be detrimental to self-sufficiency. Just this past weekend there was a takeover of MacMillan Bloedel by Noranda. I did not hear any member of the Conservative party saying Noranda could not afford to do that. I did not hear them say that takeovers and acquisitions like that are a waste of money.

There is a very simple reason why it is not a waste of money. In fact, the whole logic of the capitalist system is that takeovers and mergers mean a greater concentration in the system. That is one of the problems or diseases of the system. The reason is that you are acquiring an asset of which the value can only increase. Noranda made a decision to acquire the assets of MacMillan Bloedel. Those assets will grow with inflation, and their value will accrue to them.

Two hundred years ago a movement was born in western Europe. It started with the trade unions and co-ops and in the last century grew to a political movement which has spread throughout the world. And it is a movement that says, "If the logic of capitalism is corporate acquisition and there is no longer any competition, and if the only effect of these acquisitions is that a few absentee landlords and absentee shareholders receive the benefit of these assets without having laboured other than staying home and opening the envelopes which had the coupons in them, then why shouldn't the assets, and the dividends that flow from the assets, accrue to the people?"

Mr. Mayer: How many dividends has Petro-Canada paid?

Mr. Rae: The hon. member asks how many dividends Petro-Can has paid. My answer is "not enough". In the province of Saskatchewan this year, the potash corporation paid a dividend to the people of Saskatchewan.

There is no reason that we should be suffering under a government with no over-all economic strategy and no general purpose and understanding of the structural problems of the economy. The government says it is in favour of Canadianization. If you look ahead ten years at the oil and gas sector, its policies will leave us with less control and less access to the assets and dividends which should flow these valuable resources to the provinces and to the Canadian people than is the case at present. In 1980 we were in a poorer position to take control of those assets than we were in 1970.

Mr. Murphy: We will own the empty wells.

Mr. Rae: I agree with the hon. member. The policy of saying, " we cannot afford it" is a most shortsighted one. This can be put in very simple terms. What this government is asking the Canadian people to do is to build a house on a lot they do not own. It suggests we continue to pay rent, taxes and everything else for a house on a lot we will never own.

The Liberal and Tory parties have the nerve to say to the New Democratic Party that we cannot afford Canadianization, that we cannot afford any element of public ownership. They say that is communism. It makes the most eminent, economic and basic good common sense for the Canadian people to say we can own, that we cannot afford not to own.

We are being asked to approve the borrowing of $14 billion to pay for a government policy which, in the long run, will bring virtually no benefits to the Canadian people. That is the thrust of Liberal economic policy. Let us look at the problems the Prime Minister took on in 1968 and at those which exist in 1981. The only difference is that the basic, fundamental structural problems in the economy are now worse. Nothing has been done with regard to pensions. The economic relationship between poorer Canadians and other Canadians is worse now than it was in 1968. The problem of foreign ownership is more important now. Control of the oil and gas industry is more difficult now because the value of the resource has increased. We are spending less on research and development in 1981 than we spent in 1968.

Let us examine each and every one of the fundamental problems outlined by members of the Prime Minister's party in the 1960s. Unemployment is worse now than it was in 1968. Inflation has also increased. There is not a single social and economic problem which this Prime Minister took on in 1968 that is not worse in 1981. That is the record. Now the government has the gall to come back in 1981 and ask for another $14 billion.

Mr. Blenkarn: You moved the motion.

Mr. Rae: The hon. member for Mississauga South (Mr. Blenkarn) says I moved the motion. I moved the motion, of which I am extremely proud, for the simple reason that the policies being put forward by the Conservative government were exactly the same; I am not going to say they were any worse or any better.

With regard to the problems of inflation, unemployment, distribution of wealth in Canada, research and development, tell me how anything the Crosbie budget was going to do would have done anything to solve the problems we are facing.

● (1640)

There was also a little thing called an election which dealt with the Conservative government. That party has gone back to the couch and is determined to relive this period over and over again. I call it the pause that did not refresh, the brief interregnum of Conservative power. It was the hiccup in history. But the basic point is that neither party has been able to focus attention on the basic economic problem facing the country. Neither party has been able to speak to Canadians about the economy in a language they understand.

Economic leadership is to be able to deal compassionately with the deepest anxieties and hopes of the Canadian people. I am sorry to say that in the last 13 years we have had governments of both stripes which have demonstrated that they do not comprehend the meaning and importance of economic leadership; they do not understand the importance of the issues involved.

In order for the government to get the approval it wants from the House to borrow $14 billion, which as I said is an extremely substantial sum of money, the government must demonstrate a modicum of purpose, a modicum of intelligence, a modicum of a sense of direction, compassion and caring.

When we look not only at the structural problems facing the country, with which I have dealt to some extent, but at the human situation in which Canadians find themselves, we find that many Canadians are economically disenfranchised, are turned off and have been so abused by the political and economic processes that they do not care. They have stopped participating or believing that there is any solution to or leadership in the hopelessness of their situation.

I do not think the government deserves the approval or support of the House of Commons. One of the most fundamental, deep-seated and deep-rooted problems facing the country today is basically that we have a government which does not give a damn about jobs, inflation, food, housing or people. The fundamental malaise of Liberalism and Conservatism is that both have failed to respond to the deepest anxieties of the people. When people look to a government, whether it be provincial or federal, for an element of understanding, leadership and an ability to deal with their concerns, or when they look to Ottawa, I am sorry to say they do not find a government of which they can in any sense be proud. They do not find a government in which they have a sense that the government understands their problems and wants Canadians to take hold of their economy. They do not find a government that wants Canadians to share with one another. They do not find a

government that wants Canadians to create a humane, civilized, compassionate society.

Canadians are ready, willing and able to participate in such a society. I think Canadians want to regain control of their economy. I think Canadians feel they have been cheated because the government has failed the basic test of leadership. For those reasons we will be opposing this bill on third reading.

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, I have listened very carefully to the comments of the hon. member for Broadview-Greenwood (Mr. Rae). I must say that I am more than a bit dismayed by what he said; I think he put forward a series of ideas which were not connected in any logical way. He asked for an increase in investment in Canada by the federal government or by the provincial governments. At the same time he called for major increases in government spending to enhance the social welfare of our citizens, the level of education—

Mr. Miller: Economic welfare.

Mr. Evans: I am talking about general social welfare; I think that is what the hon. member for Broadview-Greenwood talked about. He talked about increases in spending on education, with which I agree; but as an aside, we must recognize that every time any member of the federal government or any Member of Parliament says one word about education in the presence or within shouting distance of the provincial person, he is immediately told: "Hands off; stay out. We do not want, we do not need, federal presence in education". Yet we are told by the hon. member for Broadview-Greenwood that the federal government should massively increase its support.

Mr. Miller: In research and development.

Mr. Evans: Hon. members opposite should know that right now we are looking at federal-provincial fiscal transfers and associated arrangements. Hon. members opposite say that the federal government does not do anything for education.

Mr. Miller: You just said that; we did not say it.

Mr. Evans: In the majority of provinces, the federal government is paying 100 per cent, if not more, of the cost of all post-secondary education.

It was very disillusioning to listen to the hon. member for Broadview-Greenwood talk about two totally inconsistent concepts in his speech. He said that we were borrowing $14 billion and that it would be spent on things on which we should not be spending money. He said that we should be diverting that money from the expenditures we are now making to a different area of expenditure. I think he mentioned two areas: increasing the well-being of individuals through the social welfare system, as well as increasing the well-being of individuals by investing heavily for the benefit of all Canadians in the wealth base of society.

In passing, I should note that it is very nice to have the Deputy Chairman of the Committee of the Whole (Mr. Ethier) back. It has been some time since I was able to look up and see a friendly, familiar face from a riding so close to my own. In all sincerity, welcome back and good health.

Some hon. Members: Hear, hear!

Mr. Evans: The massive increase in investment called for by the hon. member for Broadview-Greenwood is desirable. We on this side of the House would say that the investment should be a joint one by the people of Canada through certain Crown corporations and by the private sector in the spirit of the mixed economy which has been developed over many years. I think the hon. member for Broadview-Greenwood would rather see much heavier public investment and much less private investment. But if we make this massive investment and do not increase the deficit of the federal government beyond where it is already—certainly hon. members on both sides agree that we want to see the deficit reduced—the only way to do it is by reallocating and reordering our priorities. If we reorder our priorities toward greater investment, it means that the non-investment or consumption aspects of the federal budget must be the areas in which cuts are made.

• (1650)

That flies in the face of the other half of what the hon. member for Broadview-Greenwood was saying. He was saying we have to make sure that a basic social cushion is underneath Canadians so that they are not living in poverty, that senior citizens can have golden years in the true sense of the word, and that that is the area which has to be cut. There was total inconsistency in the comments made by the hon. member. I know he made them from the heart and with great emotion, but I am afraid he did not make them with great intellectual honesty, because what he is promising the people is pie in the sky, which is not possible.

The hon. member spoke only in generalities. Specifics are what we need from hon. members opposite, and there were no specifics as to how our priorities should be reordered and how funds should be made available to increase investment massively while at the same time increasing massively the social welfare system, which is a basic safety net under all Canadians. I think this House could use a lot less of that kind of speech and a lot more analytical, informed and progressive speaking on some positive examples of how these great goals can be achieved.

I was also dismayed by the cry that Canadians today are worse off than they were in 1968. An honest appraisal of the situation indicates that that is just not true in any way, shape or form. Canadians are among the best-off people on the face of the earth. I think the average Canadian understands that and is grateful. I am not saying it is the government which has brought this about, but we live in a great country which has the resources and the people to enable it to put together a society which to my mind is second to none.

The hon. member for Broadview-Greenwood said that we have higher unemployment now than we had in 1968. During the period from 1968 to today, Canada created jobs faster than any other country on the face of the earth. That is a

statistic which is readily available to hon. members. We now have massive participation by women who have come into the labour force. Jobs have been created. More women work in the labour force now than ever in the history of Canada. More men work in the labour force now than ever in the history of the country. Our participation rate is extraordinary. It is one of the highest in the world, and we have created jobs faster than anyone else.

I agree that our inflation rate now is higher than it was in 1968. It is much higher than any of us in this House would like to see it. The government and the minister are committed to bringing that inflation down to realistic levels in the foreseeable future. That is a commitment.

The real disposable income of Canadians is higher than it has ever been. With respect to the social welfare system, the hon. member certainly chose his statistics carefully. He said that there has not been a narrowing of the gap between the rich and the poor in Canada, but on a real income basis the poor are far better off today than they were in 1968. The economic level of our whole society has been raised. The gap has not been narrowed to the extent to which perhaps some would like to see it narrowed, but certainly the well-being of Canadians is better today than it has ever been. Perhaps our expectations have not been fully realized. Perhaps we were led to expect more than our society was able to deliver in a short period of time, but certainly as a society we have achieved great things over the last 12, 15 or 20 years.

Miss Jewett: Not true.

Mr. Evans: The hon. member opposite says it is not true.

Miss Jewett: What about people over 60 and below the poverty line?

Mr. Murphy: He doesn't care.

Mr. Evans: The fact is that we live in a country which has offered us much and asked very little.

Miss Jewett: Stick to the facts.

Mr. Evans: Hon. members in the New Democratic Party, and especially the hon. member for New Westminster-Coquitlam (Miss Jewett), indicate that seniors are worse off. We have just completed a pension conference to try to find ways to improve the very good public system we have now.

Miss Jewett: Don't say they are better off than they were in 1968. It is not true.

Mr. Evans: They are much better off than they were in 1968.

Mr. Kaplan: There was no senior citizens' housing in 1968.

Mr. Evans: There are many programs which governments across the board have provided, are providing and will improve upon.

With that said, I would like to deal with the nature of the bill with which we are dealing now, Bill C-59. It deals with the request of the Government of Canada for authority from Parliament to borrow a maximum of $14 billion. This derives from the budget in which the financial requirements of the government for this coming fiscal year were forecast to be $11 billion. I certainly hope, and I am sure all of us hope, that the government is able to do even better than that and that the financial requirements will be less, but the best estimate we have is the forecast of financial requirements of $11 billion. The other $3 billion is being asked for, as I mentioned before, to provide a reserve for possible contingencies in case some unexpected shock hits the system; for example, if world oil prices were to double again, the oil import compensation payments would rise dramatically and the government would have to be in a position to cushion the shock through that program.

The second and, I think, most important aspect of that $3 billion—$3 billion added to $11 billion to make $14 billion—is a non-lapsing portion which can be carried on from fiscal year to fiscal year.

Mr. Blenkarn: It will all be spent this year.

Mr. Evans: On Thursday night when I spoke, I demonstrated—quite well, I think—why that flexibility is important and should be provided to the government. Contrary to what was said by the hon. member for St. John's West (Mr. Crosbie) on that same night, this is not an unprecedented move. In fact, this was a typical situation in previous borrowing authority bills, except for the one in 1979 introduced by the hon. member for St. John's West and the one last summer which did not have a non-lapsing feature. However, prior to that, non-lapsing features were commonplace and did provide very important flexibility for the government, as Conservative members should remember, because they ran their government for a period of seven months, without calling Parliament, on the non-lapsing authority that was available to them from previous Liberal budgets. That kind of flexibility is important. When hon. members opposite speak, I think they will agree with me that that is important.

I mentioned on Thursday night that I would try to respond to the concern which has been raised by the hon. member for Mississauga South (Mr. Blenkarn) and others with regard to the current cash balances of the government and why those cash balances appear to be large. When added to the borrowing authority, they give the government a great deal of financial flexibility. I would like to say a few words about that. As the hon. member indicated, the cash balance of the government as of March 25 was $6.4 billion. Subsequently, in the last week of the month of March that sum was diminished by $1.6 billion—

Mr. Blenkarn: You got rid of a lot of money awfully fast.

Mr. Evans: —leaving $4.8 billion. There are several reasons for the current cash balance position of the government. First, there are still outstanding liabilities from the 1980-81 fiscal

year which are yet to be paid. In other words, there are cheques which are in the system which have to clear. The amounts of many of these cheques are substantial.

Mr. Blenkarn: That was the situation a year ago when you got along with $1.9 billion.

Mr. Evans: The hon. member says we had $1.9 billion at the end of last year, that now it is $4.8 billion and that that is a big difference. The second reason, of course, is that the cash balances of the government in the second quarter of the year will tend to be high because of the anticipated rebates of income tax; in other words, the income tax refunds which come in the first and second quarter of the calendar year, part of which lie in the previous fiscal year and part of which will lie in 1981-82 fiscal year. Those rebates come in at this time of the year and, as a result, cash balances have to be maintained at above normal levels.

• (1700)

Also, over the last six to nine months we have been faced with a rather precarious foreign exchange market because foreign exchange values have changed very rapidly. The Bank of Canada has been known to intervene on both sides of that market from time to time to provide some stability in that market, not trying to maintain any given level of the dollar but simply to stabilize the fluctuations in that market. That has at times required rather substantial sums. For that reason as well, the government's cash balances right now are relatively high.

Given these facts, we would expect that in the very near future the cash balances of the government will return to a more normal level and, therefore, this is a temporary aberration. The moneys that will be in the cash balance position shortly will tend to be of average size, as the hon. member opposite seems to think should be the case at this moment.

Mr. Blenkarn: Mr. Speaker, I wish to rise on a point of order. I wonder if the parliamentary secretary, in explaining the unrealistically high cash balances, could explain why this government has been borrowing money in the marketplace at up to 17 per cent?

The Acting Speaker (Mr. Ethier): Order, please.

Mr. Evans: Mr. Speaker, if it is appropriate for me to respond to the hon. member's question, I will certainly be glad to do so. The borrowing was to build up those cash balances for exactly the reasons I have just given. If the government has a need for higher cash balances at this time of the year, then it should have them at such a level that it will not run into difficulties. That is precisely why the cash balances have been raised, and to do that the government has had to borrow under the borrowing authority which expired as of March 31. We would expect that our borrowing in the next few months will be far below the average level of borrowing we have had in the past—

Mr. Blenkarn: So that when the interest rates are lower, you borrow less, and when they are higher, you borrow more.

Mr. Evans: —because we do have these cash balances. The hon. member seems to be carrying on a debate with me. I am not sure, Mr. Speaker, which one of us has the floor. The hon. member for Mississauga South and I engage in these exchanges quite often on a friendly basis, but when one of us has the floor, I am not sure it is appropriate for the other to decide he will make more comments. I will try to restrain myself when he has the floor, if he will kindly restrain himself now that I have the floor.

I think the hon. member will see that the explanation for the cash balances which will be in the weekly statements will be that the cash balances of the government will drop down to normal levels in relatively quick order and this is not a matter which should be of significant concern to hon. members opposite. We realize that they are abnormally high at this time for the three reasons I mentioned. I assure hon. members that this is not a situation which will last and it is one that was anticipated.

In this debate on borrowing authority we have heard hon. members opposite contend that the federal government is asking for too much borrowing authority and imply at the same time that because the government has this borrowing authority it can go on a spending spree. Hon. members have contended that after Parliament has approved this borrowing authority there will be no checks on government spending, that the government can simply borrow all of that $14 billion and spend and spend. Well, Mr. Speaker, I think that is doing a disservice to the Canadian public and it is certainly doing a disservice to the people who are watching us on television.

Also, it is being somewhat dishonest or ignorant, and I am not sure exactly which, because the Canadian federal financial system is such that that simply is not possible, and hon. members opposite know that. The government, of whatever political stripe it may be, brings forward during the year its estimates which lay out a spending program reflecting the fiscal statement of the minister in his budget. The estimates reflect the expenditure plans of each and every department, and supplementary estimates are brought down when they are needed. The main point is that in every case the main estimates and the supplementary estimates which constrain the spending of government and of every department and agency in government are approved by Parliament. Parliamentarians in this House and in committee scrutinize and approve every dime that is spent by the government. So if those estimates do not show spending above $11 billion or $12 billion in the next year—in this case, the total budget is in the range of $65 billion, if that is the spending level that is approved by Parliament in the estimates—then that is what the government is constrained to spend. It cannot spend any more unless it comes back to Parliament to get further approval.

We have admitted, and hon. members have noted, that the borrowing authority for which we are asking is $14 billion, even though our financial forecasts show that the shortfall between our revenues and our expenditures will be only $11 billion. There is no way that that extra $3 billion—if we are successful in holding down expenditures even further, there

will be an excess of $4 billion or $5 billion—will be used frivolously by the government without coming back to Parliament and laying before Parliament its plans for that expenditure. There are controls and constraints on the level of government spending, on what those moneys are spent, and of course there are constraints on the amount that the government can borrow. What we are talking about in this bill is parliamentary approval for the borrowing that will be necessary to meet the approved expenditures which the government has put forward to Parliament.

I suggest that when the hon. member for Broadview-Greenwood and others say that the government's spending priorities are out of line, that is a charge that should be raised and carefully scrutinized when we start looking at the estimates of the department and in what areas hon. members would like to see expenditures reduced, so that perhaps some of the lofty goals to which the hon. member for Broadview-Greenwood referred could, in fact, be realized.

I think it must be made clear to the people that there are constraints on the government's expenditures and borrowing, and that those constraints are imposed by Parliament, so there is no way the government can exceed the limit without further parliamentary approval. The government is not, as some hon. members opposite have indicated, asking for a blank cheque, since in the Canadian parliamentary system there is no such thing as a blank cheque. If the hon. member for Broadview-Greenwood was here, I would say that there is no such thing as a free lunch either; but that would only make him feel good.

● (1710)

To summarize, I would like to say that the minister started his tenure with a financial statement as to what he believed the future held for the economy. He followed that up with a budget, which for the first time laid out in an envelope the expenditures of the government, the expected revenues, the financial requirements, what will have to be borrowed to make up the difference, a planned gradual reduction in the deficit and an improvement in the spending priorities of the government under the envelope system which was brought down. We examined, debated and voted on that budget.

After that we had the estimates which take our expenditure plans down to the most minute detail. I might say in passing that the President of the Treasury Board (Mr. Johnston) has just brought down a plan which will make the estimates even more useful to hon. members in scrutinizing government expenditures. I think this is a great step forward and I congratulate the President of the Treasury Board for bringing down these measures. I have just seen a report which has been tabled by the President of the Treasury Board with respect to the Lambert commission, which report will improve the operations of the government even more.

The government is working very diligently on improving the efficiency and effectiveness of its operations. It is helping the Canadian people get far more value for the money which is made available to the government to spend on the public's behalf. We now have a complete description of where the money will be spent and a request in Bill C-59 for the additional funds which will be necessary to finance those expenditures. Given that we now have this measure before us, we would all very much like to see a lesser amount being requested in the borrowing authority, as the Minister of Finance (Mr. MacEachen) and the Minister of State for Finance (Mr. Bussières) have indicated. We would like to have a lower deficit and more growth in the economy. Those are common goals which we all share.

A realistic assessment of the situation indicates that the sum requested is what will be required to do the job. I realize that we would all like to have something better, but when you face the facts, which is what the Minister of Finance must do, then you must ask yourself, "What is my realistic assessment of what I will have to borrow in the marketplace to meet the expenditures which have been approved by Parliament?" That is the amount we are asking for in the borrowing authority bill, with the addition of the amount I have indicated for flexibility, which will not be used unless the government returns to Parliament to ask for additional spending authority.

All rhetoric aside, the bill before us asks for what is realistically required. Yes, we want to reduce that requirement in the future. Yes, the minister has put forward a plan for reducing those financial requirements, reducing the deficit and enhancing the over-all accountability, efficiency and effectiveness of government over the next few years. I think this is a realistic plan. It is one which hon. members on both sides of the House should accept and approve, given that they have already approved the expenditure plan that is to be financed by this particular piece of legislation.

Mr. Charles Mayer (Portage-Marquette): Mr. Speaker, Bill C-59 is a very important bill. It asks the Parliament of Canada to approve $14 billion in borrowing—

Mr. McDermid: All in one paragraph.

Mr. Mayer: As I was just about to say, all on one page and a bit. The amount of $14 billion is approximately five times the total budget of the province in which I live.

This bill is also important because borrowing has come to be a larger part of the government's expenditure. This can be looked at in several ways. In the past it has been pointed out that present government borrowing amounts to more than the total budget of the Government of Canada some 12 years ago. It has also been pointed out that in those 12 years our national deficit has amounted to a sum so large that the interest charged against it each year exceeds the total amount of money spent by the government some 12 years ago. It is an extremely large amount of money. As has been said previously, it accounts for something in the range of 19 per cent of total government expenditure.

I like to look at it in another way. It means that out of each dollar of taxes collected on behalf of the Government of Canada, some 25 cents is used to pay interest on past government debt. I am sorry that the hon. member for Broadview-Greenwood (Mr. Rae) did not stay to listen to the debate. I

think too many times this is what the NDP does. They do not really care what goes on in the House; they make speeches and run out to make the best possible use of the press that they can.

Miss Jewett: Mr. Speaker, I rise on a point of order. The hon. member has just made a comment about my colleague the hon. member for Broadview-Greenwood (Mr. Rae) not being in the House. He suggests that my hon. friend has gone out to take part in some kind of press conference. The fact is he went out to make a speech in the community.

The Acting Speaker (Mr. Ethier): I do not think that constitutes a point of order.

Mr. Mayer: It seems to me, for whatever reason, members of the NDP use the House as little as possible. The critic for the New Democratic Party, once he makes his speech, could at least stay in the House and listen to what goes on. The hon. member for Mississauga South (Mr. Blenkarn) is our spokesman on this bill. He has been in the House, participated in the debate—

Miss Jewett: He does not get invited to make speeches outside.

Mr. Mayer: It is amazing to me that anyone would want to listen to them, but I guess it takes all kinds.

One of the points that the hon. member for Broadview-Greenwood made—and I will refer to him again, if I may, without upsetting my friends to my left, which is where they should be, to my left—was that he found it unfortunate that the government was borrowing money simply to pay for groceries. I think he should have gone further. I think what disturbs many of us on this side of the House is that the government is borrowing money to pay for yesterday's groceries, which is even worse.

The hon. member for Broadview-Greenwood wondered why it was all right for Noranda to be involved in takeovers and why we were being critical of the Government of Canada with respect to takeovers. There is a very simple explanation. We are here as elected representatives and we are voicing our concerns on behalf of the taxpayers of Canada who, in a very real sense, are the shareholders on behalf of the Government of Canada. If we do not have an opportunity to stand up and question some of the expenditures that the Government of Canada makes on behalf of its citizens, then no one else will. It seems to me that if the hon. member for Broadview-Greenwood wanted to be consistent, he would have gone further in his analogy and said that none of the shareholders in Noranda should have been concerned about any of the things that Noranda does on their behalf. I am sure that that would not be the case. The next time there is an annual meeting of the shareholders of Noranda, they will be questioning the takeover procedures and the money that was spent on behalf of the shareholders. At that meeting there will have to be some accountability given for the actions of the directors in the past. That is precisely what should happen in the House of Commons.

● (1720)

To pursue the matter further, if the people who have bought shares in Noranda are unhappy or if, for some reason, they think the directors have done things which are wrong and the shares of Noranda fall in value, the shareholders are in a position where they can sell the shares of that particular company. However, the taxpayers of Canada cannot do that, unfortunately; when the government makes bad commitments on behalf of its citizens, the taxpayers cannot get out and sell their shares in the country. It is incumbent on all of us who are elected to represent our constituents that we question the spending practices of this government. It is then an entirely understandable concept; and I find it unfortunate that the spokesman for the NDP, on behalf of the finance department, cannot see and make that very simple distinction.

There are many things that the Parliamentary Secretary to the Minister of Finance (Mr. Evans) said and to which I would like to make reference. However, I will just mention a few. He mentioned that we should somehow reorder our specifics. He pointed to the fact that the NDP has been inconsistent too often, and that, by implication, we in this party have been inconsistent in that, while asking for increased government expenditure, we also wail away and complain that the government deficit increases. While that does happen I, for one, have not made those kinds of suggestions. I think that many of us who are interested in the financial affairs of this country on behalf of our party have tried to be consistent and have not asked for increased government involvement in government programs while complaining about increasing deficits.

That brings me to some of the concerns that I have with the bill. I do not see anything wrong at all with the government's coming to Parliament and asking for the authority to borrow more money. I think it is an entirely legitimate activity to be engaged in. However, what I do object to—and I think it is a legitimate objection—is the fact that we are being asked to give authority to the government to borrow $3 billion as a contingency.

The parliamentary secretary said, rightly so, that the Parliament of Canada scrutinizes the estimates. If it wants to spend an additional $3 billion, the Government of Canada must come back with supplementary estimates to ask for authority to spend this $3 billion.

Given that fact, I see nothing wrong with the intent of the amendment of my colleague the hon. member for Mississauga South that we not give the government this contingency borrowing authority. If it is necessary to come back with supplementary estimates to spend the $3 billion, I see nothing wrong with the government's coming back to Parliament for additional borrowing authority at the same time. In that way we who take ourselves seriously as legislators and try to do the best we can on behalf of our constituents would then be in a position at the same time to examine supplementary estimates, vote, and

give the government authority for the additional $3 billion that it claims it needs for contingencies.

The parliamentary secretary said that one of the reasons the government may require the additional $3 billion is that world oil prices could double. Heaven forbid that we should get ourselves into that kind of a scenario. However, I think that points out some of the problems that the government has gotten itself into, because it has not developed secure Canadian supplies which would be more predictable in their price.

We can see the folly of the National Energy Program as it is presently being used by the government. In fact, it is not encouraging increases in domestic supply. If anything, it is discouraging Canadians from developing their own sources of supply, and not only conventional crude. We have seen the cutbacks in production from the province of Alberta. We have seen that heavy oil and tar sands plants have not gone ahead, and in some cases are as much as two years behind schedule. If the government was serious about making the country self-sufficient in energy, it would have gone ahead and reached a price agreement so that we could be in a position to be more self-reliant with our own supplies of oil. If that is one of the contingencies for which the government needs to borrow the $3 billion, I submit that if it would spend more attention and time on developing our own sources of supply it would probably not need that kind of money for that kind of contingency. I find it unfortunate that this type of contingency is considered in additional government spending.

One of the other interesting phrases that the parliamentary secretary used was to call a surplus of money—I think, $4 billion or $5 billion—a "temporary aberration". I would think that that is exactly what it is, based on the spending habits of this government. It is unfortunate that because of past spending habits, and because we have been in the hole, we look at a surplus position as being a temporary aberration. That gives us an idea of the attitude of the government to spending the dollars of taxpayers.

The parliamentary secretary referred to "putting all rhetoric aside", and then he went on to say that the government should be accountable, it should be efficient, and it should be—another four or five-syllable word; I cannot make out my own writing here. However, it seems to me that if we are going to put all rhetoric aside, we should talk in simple, straightforward and honest terms and not get into these long four or five-syllable words. I would be very happy to see the government put rhetoric aside and get down to brass tacks in considering government spending.

My hon. colleague the hon. member for Bow River (Mr. Taylor) talks about bread and butter issues. That is what we understand in this country, and that is what has made this country great. Bread and butter issues will make this country great again if those issues are allowed to make gain of some importance in the future.

I would like to talk about how I believe the massive borrowing that the government has been engaged in for the past number of years has affected the farming communities in the country. We all know that, by and large, the farmers in this country serve the citizens as well as any country in the world, because we spend on food a smaller proportion of our take home pay—our gross national product, for that matter, too—as individual citizens who feed ourselves, than any other country in the world with the exception of the United States, and we run a very close second to the Americans. We spend something like 18 per cent of our disposable income on food. This also takes into account the fact that we eat something like 40 per cent of our meals away from home. That tells me that the agricultural industry in this country has served the people of Canada very well.

To give an example, there is now a saying that it will not be very long before the potato will not go into a modern kitchen unless it has somehow been prepared, is already peeled and baked for the consumer, for the homemaker, because we have come a long way from the time when we simply bought potatoes in stores, brought them home and cooked them. A very large percentage of potatoes eaten in Canadian homes are now prepared or pre-processed in some way.

What has happened is that, in order for the farmers to be this productive, they have had to make use of very large amounts of capital so that the amount of capital required to create a job in the agricultural industry in this country is larger than in any other industry. What happens when the government gets involved, the way it is, in borrowing large amounts of money is that there are strains on individual farming operations in terms of their ability to borrow at reasonable interest rates, and this drives up the interest rate.

I can give some examples, and I have three ways of looking at it. I took the figures from the Bank of Canada *Review*. The total borrowing—this is non-equity security borrowings in Canada—for the calendar year 1980 was $21.8 billion. Of that amount, $11.4 billion was borrowed by the federal government, and it accounts for 52.2 per cent. Over half the non-equitable securities issued in Canada were taken up by the federal government. The provinces accounted for $7.7 billion, and the municipalities accounted for $.6 billion. Out of the figure I have quoted of $21.8 billion, approximately 90 per cent was borrowed by three levels of government.

It is no wonder that we see interest rates on loans to farmers increase. The three levels of government have become such large borrowers that there is a limited amount of money available for the private sector, and when the private sector goes to the market, it finds interest rates have been driven up by the activities of the three levels of government.

I have an article from *The Globe and Mail*, dated November 18 which points out that:

> Federal financing of $8.19 billion accounted for 41 per cent of the nine-month total. Provincial and agency borrowing amounted to $3.73 billion (19 per cent of the total). Municipalities raised $1.06 billion (5 per cent).

This set of statistics includes borrowings made out of the country. Previously when we looked at borrowings within the country only, the three levels of government accounted for something like 90 per cent of the total. If we include borrowings from outside the country, then the three levels of governments account for 65 per cent of the total. It seems to me when

the government is involved as heavily as it is in the capital market, that leaves precious little money with which private industry can operate.

● (1730)

Another way of looking at the federal government deficit is in terms of percentage of the gross national product. I have in front of me a recent issue of the pamphlet *Business Review* issued by the Bank of Montreal, for February, 1981. It contains a graph which shows that in 1978 the federal government deficit, shown as a percentage of the gross national product, came to almost 5 per cent. In 1979, when this party formed the government, so we can take some of the credit or blame, the figure dropped to about 3.4 per cent of the gross national product. Last year, with the Liberals back in power, it reached 4.2 per cent. It is evident that when this government is involved, the borrowing, as a percentage of the gross national product, becomes too large and this does not leave enough money to enable the private sector to borrow at reasonable rates.

The hon. member for Broadview-Greenwood pointed out that there are different types of borrowings in which we may become involved. Whether we are farmers, whether we run a household or a small business, I think we all know it is possible to borrow money for investment so that the investment will return the initial amount of money borrowed. If the borrowing is for capital projects, it would not make any difference whether we borrow the money outside Canada, from individuals, or from banks; as long as the money regenerates itself, we would be in a position to pay it back. Once the money was paid back, then the facility or whatever was established would be there, creating jobs and wealth in the country.

In too many instances, that has not been the case where this government is concerned, however, and that is why we ask that they give some indication of the purpose of the borrowing. The parliamentary secretary objected to the use of the words "blank cheque" but, in effect, the request for $3 billion is a request for a blank cheque because we have not seen the supplementary estimates to establish that the government needs to spend that money. If we were sure the money was to be spent on capital projects which would make the country more productive, then I am sure we would agree that the money should be borrowed. We have not been given that indication, however. The examination of estimates in committee is often a very frustrating, time-consuming and non-productive exercise. I think we would all agree that this examination is not adequate in view of the amount of money we are being asked to approve on behalf of our constituents.

If the money borrowed were spent on capital projects which would finance themselves, then it would not make a great deal of difference who it was borrowed from because we would be in a position to repay it from the earnings. That is not the kind of borrowing this government is asking the Parliament of Canada to approve, however.

It is interesting to note that amount of interest on past government debt, which is to be paid this year, is about the same as the amount we are being asked to approve in this borrowing bill. This reminds me of a statement by John Stuart Mill, the famous economist, who said something to the effect that you cannot make a storekeeper rich by stealing from him and then using the money to buy goods from his store. It seems to me this is the kind of situation the government is in now; it borrows money to pay for yesterday's groceries and then, in returning the interest payment to the taxpayer, it turns around and taxes the taxpayer on the interest it is paying back to him and recovers the money in that way.

I do not think we can speak about generating wealth in the country unless we are planning to spend some of the borrowings we are being asked to approve on some legitimate capital projects.

I would go further, Mr. Speaker. Three or four weeks ago the President of the Treasury Board (Mr. Johnston) tabled his estimates in this House. We all know the procedural hassle we got into then. I had the opportunity to ask him if there was any provision in the estimates for the western development fund. He pointed out that there was a provision in the estimates for spending $350 million of the $4 billion which had been promised in the throne speech. He did not indicate where the money would be spent. Several members from western Canada suggested it should be spent on capital projects which would make that part of the country more productive. At that time, however, there was no indication how the $350 million was to be spent.

Questions put to the minister when he tabled the estimates and further questions put to the Minister of Transport (Mr. Pepin) in committee brought forth no indication that guidelines had been set for spending the money. That belies some of the points made by the parliamentary secretary about the necessity of having the estimates approved in the House before the money is spent. When we on this side of the House attempt to find out in committee what the government's spending plans are, we do not receive adequate answers.

I do not think farmers and operators of small businesses are very different, Mr. Speaker; they operate on six, eight, or nine-month production periods. This is particularly so in the cattle business. A farmer has to commit himself to buying feeder cattle which will be fed over a period of six or eight months. In that time-span, interest rates may go through the roof to a point where it would cost in the neighbourhood of 20 cents per pound to put a finished animal in position to be slaughtered and show up as meat on a supermarket counter. At today's prices, that 20 cents per pound is 25 per cent or 30 per cent of the total market value of the animal. Faced with that kind of arithmetic when deciding whether to produce additional beef, buy additional cattle or put the grain through livestock as a marketing tool, a lot of producers have already decided against it, and in fact have cut back on the number of animals available for slaughter. This has a negative effect on the supply of beef.

High interest rates discourage cattle producers from making additional supplies available to the consumer. We all know that as supplies contract, prices go up. That hurts the very

process which the government is trying to make work in this time of inflation. It holds down the money supply and drives up interest rates. As I pointed out, as interest rates go up in the beef business, that hurts the supply of cattle. The whole exercise has exactly the opposite effect to that which the government and the Bank of Canada would like.

Last week the Minister of Agriculture (Mr. Whelan) announced an increase in the Farm Credit Corporation interest rates from 12.75 per cent to 14 per cent, an all-time high. I fail to see how an increase in the interest rate will help inflation. Instead, it will drive producers out of business and the supply of products to the consumer will decrease. In turn, this will drive up the price.

One of the things that disturbs many people in western Canada is the way our transportation system for grain is being taxed to the limit. This will have an adverse effect on the movement of all the products we are capable of producing in western Canada to an export position. It applies to bulk commodities which are in demand around the world; sulphur, potash, grain and coal. In the past year we have heard a lot in this House and in the country about the Crow rate. This is a very emotional issue because it is an historical rate in western Canada. Some people claim it should not be touched, while others say it should be abolished.

● (1740)

I think everyone agrees that the railways are not deriving enough revenue from the movement of grain to cover the actual moving costs. There is a separate argument as to how much loss of revenue the railways are suffering. Some people say the actual charge is only covering one fifth of the cost of moving grain; some say it is more like one third. Others argue that the railways are being compensated adequately, but most people agree the railways are not receiving enough revenue from the movement of grain to cover the actual costs incurred.

Unless some solution is reached quite quickly on this impasse, then the railways will not be in a position to move all the bulk commodities we will have for export in western Canada two or three years hence. I think most people would feel comfortable if the Government of Canada were borrowing money for capital improvements to the railways.

I know the railways would much rather see an increase in the rates they charge in order to generate their own revenues to spend on their capital projects. I think it is incumbent on the government to show some leadership in this important issue. If it does not, we will find ourselves unable to earn the kind of foreign exchange of which we are capable. We know that the more we export, the more foreign exchange we earn. This results in less pressure on the Canadian dollar. As well, the Bank of Canada would be able to lower interest rates, benefiting everyone. The government of the day would not have to come to Parliament to ask for as much money as it is now, because Canada would be earning more money on foreign exchange and that money would find its way into the economy through what is called a multiplier effect. More taxes would be generated and the whole country would benefit. On behalf of the people in my region I want to say that this is an area in which I would like to see some leadership and emphasis. We will then be in a position to contribute, not only for our own region but for the whole country.

I have one more concern. It deals with the way the Bank of Canada operates in this country. As we all know, the Bank of Canada has become a very large part of our financial lives. In the annual report of the Governor of the Bank of Canada to the Minister of Finance (Mr. MacEachen), we find this statement:

> The responsibility of the bank is to discharge its Parliamentary mandate "to regulate credit and currency in the best interests of the economic life of the nation".

The phrase in quotes is from the act. The responsibility for the bank is a very large responsibility and one which I am sure everyone involved with the Bank of Canada takes very seriously. I think one can make the argument that the Bank of Canada today has in some instances much more to do with our economic life than the Minister of Finance. I find this unfortunate in some ways because the Minister of Finance is accountable to the House of Commons and, therefore, to those of us who are elected to represent our constituents. Yet the Bank of Canada, through its board of directors, makes some very important decisions on our behalf almost every day of every week. I suspect very few Canadians know who serves on their board of directors. These people determine at what level the money supply will be increased. They determine, in effect, by regulating the amount of negotiable securities put on the market each Thursday of every week by the Bank of Canada at the treasury bill auction, the interest rate that chartered banks charge.

As a matter of interest, I would like to read into the record the names of those who serve on the board of directors of the Bank of Canada. I think it is important that all Canadians know who these people are. The Governor of the Bank of Canada is Mr. Gerald K. Bouey; the deputy governor is Mr. R. William Lawson. The governor and the deputy governor are both full-time directors. They spend all of their time on issues relating to the Bank of Canada. There are 12 directors who work on a part-time basis. They are as follows: Robert W. Campbell, Calgary, Alberta; William Dodge, Ottawa, Ontario; D. Michael M. Goldie, Vancouver, British Columbia; Sol Kanee, Winnipeg, Manitoba; Spencer G. Lake, Ramea, Newfoudland; Alie A. LeBouthillier, Caraquet, New Brunswick; J. William E. Mingo, Halifax, Nova Scotia; Mrs. Yseult Lefebvre-Richard, Montréal, P.Q.; Joseph H. Potts, Toronto, Ontario; Donald Smith, Charlottetown, P.E.I.; John A. Stack, Saskatoon, Saskatchewan, and Jacques Taschereau, Québec, P.Q.

I am sure few Canadians know very much about the fourteen people, I have just listed or know much about their business backgrounds. Yet a very good case could be made that they have as much to do with the monetary and fiscal policy of this government as the Minister of Finance. In my opinion, I do not think this composition should be allowed to continue. I would be in favour of seeing the addition of two

Members of Parliament to the board of directors of the Bank of Canada, not necessarily because they should have a lot of input and should make drastic changes, but simply so they could have a better understanding and could have some input when the occasion arises in terms of the way the Bank of Canada is administering the monetary policy in this country. As I have said, monetary policy is very important. Anyone who thinks otherwise has only to look at the level of interest rates we have experienced for the last year to realize that it is extremely important.

I hope the day comes when we do have Members of Parliament on the board of directors of the Bank of Canada. I do not believe it would make the board unduly political. On the contrary, I think it would make it much more responsive and accountable to the people of Canada for whom it is set up to serve. In addition, it would go a long way to seeing that the Bank of Canada does in fact regulate credit and currency in the best interests of the economic life of this nation.

I find it unfortunate that the government is asking for so much money in the form of the borrowing authority. I see nothing wrong with the government accepting the amendment moved by my colleague, the hon. member for Mississauga South to the effect that if the government does need supplementary borrowing authority it can come back to the House. We should not be in the position of voting to give the government blanket authority for an additional $3 billion after the beginning of its next fiscal year in April, 1982. I will have no trouble at all, in fact, my conscience will not allow me to do anything different than to vote against this bill.

Mr. Paul E. McRae (Thunder Bay-Atikokan): Mr. Speaker, the suggestions made from the other side that the government should come back more often, and that we should have smaller borrowing bills is perhaps desirable. The problem is that we have a lot of business to deal with in the course of a year in this House of Commons. If the government came back twice as often, we would have a lot less time to do a lot of other things. What has been going on in this House during the last few weeks is a good example of how House time is used up, in what I term a disreputable sort of way, and how we are unable to get on with the business of the House.

It seems to me that members opposite always want to spend more time doing this and more time doing that. If we did not bring in such things as closure, we would not be able to manage the country, nor could we get the business of the House done. If there were some evidence that we could have a smaller borrowing bill and get it through in one or two sessions of the House, it might be possible, but the constant necessity of bringing in closure is caused basically by the fact that we cannot seem to move things in the House.

On Friday last, I spoke on the borrowing bill at report stage. I had only 20 minutes and I did not finish everything I wanted to say. Today I would like to go somewhat further, but first I want to review some of the comments I made earlier. I will then approach the fiscal powers of the federal and provincial governments which I think are the keys to the whole surplus-deficit situation.

First, the reason for borrowing, that is the debt, can only be expressed in an intelligent manner when related to the gross national product. It does not make sense to talk about personal debt as an absolute number. For example, I may owe $10,000. That does not mean anything unless I relate it to my income. If my income is $100,000, the $10,000 is manageable. If my income is $10,000, it is a lot less manageable.

• (1750)

The same can be said about the net national debt as a function of the gross national product. Most of these matters have to be measured in that fashion. Whether the gross national product is a relatively small amount or is, as it is today, close to $300 billion, that has a very definite effect on the amount of money that can be borrowed.

In 1951, we talked about the net national debt being 50 per cent of the gross national product. That was very meaningful. It was not expressed in absolute terms. In 1981 the national debt as a function of the GNP is around 30 per cent. I will not go into that in detail, but it is important. We should relate these things, and the GNP is a simple way of doing it.

I looked at government expenditures on which this borrowing is based. Transfers to the provinces, to people and to corporations in terms of subsidies amounted to 48.9 per cent, almost 50 per cent of all federal government spending. Payments of the public debt came to 19 per cent. Transfers to people and provinces, including those who hold government bonds or have loaned money to the federal government, such as banks, totalled 68 per cent of all government spending. The cost of operating the government is 32 per cent; basically the cost of subsidies to Crown corporations, running the RCMP, the military, post office and so on. The 68 per cent is the transfer portion.

A lot has been said about cutting the fat from government expenditures. That must come out of the 31 per cent. There is obviously some fat, but it cannot be cut in any significant way. If we want to seriously cut back, it must be from the 68 per cent.

What concerns me today is the transfers to the provinces. Straight dollar transfers and tax point transfers are in the order of $18.9 billion, or 28 per cent of the $67.5 billion government expenditure. In other words, 28 per cent of federal government expenditures is transferred to the provinces and municipalities. The sum is transferred directly to the provinces and then to the municipalities, and a relatively small amount direct to the municipalities. It is that very large transfer that is getting us into trouble.

When we talk about the borrowing bill, we get to the heart of what the whole Constitution business is all about. We have to face up to the federal-provincial fiscal arrangements. On Friday I referred to the way governments have grown. I stated that in 1943, in the height of World War II, the federal government revenues were 22.3 per cent of the GNP and 3.3 per cent for the provinces. If we include municipalities, it would probably raise the figure to 5 per cent or 6 per cent. By 1960, the federal portion of the GNP in revenue terms was 17

per cent and 6.1 per cent for the provinces. In 1970 the federal portion was 16.1 per cent and the provinces 12.3 per cent. In 1979, the last year for which I have figures, the federal portion was down to 16.6 per cent and the provincial portion up to 15 per cent.

Since World War II, there has been a decline from 22.3 per cent to 16.6 per cent. Since 1970 there has been a decline from 17 per cent to 16.6 per cent. In that same period, provincial revenues increased from 6.1 per cent to 15 per cent of the GNP, a tremendous growth in the provincial share.

I think it is worth making a comparison with the United States. I will do this on an expenditure basis because I only have approximations for revenue. Federal government expenditures in the United States represent 60 per cent of all government expenditures in that federal union. State and municipal expenditures represent 40 per cent.

Some on this side are very strong proponents of provincial rights and others of federal rights. I am a strong proponent of the federal government having more power. In Canada, federal government expenditures represent 45 per cent of all government expenditures, and the provinces and municipalities represent 55 per cent. We have a very interesting concept. Which is the more powerful? In the United States it is 60-40 federal, state and municipal, and in Canada it is 45-55.

May I call it six o'clock.

The Acting Speaker (Mr. Ethier): It being six o'clock I do now leave the chair until eight o'clock p.m.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. McRae: Mr. Speaker, before I launch into the basis of my speech on third reading of the borrowing authority bill, I should like to make one last point. It concerns government expenditures on goods and services. Many economists would look at government expenditures in two ways. One way would be to look at goods and services and then the balance, which would basically be transfers.

Looking at the goods and services side and speaking in relation to the gross national product—and this is information taken from a book entitled "Unemployment and Inflation" by Barber and McCallum—in 1953 we find that the total federal expenditure in fixed dollars declined from 10 per cent of the gross national product to about 6 per cent in 1978. This is really what the federal government absorbs; it is not the transfers, which would be the balance. This includes federal defence and non-defence spending. So, there was an actual decline in what the government takes out of the economy.

Basically we find the opposite situation in the provinces. The provinces absorbed something like 6 per cent in 1953. This rose to about 10 per cent or 11 per cent in 1979. When one adds in the local governments and hospitals, it rises from approximately 10 per cent to 15 per cent, 16 per cent or 17 per cent.

This business about government spending being the main cause of inflation is highly distorted, when one considers that the federal government's share of goods and services has declined significantly since 1953; there has been a steady decline.

I should like to go back to the real crunch of the constitutional debate, that is, the second phase; where we are going and why we are doing it. It has a great deal to do with the fiscal arrangements between the provinces and the federal government. Previously I indicated there was a very large growth in provincial revenues relative to federal revenues. In 1960 the federal government revenue was 17 per cent of the gross national product and the revenue of the provincial governments was approximately 6.1 per cent. In 1979, the latest year for which I have figures, it was roughly 16.6 per cent to 15.5 per cent. Then I indicated that 60 per cent of all government expenditures in the United States was by the federal government and that 40 per cent was by the states and municipalities. In Canada it was 45 per cent federal and 55 per cent provincial and municipal. If fiscal power is what counts, then the American federal government is much stronger than we are. If we turn to the revenue side, the federal government's revenue is about 40 per cent and the provinces' and municipalities' is about 60 per cent. We have this particular problem.

I should like to go back and deal with the fiscal history of the country very briefly. I heard some speakers on the other side who did not realize that the Fathers of Confederation looked at the American system when they were setting up this country. At the time they indicated that the American system was not working and that they wanted a much stronger federal government. This is what Macdonald and Brown were concerned about. They set up a fiscal system which gave the federal government a lot of power. In those days indirect taxation, customs duties and so on were the major sources of government revenue. They considered this to be a prime system.

Actually, from 1867 to around 1914, and even later, there was a great decline in the fiscal power of the federal government. It was not what Macdonald and others had expected. Then World War I increased federal government power. There was a much greater increase in provincial power between 1919 and 1930. Then the provinces almost collapsed. They reached their heights and then collapsed; bankruptcy was avoided by federal government assistance. Then there was a growing increase of federal government power during the 1930s and the period of World War II. Afterwards there was a recession in federal power and a growth in the power of the provinces and the municipalities in terms of fiscal arrangements.

Now we have a situation which is extremely acute. I should like to talk about surpluses and deficits. Today the federal deficit is approximately $15 billion. I should like to refer to the

annual review entitled "a climate of uncertainty" of the Economic Council of Canada.

• (2010)

Looking at this chart we see a deficit which continues right through the eighties and into 1990, perhaps slightly less in terms of gross national product, but we see the opposite situation with the provinces and municipalities which move well into a surplus situation. This is particularly so with respect to the province of Alberta, but also to some extent in the other two western resource-rich provinces. However, there is a basic surplus at that stage of the game. If we put all levels of government together, as the Economic Council of Canada has done, we see that by about 1984 all governments have a zero surplus and a zero deficit, and then as we go on for another year or two we find that all governments have surpluses, except the federal government, which has a very large deficit. This will create some very serious problems in this country. The problems will become greater as the resource revenues, particularly of Alberta, increase.

I was appalled this past weekend to hear the hon. member for St. John's West (Mr. Crosbie) say that Alberta need only hang tough to win the energy pricing fight. To Alberta he said, "Stand firm". Alberta is trying to raise the price of energy from $17 or $18 a barrel to about $32 a barrel. I calculate that the hon. member who was responsible for that 18-cent budget would like another 43 cents added to the cost of each gallon of gasoline. I suppose that is what he was talking about. Do hon. members know what that means in terms of inflation? It means about a 4 per cent or 5 per cent increase in inflation. That is not just an increase for a short period; it is an increase forever. When hon. members are talking about these things, they should remember that our constituents back home are not particularly happy about that. My constituents in Thunder Bay would not be very happy to see another 45 cents added to the cost of a gallon of gasoline. They are not anxious to see a 4 per cent to 5 per cent increase in inflation. That is what the hon. member was talking about, but he was also talking about a massive transfer to one province, which basically means that the wealth of that province—or other provinces; perhaps one, two or three—will increase while at the same time we continue with this very large federal deficit.

I think the real issues this nation will face in the next five or ten years will be energy and inflation, but at the heart of them will be the very basic problem of the fiscal arrangements between the provinces and the federal government. I think we as a federal government must maintain a firm hand in this matter.

Let us examine some of the arrangements we have with the provinces. Let us examine medicare, for instance. Six years ago the federal government put up 44 per cent or 45 per cent of all of the medical costs in the province of Ontario, and the province and the individuals who paid premiums were putting up the balance. Something is happening to that arrangement. Something has happened over the years. The federal government is now paying 50 per cent of this, and Ontario is supposed to be a "have" province. The share of the province of Ontario is down to about 30 per cent, and the individual users of the service pay the premiums, which make up another 20 per cent.

There is a special task force on federal-provincial fiscal arrangements, but if in the next few years we decide that the federal government has to cut back then can we be sure the services this country has come to expect—medicare and so forth—will continue to be provided and can we be assured that the provinces will keep their part up if we cut back our share to perhaps where it was? I do not think we can because many of the provinces have not shown themselves to be honest or forthright in maintaining these services.

When we come to deciding whether we should increase federal revenues or cut back federal expenditures in terms of cutting off some of these services, I think we must look to see whether these services can be continued by the provinces. If we feel, as I think I would, given the evidence before me today, that these provinces will not maintain these services, then I think I would have to opt for an increase in federal revenues in some way so we can be sure someone is maintaining the services that we believe all Canadians should have, and some of the areas where we will find those revenues happen to be in resource areas where there is this tremendous transfer.

I am not anticipating what all our reactions will be, but I am saying these are the issues which must be put before this House. These are the issues which are really germane to the constitutional issue. It seems to me there has been a growing increase in the fiscal power of the provinces. It seems to me that as a nation, we have come to the point where we have to start turning that around so the federal government has sufficient power and sufficient fiscal resources to do the job Canadians expect to be done.

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, it is a great pleasure to listen to the hon. member for Thunder Bay-Atikokan (Mr. McRae). This is the second time he has given the same speech in two business days in this House. I enjoyed listening to it last Friday. It was not too bad today. I hope he will not give the same speech again the next time he stands up.

The hon. member for Thunder Bay-Atikokan is a gentleman who proclaims that hon. members opposite should rule with a firm hand. I do not know whether they have a firm hand, but I can say they surely have sticky fingers.

The whole proposition the hon. member put before us can be torn to pieces in just a few short sentences. The hon. member pointed out that at the time of the Second World War a certain percentage of the gross national product represented federal government expenditures. It seems strange to me that at that time Canada was able to fight a major world war with probably a smaller proportion of the gross national product of the country than what is used now just to keep the normal functions of government going.

The hon. member made a comparison of the national debt of this country in terms of the percentage of the gross national

product. It is quite right to point out that since the end of the last world war this has consistently gone down. That is right, it went down in fact until about 1968 when the present Prime Minister (Mr. Trudeau) took office and then, instead of continuing to go down or levelling off as one might expect—because it is quite natural that it should be very, very high, in wartime, and one would expect that 20 or 25 years after it would reach a steady levelling off—this has not happened in the last 12 years or so. It dipped, and now it is climbing up again. We are not fighting a war. We are not engaged in any major capital expenditures or any major public works projects in this country. All we are doing is running faster and faster on the same treadmill.

• (2020)

The hon. member says, and it is true, that provincial expenditures have increased considerably compared with federal government expenditures. But at the same time we must look into the nature of provincial type expenditures. We must remember that prior to the Second World War, expenditures on health services, education and social services by federal or provincial governments were pretty limited. They were normally the responsibility of a parish or of a local school district, and it was not required of any provincial or federal government to expend money on that type of activity. What has happened over the last 30 years or so? In the last 30 years or so, government expenditures for health, welfare and education grew so much that now it is probably the biggest area of total government spending. Because that is primarily an area of provincial authority, the provincial share of total government expenditures has had to rise during that period. I do not think it is a nefarious plot on the part of the provinces. Rather, it has occurred naturally. The people of Canada have wanted government at one level or another to engage in this type of social expenditures.

I would now like to get back to the bill before us, namely, Bill C-59, which would authorize the borrowing of $14 billion. It is a pleasure for me to be able to speak on this subject tonight instead of continuing the debate on the Constitution. I am pleased that a truce, as the newspapers have called it, took place a couple of days ago. I am glad hon. members opposite have dropped their obsession with this matter for a limited period of time, and I would like to urge them to drop the constitutional issue for another couple of weeks or so to allow us to take a breather. We could then come back and take another look at the issue after some things have a chance to happen in the next couple of days. There is the Quebec provincial election, for instance, which is to take place in a few days. It seems that the premiers at long last have been able to get their act together. It would be my idea to let the constitutional issue lie for a few weeks so that we could come back to it with fresh minds.

An hon. Member: Don't hold your breath.

Mr. Nickerson: It is because of the government's obsession with the constitutional issue that we have to look at bills such as Bill C-59. That is why the government is in so much financial difficulty and why the economy of the country is nowhere near as healthy as it could or should be. I suspect the Prime Minister thinks that dealing with the economic issues of the country is rather below his dignity. He wants to be way up there someplace talking about the Constitution, rather than here in the House talking about interest rates, unemployment and all the other issues of such great concern to ordinary Canadians. We can see this reflected in his choice of ministers to conduct the financial affairs of the nation. We see, for instance, the rather weak President of the Treasury Board (Mr. Johnston). The present incumbent in that office is nowhere near like the strong personage we had in the hon. member for York-Peel (Mr. Stevens) some months ago.

An hon. Member: The slasher?

Some hon. Members: Oh, oh!

Mr. Nickerson: Let us get back now to the borrowing authority for $14 billion requested of us by the government. In my estimation, this comes to about $700 from every man, woman and child in Canada. If I take my family comprised of six people and multiply that number by $700, it comes out that the gentlemen opposite are contracting a debt on my behalf of some $4,200. Quite frankly, I think that is excessive and I wish they would not do it.

If we looked at it in another way, it would appear the government is contracting debts on behalf of each taxpayer in the region of $1,500 to $2,000, and I think it should stop that, especially when we consider that the interest payable on that $14 billion amounts to some $2 billion a year. Surely this is excessive. I had no difficulty at all in voting this afternoon in favour of the amendment put forward by the hon. member for Mississauga South (Mr. Blenkarn) who suggested that the borrowing authority should be for only $8 billion. As a matter of fact, some government members themselves stated that in all probability that is all they would really require. The additional $3 billion or $4 billion was just in case they needed it. They could not present a case for why they might need it and they themselves said that $8 billion is something which would be much more reasonable if they could get their act together and stop mismanaging the financial affairs of the nation. Borrowing $15 billion a year surely guarantees that inflation will continue and that interest rates will have to be maintained at the present high level.

I find it hard to understand when the Minister of Finance (Mr. MacEachen) on the one hand and the Minister of National Health and Welfare (Miss Bégin) on the other rise in their places and talk about the plight of the old age pensioner, for instance. It is the old age pensioner, the person on a fixed income, who is suffering as a result of the government's inflationary programs, and its inflationary policies, and the type of bill we have before us today makes it quite apparent that the government has no real interest in preventing inflation or in allowing those people who have saved up for their old age

to look after themselves. What the government is doing to the elderly people of Canada is drive them to government welfare schemes, the taps of which they turn on and off at will.

With the ever-increasing debt loads on this nation, there will be no incentive to cease borrowing and to prevent inflation because, quite frankly, if I were the deputy minister of finance or the Governor of the Bank of Canada, with the knowledge that inflation is of benefit to the debtor and that the government is the biggest debtor in the land, it would be hard for me to advise a policy of rapidly decreasing inflation. I would not be able to do it and perhaps I would have to suggest a policy of bringing down inflation at a fairly slow rate. But I would not say: No, we are tired of inflation, we have to turn it off because of this accumulated debt. In fact, what we have here with this continuing borrowing and continuing deficit financing, is a self-perpetuating inflationary engine.

Having said that, Mr. Speaker, I want to delve into history for a little while. I want to go back to the time before the eighteenth century when governments borrowed mainly for the purpose of financing their wars. That was the usual reason the sovereign of the day would go to Parliament or to whatever body had the legislative or taxing authority in the country. Before that period, borrowing was done mainly through private lenders. The idea was always there, although it was not always carried out in fact, that at some point in time the sovereign should pay that money back. In the period from 1700 to 1750, mainly in the most developed countries of that day, England and France, the concept of a permanent debt was born.

• (2030)

At the time this happened there was the development of national banking institutions, the forerunners of the central banks, most of which, if not all in the world, are now nationalized banks. There was the establishment of a system of national credit. It was found that the establishment of these institutions and the establishment of a system of permanent debt did much to facilitate trade and the savings of citizens in those countries. It is quite possible that the establishment of this financial system was a prerequisite to the coming of the industrial revolution some 25 to 50 years thereafter.

This permanent debt concept is not seriously questioned today. Once in a while there are members of this House who get up and say they would like to eliminate government debt altogether; but I do not think those of us who have really considered the matter would propose such a course of action. The question is not whether national debt should exist but what is the desirable level of that debt? What is equally important is how that debt is to be managed.

We see public debt managed in several ways. For instance, foreign borrowings are used not only in the normal course of our borrowing activities but also as a means of controlling the value of our currency. Occasions not too far in the past can be cited to illustrate where this device has been misused by the government of the day. However, it can be agreed that it is a useful mechanism for keeping steady the level of the Canadian dollar vis-à-vis other world currencies.

Most of our debt in this country is domestic, as I guess it is in most developed countries. There are three ways in which domestic borrowing can be accomplished. It can be done through the general public by way of Canada Savings Bonds and other such instruments. It can be done by borrowing from the chartered banks. It can be done by borrowing from the central bank, the Bank of Canada. These three methods are usually used; one in conjunction with the other, and each has certain good points and certain dangers associated with it.

The least inflationary method of borrowing is probably that from the general public, which will not unduly increase the money supply, although it can have the effect of taking so much of the savings out of the citizens' pockets that there is not enough left for private investment in worth-while activities, as was pointed out this afternoon by the hon. member for Edmonton East (Mr. Yurko). For instance, sufficient funds are not left in the economy to finance energy projects in this day and age. Undoubtedly, the form of borrowing which will cause the most excessive inflation is borrowing from the Bank of Canada, which is tantamount to the printing of money. I would urge the government to be a little more careful in the future when it comes to the way in which it manages the debt of this country and the sources from which it borrows.

I would like to address the question of what is the desirable level of debt in Canada. As the hon. member for Thunder Bay-Atikokan Pointed out, it has fluctuated over the years. It has generally been very high during and immediately after time of war. It has been high at other times in the history of Canada, a good example of which is the time at which the construction of the Canadian Pacfic Railway took place. At the time of the construction of that great project the debt of the Government of Canada rose considerably in terms of the gross national product.

I have pointed out before that over the last few years, since the present Prime Minister took office, the national debt in terms of gross national product has been creeping upward. It seems to me that a prudent government might have a target for the national debt, not in terms of the gross national product of the country, but in relation to the income of the government, roughly in the order of $50 billion a year.

In peacetime, and at a time when there are no Canadian Pacific railways being built, it seems to me a total debt of about twice the income of the government would be a reasonable figure to aim at. That would give us a level of debt of about $100 billion in total. I understand that presently our total debt is somewhat in excess of that. What we see here is a situation which today has been reasonably manageable in total terms but which is now sliding out of control, that is, in terms of the debt we have built up over a period of years.

What should be the additional debt in any one year in terms of the income of the government? It seems to me a reasonable figure a prudent government would try to achieve would be no more than 10 per cent of the public income for any one given year, assuming that there were no national emergencies to deal with. This indicates that a reasonable figure for today is in the region of $5 billion for total annual borrowing. With that figure in mind, $14 billion is clearly out of line.

I stress what I said before—up to now the situation has been reasonably manageable, it has been handled sensibly. But what happened this year, last year and what will happen, presumably, next year and in the years to come with the gentlemen over there forming the government is that what has been manageable in the past will not longer be so. The financial affairs of this nation are swiftly becoming unmanageable through the incompetence of a government which is more concerned with ramming through its constitutional ideas rather than addressing the fundamental financial and economic issues which need to be addressed.

I would now like to look at the use to which these borrowed funds might be put. If we examine the use of these funds the ineptitude of the present gouvernment becomes even more apparent. To my way of thinking, the peacetime use of borrowed funds should be limited to those things which will benefit future generations, primarily benefit the people who will eventually have to pay those debts. As an example of what could be described as good borrowing, I pointed out the funds borrowed by the Government of Canada to assist in the building of the Canadian Pacific Railway. As another example, one could cite the St. Lawrence Seaway. We can cite uses of what we might be described as social capital, building of hospitals—

• (2040)

Mr. Nielsen: The Pine Point railway.

Mr. Nickerson: The Pine Point railway. I do not know if one would call that social capital, but the hon. member for the Yukon (Mr. Nielsen) thinks it is a very good example of the good use of public funds, borrowed funds, and I certainly agree with him on that. However, schools and other things will be there in the years to come and will benefit people over the long term, and will benefit those who will eventually be called upon to repay those debts.

Is the present government using money, borrowed funds, for that type of purpose? I suggest it is not. The main uses to which the government is putting the money borrowed today is for the payment of our interest on existing debt. With the high interest rates today, we will find ourselves caught in a trap where we will have to borrow more money each year to pay the interest to amortize previous debts. We are on a treadmill, as has been pointed out by many speakers on this side of the House during the course of this debate.

Let us look at some other uses to which the government is putting borrowed funds. It is subsidizing the price of gasoline in much of Quebec and eastern Canada. Can hon. members think of a more wasteful use of borrowed funds? One puts it in a gas tank, drives down the road and burns it up, and it is gone right now. We are not building anything for the future with that type of borrowing and expenditure. This is politically motivated spending, and it is detrimental to the long-term national good.

An hon. Member: Hear, hear!

Mr. Nickerson: Another use to which these funds are being put is in the takeover of private corporations, particularly in the energy field. I do not know what good this will do. It will not result in one additional barrel of oil being produced. It is again a politically motivated expenditure which, in my opinion, will not prove to be in the national interests in the long run.

I am trying to find something here to say about fisheries. Unfortunately, I did not bring any notes on fisheries tonight, but we will get back to that on another occasion.

In conclusion, I think all hon. members of this House should vote against this measure. I certainly will, and my colleagues on this side of the House certainly will for the following reasons. It is undeniably excessive; the government is asking for too much; there is no need to borrow that amount of money and it can get by quite well without that amount. It is excessive, and nobody can deny that. The funds will not be used for legitimate and long-term purposes. They will be squandered, thrown to the four winds, and we will go back next year and borrow another $14 billion—it will probably be $20 billion next year.

The government is not making any real effort to put its affairs in order. Had it followed the lead given by the hon. member for St. John's West (Mr. Crosbie) a little over a year ago, one would have seen that there was a real effort to address the financial needs of the country. However, the government has reversed that, and nothing is really being done. There is a lot of lip service about putting the financial affairs in orders, but in fact nothing has really been done.

The fundamental policy of the government is wrong. We know it is faced with hard times occasioned by years and years—decades of Liberal mismanagement. We know that even if we on this side had still been in office, we would probably have had to come to the House and ask for $7 billion or $8 billion. However, we certainly would not have come and asked for a $14 billion borrowing authority. In my opinion, the request for $14 billion is simply an indication of the policy of wanton profligacy on the part of the government, and it is completely unsupported.

Some hon. Members: Hear, hear!

Mr. Garnet M. Bloomfield (London-Middlesex): Mr. Speaker, I am pleased to have an opportunity to take part in this debate on Bill C-59. Fiscal matters have always intrigued me. Back in my earlier days when I was involved in municipal politics, I certainly enjoyed the piecing together of the annual budget. I realize that we in this House are dealing with much greater sums of money, but the decisions are still basically the same; who gets what, how much do they get and who pays for it?

What the federal government is asking for is $14 billion, $11 billion of which is provided for in the budget and in the

estimates as expenditures and financial requirements to cover that expenditure. The other $3 billion will be set aside for contingency purposes. Since, as the Minister of Finance (Mr. MacEachen) has already explained, it is not always possible to predict whether or not Parliament will be sitting at the time this money may be needed, this provision will allow the federal government some flexibility in the future. It is very possible that this $3 billion will not be spent. I certainly hope it is not. But if, for example, there is another drought in western Canada like the one experienced last year, or some other such national emergency, we will have the funds available to provide the necessary emergency assistance.

As with any legislation that deals with government financing, the opposition parties want to know what the money will be used for. That is their right, as it is the right of every Canadian to know where their tax dollars are being spent. It will allow all the people in Canada to understand that the federal government turns over a large part of its revenues to the provincial governments. Of the total federal budget for 1981-82, roughly 20 per cent will be turned over to the provincial governments in transfer payments. Established program financing, which includes medicare as well as other cash payments such as equalization payments, and the Canada Assistance Program, are but a few of the many programs under which the federal government transfers expenditures in payments to the provinces. This is, in my view, quite a sizeable sum, and I do not see it getting any smaller in the coming years.

Many times I have heard various people across this country calling on the federal government to curb its spending habits. I would like to take this opportunity to set the record straight, Mr. Speaker, in terms of federal spending.

Over the past five years, total federal expenditures have increased at an average annual rate of 13 per cent, compared with 15 per cent for the provinces as a whole. Serious efforts by the federal government to limit spending on goods and services have borne fruit over the last few years. However, the cost of the public debt has risen sharply and the transfers to the provinces have continued to increase dramatically. Generally speaking, the sudden increase in the federal deficit cannot be attributed to a surge in spending. Spending has increased at a more or less normal rate. What has happened is that federal sources of income and revenue have dropped substantially over the past five years. This type of spending is extremely difficult to reduce, especially in the case of transfers, since they are indexed to inflation.

How do we in the federal government rectify this deteriorating situation? At present, we are locked into a number of federal-provincial cost-sharing programs which are draining our coffers. We have been repeatedly warned by the provinces that we cannot increase our take of revenues from the petroleum industry, even though the multinationals recorded an average after tax profit increase of 54 per cent in 1979.

• (2050)

Newfoundland has continuously argued that offshore mineral rights in the Hibernia belong to them, not to the federal government. There is no question that the federal government's revenue sources are decreasing more rapidly than the provinces' but no one has any clues as to where we can go to obtain more revenues.

I believe the time has come to take a good long look at what our priorities are. If we want to bring down the deficit, then let us see what we are spending our money on. As I stated earlier, $13.4 billion is going to be paid to the provinces this year. Now we are told we cannot look for any revenues in their areas of jurisdiction. But if we do not maintain our provincial transfer payments, which are always going to rise because they are indexed to inflation, again we get slammed by the provinces. How do we ever get ahead?

After doing a bit of background research into this matter, I learned that two out of every three federal dollars go toward non-federal programs of one type or another. Many Canadians are not aware of this. Many federal-provincial cost-sharing programs are up for renewal next year under the established programs financing cash payment system. I suggest we look at them very closely to see if some money could be saved there.

I want to see that deficit reduced just as much as any other member of this House. If the provinces want us to continue to spend 20 per cent of our revenues in transfer payments, then they had better get together with us and help to come up with a more rational formula of cost-sharing. It is time to separate our wants from our needs.

In our attempts to keep up with our payments to the provinces and to other levels of government, other important areas of federal concern have had to take a back seat. Twenty-five years ago, the federal government received the equivalent of 17.6 per cent of Canada's total gross national product in revenues, compared to 4.8 per cent for the provinces. As of 1979, the federal share had slipped to 16 per cent, with the provinces jumping up to 25 per cent. I ask, Mr. Speaker, where has that money gone?

When talking about fiscal responsibility, let us call a spade a spade. The federal government has seen its revenue sources increase marginally, while its expenditures continue to grow, especially in terms of its payments to the provinces. On the other hand, the provinces have increased their percentage of the GNP by about 300 per cent while allowing services in many areas to decline. That is partly why there is a federal deficit. That is where we should look for answers to our economic problems.

If the provinces want more power and recognition, then they must be prepared to shoulder more fiscal responsibilities. They cannot have it both ways. This is evident in the housing sector, for example. The federal government builds senior citizens' homes in co-operation with the provincial governments. The federal government funds 90 per cent of the construction costs, with the provincial government paying the other 10 per cent. When it comes time for the official opening of the facility,

though, the provincial government is always the first to take the credit. If the provinces want all the glory, let them take it, but they should be prepared to pick up most of the cost of the projects too.

In closing, Mr. Speaker, I wish to state categorically that a large amount of federal expenditures is in the form of transfer payments to the provinces. If we want to substantially reduce the federal deficit, as everyone knows we should, let us start by getting the provinces to pay their way. In doing so, we will ease inflation, bring down the deficit and get Canada on a more solid footing for the future.

Some hon. Members: Hear, hear!

* * *

[*Translation*]

POINT OF ORDER

MR. PINARD—NOTICE OF MOTION UNDER S.O. 33

Hon. Yvon Pinard (President of the Privy Council): Mr. Speaker, concerning motion No. 36 in the name of the Minister of Justice (Mr. Chrétien), I give you notice that tomorrow I will move a motion that the debate on the amendment of the hon. member for Provencher (Mr. Epp) not be further adjourned. Therefore, notice having been given, I should now like to elaborate on this.

I should like to advise you that at the next sitting of the House, immediately before the order of the day for resuming debate on motion No. 36 in the name of the Minister of Justice related to the proposed Address to Her Majesty the Queen concerning the Constitution of Canada and on the amendment thereto introduced by the hon. member for Provencher, I will move a motion that the debate shall not be further adjourned, pursuant to Standing Order 33.

[*English*]

Hon. Erik Nielsen (Yukon): A point of order, Mr. Speaker. I arrived half way through the reading of the proposal by the government House leader. I wonder if either he or the Chair would repeat it in English for my benefit?

The Acting Speaker (Mr. Blaker): For the convenience of hon. members, perhaps the Chairman might read the order. I shall alter the personal pronouns where it seems suitable.

The notice of motion put by the President of the Privy Council (Mr. Pinard) is that, pursuant to Standing Order 33, he indicated that he wished to give notice that at the next sitting of the House, immediately before the reading of the order of the day for resuming debate on the motion in the name of the Minister of Justice (Mr. Chrétien), Government Orders, Government Business No. 36, regarding a proposed Address to Her Majesty the Queen respecting the Constitution of Canada and the amendment proposed by the hon. member for Provencher (Mr. Epp), he, that is to say the President of the Privy Council, shall propose a motion that the debate on the said amendment shall not be further adjourned.

Mr. Knowles: A point of order, Mr. Speaker.

The Acting Speaker (Mr. Blaker): I had earlier recognized the hon. member for Yukon (Mr. Nielsen). Perhaps I should see him in case he wants to continue on the point of order, then I will recognize the hon. member for Winnipeg North Centre (Mr. Knowles).

Mr. Nielsen: On a point of order, Mr. Speaker, I should like to place immediately before the Chair for its consideration, the propriety of the acceptability of the purported motion by the government House leader being moved at this time when there is still a motion standing in his name—I believe it is No. 41—which is in itself a form of closure.

My submission is that it may very well be that the Chair might come to the conclusion that before a motion under Standing Order 33, a motion of guillotine closure, is moved, of which he is giving notice now, there must first be removed from the Order Paper the motion now standing in his name which purports the slow strangulation method of closure. That is what is proposed in motion No. 41.

The government House leader has already put motion No. 41 on the Order Paper, proposing limited time for speeches, and limited time, four days, for debate. The matter is then concluded. It is a radically new procedure which he was developing by that motion but there it is on the Order Paper, moved by himself. Now he comes along and moves a second closure motion. I believe it is his right to do this under our Standing Orders, although I will reserve on that point in order to make argument at some subsequent time while Your Honour is considering this point of order. I am sorry, he has given notice to move a second closure motion.

He might clarify that by rising in his place and telling us what his intention is with respect to the motion now standing in his name on the Order Paper. It would be illogical to think that he would be proceeding with the motion standing in his name if he is serious about his intention to proceed with the Standing Order 33 closure motion of which he has given notice now.

Before I proceed further in developing my point of order, perhaps he might express his intention with respect to the motion standing in his name. Is it the government's intention to withdraw that motion, leaving us only with the notice he is now giving of his intention to place on the Order Paper a Standing Order 33 closure motion tomorrow?

We are interested in the fate of the closure by strangulation motion now on the Order Paper in his name, motion No. 41.

Mr. Pinard: There are two things here, Mr. Speaker. The first is that the notice which has been given tonight is closure on the Epp motion only, and not on the whole resolution. Perhaps that is why my hon. colleague is not too happy tonight. Second, the motion that he referred to, motion 41, has never been moved.

• (2100)

Mr. Nielsen: Mr. Speaker, now that we have that clarification, it is my submission it is not within the competence of any member under our practices, procedures and Standing Orders to move Standing Order 33 closure on an amendment only. It has to be either the whole motion or nothing at all. There is no competence in the House to debate a Standing Order 33 motion of closure on an amendment only.

I am not admitting the legitimacy of the notice which the government House leader has given tonight. There will be an opportunity when he comes to tabling his motion under Standing Order 33 to debate the propriety of it. However, I am giving notice now that I intend to very vigorously debate the propriety of the position of the government in its capacity to move Standing Order 33 on an amendment only. It is my submission that it cannot be done. I will be developing that point further at the appropriate time.

In any event, I give the Chair and the government House leader notice of that intention now. The government House leader obviously thinks he is well within the rules in doing that. I do not believe he is, In my opinion, this is a rather startling and shocking action on the part of the government House leader during a debate I might add, on a bill which in itself is being debated now under the guillotine of closure. I do not know how many variations of closure the government can dream up, but it is certainly—

The Acting Speaker (Mr. Blaker): Order, please. I respect the point of order which the hon. member has sought to make. I also note that he has indicated he wants to develop the point further at an appropriate time. The Chair is not unfamiliar with the argument in any event. I want to thank the hon. member for bringing it forward. However, I think he has now reached the point where he is entering into other discussion.

I ask the hon. member to take the opportunity to complete his remarks with respect to this point of order, perhaps briefly. As I understand the rules, points of order ought to be brief and there are other hon. members who want to be recognized.

Mr. Nielsen: Mr. Speaker, I will certainly be brief because I know there are other hon. members who wish to participate on this matter. As I was saying, I do not know how many variations of closure this government can dream up; I suppose as many as their twisted little minds will permit them to do. I see the Prime Minister (Mr. Trudeau) nodding assent while chewing on his life saver.

Mr. Trudeau: There is a great spirit in this House.

Mr. Nielsen: I knew it was a life saver.

Some hon. Members: Oh, oh!

Mr. Trudeau: Great spirit.

Mr. Nielsen: It will take more than that to save his hide; as fast as he has been back-pedalling in the past few days.

Mr. Trudeau: That is great spirit.

Mr. Nielsen: Nevertheless, I will develop my point at the appropriate time. I will develop my formal objections to the motion which I anticipate the government House leader will be tabling tomorrow.

Mr. Trudeau: We will throw you a life saver.

Some hon. Members: Oh, oh!

Mr. Nielsen: In my position, Sir, I do not need a life saver. A life saver is certainly needed over there, though.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, the point of order on which I rose a few moments ago has been answered. Some hon. members might say: well then, why do you not stay in your seat?

Mr. Jarvis: Some might.

Mr. Knowles: In the meantime, another issue has arisen. I simply want to be clear that the motion of which notice has been given tonight referred only to the amendment by the hon. member for Provencher (Mr. Epp).

Mr. Nielsen: That is what he said.

Mr. Knowles: After that the discussion on the main motion would still be open. Since the government House leader made the original announcement, he has made it clear that that is the case. As I said, I might have accepted that as the answer and held my peace, but I suppose I have had more experience with closure than any other member of this House, just from being around here for a long time.

Miss MacDonald: The Grits do too.

Mr. Knowles: Never before have I heard an opposition member raise a point of order against the use of closure where the government was using it to a lesser extent than it could go.

My experience with closure, especially in 1956, is that every time the government has used it, the government has abused it, and the government went further than the rules permitted. I can say to the President of the Privy Council (Mr. Pinard) that if he had brought in a notice tonight closing off the whole debate, I would have argued the very reverse—

Mr. Nielsen: You are agreeing with this closure, are you?

Mr. Knowles: —to what the hon. member for Yukon (Mr. Nielsen) said, namely, that what is before us is a debate on the amendment put by the hon. member for Provencher, and that is all that can be closed off by one motion. However, if there are any points of order on this, they will have to come later. As the hon. member knows, the rules do not permit any debate on it.

Miss MacDonald: We were just putting you straight.

The Acting Speaker (Mr. Blaker): Let me understand where we are going. Notice of motion has been given. The hon. member for Yukon rose on a point of order. He indicated he

had some remarks he wanted to bring to the attention of the Chair as to whether that notice of motion is in order.

The second point he made during his observation was the question as to whether such a notice of motion is divisible as between the amendment and the main motion and the amendment together. That is what the current procedural debate is on. I do not think it is necessary to hear the same points again and again. I will recognize the hon. member for Mississauga South (Mr. Blenkarn) if it is on that same point of order. If it is on a new point of order, I will ask him to wait while I determine whether the hon. member for Peterborough (Mr. Domm) wishes to address the same point of order as that raised by the hon. member for Yukon.

Mr. Blenkarn: Mr. Speaker, I have had some discussions. I would move that the debate speech time from now until the appropriate time for a vote under Standing Order 75C be limited to ten minutes per speaker.

Mr. Knowles: We are on third reading. We are not under Standing Order 75C.

Mr. Blenkarn: Sorry, third reading.

The Acting Speaker (Mr. Blaker): I understood that the hon. member is not making a motion under a point of order but rather he was advising the House that there may be some agreement to shorten the debate to ten minutes per speech per member who would now be recognized. Do I understand the hon. member correctly?

Mr. Blenkarn: That is correct, Mr. Speaker.

The Acting Speaker (Mr. Blaker): The House has heard the suggestion made by the hon. member for Mississauga South (Mr. Blenkarn). Is there unanimous agreement to that proposal?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): From now on, the Chair will recognize members for a duration of ten minutes within the same proportion and ratio.

* * *

BORROWING AUTHORITY ACT, 1981-82

SUPPLEMENTARY BORROWING AUTHORITY

The House resumed consideration of the motion of Mr. Pinard (for the Minister of State for Finance) (Mr. Bussières) that Bill C-59, to provide supplementary borrowing authority, be read the third time and do pass.

Mr. Bill Domm (Peterborough): Mr. Speaker, I was discussing the subject of Bill C-59, and trying to relate to $14 billion, with my son this morning before I left Peterborough to come to the House of Commons. He asked me exactly how much $14 billion is. My son is 14 years old. I do not suppose there are very many people in this House who have had the opportunity either in their personal lives or in their businesses to relate to $14 billion in today's terms. I want to relate a couple of things which came to mind this morning.

My son and I tried to discuss the seriousness of the necessity by the government to borrow $14 billion today. I wonder how many people in this House realize that during World War I and World War II, we borrowed less to finance those wars than we are borrowing annually now to finance the deficit spending of this government. This government continues to spend 25 per cent more each year than it takes in.

In order to get an idea of what $14 billion is, perhaps hon. members could picture $10 bills. If we put $10 bills end to end, do hon. members know how far those ten-dollar bills, which we all use in every day trading, would extend? It is 24,000 miles around the world. If you were to put $10 bills end to end, they would travel around the world five and one half times. This government is proposing to borrow 132,000 miles of $10 bills in order to finance its deficit budgeting.

● (2110)

I would like to refer back to the last federal election. In the release that came from the Minister of State for Finance (Mr. Bussières) substantiating the need for Bill C-59 and the borrowing of this excessive amount of money, it reads:

> As honourable members will recall, the budget of last October clearly set out this government's strategy of reducing the deficit through restraint in the rate of growth of expenditures.

During the election one short year ago, the Prime Minister (Mr. Trudeau) told Canadians what they could expect if they returned him to power. He made five basic commitments during that campaign which he said made up the Liberal party's economic strategy.

This is a good time to look back at that five-point program to see how it relates to today and the need to borrow $14 billion in order to finance this government's spending. When you are running for office it is easy to say you are going to turn things around as soon as you get into power. However, the reality is that things do not change rapidly in government and the economy and the promises of yesterday become the embarrassments of today. The Prime Minister said a year ago, and I quote his words:

> The Conservatives have failed miserably in managing the economy, in creating jobs, in controlling inflation, and heading us toward energy security.

These failures would be reversed, he said, by the five-point plan.

The first item in that plan of the last federal election was that the Liberals would "manage more rigorously the nation's finances in order to make more effective use of the taxpayers' money". The Prime Minister made that pledge and he made it very specific. He said "We will hold the line on government expenditure growth under the rate of GNP".

That was the promise in 1979. What is the performance today? The finance minister's budget for the coming fiscal year calls for an increase of 12.8 per cent in total federal

spending. It forecasts an increase of 11.1 per cent in the gross national product, including inflation. Therefore, government spending is definitely not being held in line with the GNP.

I wish to quote from an article which appeared in the Ottawa *Citizen*, written by Charles Lynch:

> It's unparliamentary to call people liars, so let's just say that when it comes to talking about spending, it's a wonder the skies don't open to admit a bolt of lightning that would strike the Liberals dead—
>
> Thus we have those wonderful people who brought us the record-breaking deficits and interest payments that have the country reeling, telling us in Johnston's words that "our objective has been, and continues to be, to ensure that taxpayers' dollars spent by the federal government are well spent, and that taxpayers do indeed receive value for money."

I would like to refer to the present government's record of spending in years gone by. Mirabel airport had a cost overrun of $201.7 million; Place du Portage a cost overrun of $92.7 million; the CN Tower in Toronto, $40.5 million; the Pickering airport, $69.3 million; the C.D. Howe building in Ottawa, $45 million; the Paris chancery, $4.4 million; and the discovery train $14.5 million.

In 1976 the Auditor General charged that the government had lost effective control of the public purse. The Lambert royal commission report was released on April 3, 1979. The Liberals responded by announcing a task force to study the report of the task force that had studied the Auditor General's report. The Lambert report observed that:

> —the serious malaise pervading the management of government stems fundamentally from a grave weakening, and in some cases an almost total breakdown, in the chain of accountability, first within government, and second in the accountability of government in Parliament and ultimately to the Canadian people.

In conclusion, I will try to complete my 20-minute speech in ten minutes. Overruns in certain departments are very serious problems. The worst department is environment where 153 out of 223 projects were experiencing cost overruns, to a total cost of $283 million. Overruns in the department are equal to 35 per cent of original budgets with 66 per cent experiencing cost overruns. Indian and northern affairs experienced cost overruns on 42 of 76 projects, or 55 per cent of their endeavours.

No government, no family, no business can continue to spend 25 per cent more than it takes in year after year. The taxpayers of Canada are the ones who will lose, the people who put this government in office. I maintain that as soon as we hold government accountable for the money it spends in relation to the money it takes in, the sooner our economy will become sound.

Miss Aideen Nicholson (Trinity): Mr. Speaker, we heard rather a lot of dramatic statements this evening and on Friday about the borrowing authority bill. It may be useful to reiterate, as a number of members on this side of the House have done, that the money for which authority is sought to borrow is all money that will be well accounted for. The budget passed by this House last fall was for approximately $11 billion. Borrowing authority is being sought for that amount plus approximately $3 billion in contingency funds which will be non-lapsing.

One member of the official opposition said earlier that the introduction of the non-lapsing amount was new. However, this has been done often in this House before. It was the existence of those non-lapsing funds which allowed the Conservative government to carry on the business of the country during a period last year when Parliament did not meet. Therefore, it is not a new invention but an established way of proceeding.

The moneys expended by the Government of Canada are based on the estimates which are passed by this House. After the event, there is the Auditor General's report which is increasingly becoming an in-depth report. The public accounts committee of this House examines expenditures after the event to ensure that they conform with what was proposed and approved by Parliament in the estimates.

• (2120)

Increasingly the largest portion of moneys spent by the Government are in fact spent in transfers to the provinces or to people. At least 68 per cent of the expenditures of the Government of Canada are transfer payments to the provinces, to the territories, to the municipalities and to people.

Transfer support programs take several forms including grants to support provincial legislatures, hospitals, hospital insurance, medicare and post-secondary education. Transfers to individuals include old age pensions, family allowances, payments under the Canada Pension disability fund and so on.

An earlier criticism was made that the three levels of government borrowing and going into capital markets so extensively was reducing the amounts of money available to the private sector. But I wonder why members of the opposition concentrate only on expenditures of the federal government, when in fact expenditures of provincial and municipal governments have grown at a tremendous rate in recent years, at a rate in excess of the expenditures of the Government of Canada.

About 68 per cent of the total expenditures of the Government of Canada are transfer payments to the provinces or to individuals. The payments which can be controlled directly by the Government of Canada are by far the smallest of the budget. We care very much about having an orderly approach to bond markets but, perhaps even more, we care about transfer payments which are a big part of our social policies directed at assuring that the young who cannot take care of themselves are protected; that children can be educated; that children have access to good medical care; that the old who have small pensions are protected; that by education and programs such as rehabilitation for the disabled and manpower training, we increase the opportunity for Canadians; that Canadians as far as possible have equality of opportunity. These are important programs.

It is important to remember, in the course of complaining about government expenditure, that the government is not spending money for the most part on anything except services to people. Equally, our social policy has been part of the policy on which we were elected. Probably the most important social

program which exists is related to unemployment and to job creation. Most healthy people, given reasonable jobs, can provide for their own social security to a large extent. For this reason, managing the economy efficiently and fairly is a very big part of the Liberal program, as is our commitment to help those who are unable to help themselves—the young, the old, the sick.

Furthermore, we have heard a lot of talk in the last few days about government intrusion into the private sector. Nobody wants to see the government intruding into the private sector unnecessarily. The private sector should be allowed the freedom to do well what it can do well. But we must face the fact that the record of the private sector in matters such as occupational health and safety and care for the environment has not always been such as to inspire confidence. There is a point where the government must intervene in order to provide fairness, decency and a reasonable quality of life for citizens. It is in this sense that expenditures by government must always be looked at as expenditures on the individual, expenditures concerning which those individuals have a voice and a vote.

Mr. Joe Reid (St. Catharines): Mr. Speaker, I had intended to draw a parallel between Liberal spending leading up to the federal election of May, 1979, when the main issues during that campaign were a matter of fiscal irresponsibility on the part of the government of the day, wrestling inflation to the ground, a commission finding truth in the statements that spending was out of control and that there was a lack of accountability, and the introduction of Bill C-59. Within a year of the election of the government in February, 1980, the deficit jumped from $12 billion to $14 billion. Now the government talks of tackling inflation. It is completely obsessed with a program of legislation which has no relativity to the persons on the street looking for jobs, seeking homes and social legislation, and finding some outlet to which they can relate.

In my remaining time I would like to deal with two simple matters which affect southern Ontario. A number of times I have spoken in the House about the budget introduced in October, 1980, and the regressive discriminatory tax application of excise tax on grape growers and the wine industry. I have indicated that the excise tax, related to the consumer price index, is not in the interests of the Canadian wine industry, the primary grape producers on the Canadian economy. Such automatic quarterly adjustments indicate the defeatist attitude of the government. It also indicates that the government is completely helpless to do anything about the situation. Now taxes are growing and the rate of inflation is out of control.

The consumer price index for the 12-month period ending September 30, 1980, was the base figure for the calculations on which indexing would take place. Thus, we have watched the CPI climb to record levels, as well as the excise tax. Already primary grape growers and wine producers are called upon to make contributions to the revenue departments of both the province and the federal government, far in excess of the normal relationship to their take home pay and the profit margin of the wine industry.

Out of some sympathy and concern for the industry, the government reviewed this tax imposition and made some changes. In the interests of continuing a viable wine and brandy-producing industry, the government should review its program once more as part of its Canadianization program.

Another area of the Canadian economy, that is the marine industry, is being prejudiced by the rigidness of the government's energy policy. As was stated by the Minister of Finance (Mr. MacEachen), the real reason for the imposition of a marine and aviation charge was that foreign fleets and foreign aircraft were purchasing our fuel products. As a result, they were being subsidized by Canadians. Instead of making a practical assessment of its energy policy, the government chose to penalize Canadian flagships engaged in international trade. This government and Canadians should be proud of the record established by the Canadian Great Lakes merchant fleet. Through the efficiency and productivity of its operations that fleet has captured over 93 per cent of the across the border movement.

• (2130)

It is not difficult to understand the importance to our national economy of bulk cargo shipments between Canada and the United States in the heavily undustrialized regions bordering on the Great Lakes. In 1980 the Canadian merchant fleet carried 95 million tonnes of cargo of which over 50 per cent was made up of U.S.-Canada trade generating over $300 million of revenue to this country.

This Canadian industry which provides jobs for Canadians and revenue for Canada should receive treatment equal to that accorded other Canadian industries involved in manufacturing, supplying and the exporting of goods from Canada. To impose the export charges as proposed by forcing Canadian flag ships to pay world prices for fuel oil used in deliveries of iron ore from Labrador to Lake Michigan ports and to pay world prices for fuel oil or coal brought from the United States to Ontario Hydro or the steel mills of Hamilton goes much further than preventing foreign vessels from purchasing bunker fuel at Canadian domestic prices. It imposes a burden on Canadians generally. The proposal as made will add a further $30 million to the operating costs of the Canadian merchant fleet, costs which must be passed on to the consumer. We are those consumers; we will be paying that excess cost. In many instances the imposition of this export charge will likely result in the transfer of shipments to other routes and a diversion of routes which would be less direct and less efficient.

Any federal policy should support and encourage the competitiveness of Canadian industry and promote the exports of this country, but this export charge has just the opposite effect. It will mean a disruption of efficient fleet fuelling and trading patterns. It is difficult to rationalize why the government should provide yet another advantage to railroads and the trucking industry, forms of transport not subject to this fuel cost penalty and less fuel efficient than the Canadian merchant fleet.

If it is neither practical nor possible to introduce a two-price fuel policy. If the government has any concern for the marine industry, then it should introduce a rebate system similar to that which is already in effect in other parts of our economy so that Canadian flag carriers will be in a position to maintain the levels of service and the degree of competitiveness they have attained on the Great Lakes and the St. Lawrence waterway.

I suggest consideration be given to further delay in the implementation of this export charge so that consideration can be given to a review of the allocation of the moneys.

[*Translation*]

Mr. Pierre Gimaïel (Lac-Saint-Jean): Mr. Speaker, I am grateful to my colleagues for their support. I am very glad to have the opportunity to speak to this bill concerning the borrowing authority requested by the government. Whenever the borrowing authority issue comes before us, we always hear the same old and yet surprising refrain from members opposite. They claim that a $14 billion borrowing authority is much too much, that a borrowing authority of just $8 billion would be enough. They say there is enough money in the coffers of the state. As a matter of fact, they say all sorts of things, so that after a while we cannot help wondering whether the official opposition is really serious. Everybody is aware that under our federal system, the Government of Canada is called upon to transfer huge amounts of money to the provinces. It is a fact that this year $17 billion will actually be transferred to the provinces by the central government.

The money we want to borrow is always urgently needed, especially at a time when the central government has not yet collected its main revenues. Indeed, when we ask for $14 billion, some people will normally ask for what purpose. Suffice it to say that the federal government assumes half of the medical costs throughout the country by subsidizing hospitals, the purchase of medicine and physicians' fees. Need I add that the Government of Canada also pays old age security pensions and guaranteed income supplements to senior citizens. Need I add that the Government of Canada is even involved in the provincial educational systems through its assistance program for second language instruction, technical training and university research? Need I point out that the Government of Canada helps to build some of our highways? Need I say that, through a public body, the Government of Canada finances the construction of low rental housing? Need I say that the government of Canada pays half the deficit of all low rental housing projects throughout the country? This is where the billions of dollars that we need today are going! They are going to Canadians! No one here is asking billions of dollars to send them outside the country.

Why should a party mess about taking up our time and lead the Canadian people to believe that we are asking for money just to waste it? And what is even worse is that this money goes to the most underprivileged, as anyone can see by looking at the main requirements and the major expenditures of the government. These requirements are those of the Department of National Health and Welfare, which looks after senior citizens, social affairs, health matters. Where else does all this money go?

Unemployment insurance represents a major part of our budget. Why do we have unemployment insurance at a reasonable price? To allow Canadians, and especially our young people, to at least keep their dignity in spite of current economic problems. But why, Mr. Speaker, and I am asking this of the opposition parties, why would the official opposition have Canadians believe that we want additional funds?

According to the official opposition, we are asking for $6 billion too much, when $8 billion would be enough. Is there anyone here who can imagine that the average government expenditures are $5 billion a month, and even more in certain months, especially during winter, when the economy is slower? Why is the opposition playing this game which is not worthy of Canadian parliamentarians? I sometimes ask myself very serious questions concerning the role of the members of this House. Are we here to represent the provincial governments? Not to my knowledge, as no provincial government has ever elected federal Members of Parliament. Our role here is not to bring the good news as suggested by a provincial premier, any more than to defend the positions of a province; our role here as members is to meet the needs of our people.

As member for the beautiful riding of Lac-Saint-Jean I represent 80,000 people here. My duty is to speak on their behalf, to represent them, and to see to it that the government of Canada meets its commitments as set forth in legislation adopted by previous governments, and if that means I have to force the government to borrow money or authorize it to do that, then I give my authorization. But my role is not to come here and claim that perhaps it would be better if the provinces had their say either in this debate or in the constitutional debate. It is extremely easy to adopt the position of a provincial premier and defend it here, even if it is a question of borrowing money. Some premiers take the Government of Canada to task for spending too much, of course, they blame us for spending in the wrong places, of course, and they also say that we are not doing a good job, constitutionally or otherwise. There are others who congratulate us. I agree, I am not here to make representations for those people, I am here to do my duty as a citizen on behalf of other citizens who freed me from my work and told me: You will represent us in the House of Commons, you will have to make sure that the Government of Canada fulfils its obligations toward me because I pay taxes, I live in this country where I was born and where I will likely die some day. That is my work, and that is what the members of the opposition party ought to understand.

When the Government of Canada year after year requests the authority to borrow money in order to manage the affairs of the state, its request should be granted automatically. I

wonder how long we will have to consider year in year out the same stupid arguments about blank cheques, the same stupid arguments about the government borrowing too much, the same stupid arguments which are always brought up at the same time by the same people and which contain nothing new. It is always the same story.

After wasting three, four, five and up to six days, at a cost of $300,000 a day to the taxpayers, discussing the matter, the authority is finally granted. Why not simply say: you tabled the estimates, they were approved, now the government has to borrow money, so let us give it the required authority. That is all, let us stop wasting time on the issue. The expenditures to be made with the amounts borrowed are all contained in the estimates. My colleagues opposite need only refer to the estimates, where they will find all they want to know. The borrowing authority bill contains nothing new. It is but one way to make money available to Canadians, each in his own home, and what income is earned, one pays back what one can. Some hon. members opposite seem surprised. There is no surprise there. Clearly at some point in the year, if receipts came regularly, month after month, there would be no problem.

There are times when I wonder how constipated the official opposition party will get. We had an example when questions of privilege and points of order on the constitutional debate followed one another for 15 days. I was quite simply discouraged with the role played by hon. members for certain constituencies. I heard for 15 days hon. members raise questions of privilege and points of order. Members opposite are making gestures I will not emulate, Mr. Speaker. Gestures cannot be unparliamentary, whereas words can be. Unfortunately, those people often make gestures instead of speaking their minds.

● (2140)

[*English*]

I can tell you, Mr. Speaker, and I say this with satisfaction, I sometimes ask myself if the party opposite, instead of being called Progressive Conservative, should not really be called Permanently Constipated Party.

[*Translation*]

It is unthinkable that in 1981 Members of Parliament supposedly elected by a majority of their constituents come here to abuse the government, and on top of that, they obstruct the whole proceedings in this chamber for a while. As I said last week, Mr. Speaker, it is my hope that the official opposition in particular will see the light—

[*English*]

Mr. Shields: Mr. Speaker, I rise on a point of order. I wonder if you could rule on whether the remarks of the hon. member are relevant to the borrowing authority bill before us at this time.

The Acting Speaker (Mr. Blaker): The problem for the Chair is that if I were to rule specifically on those remarks, I would also have to do so in respect of the remarks of other hon. members, and this would be difficult. Perhaps I could say that the hon. member's time has run out, and I will now recognize the hon. member for Parry Sound-Muskoka (Mr. Darling).

Mr. Stan Darling (Parry Sound-Muskoka): Mr. Speaker, I believe I have two or three minutes left.

An hon. Member: One minute.

Mr. Darling: I have two or three minutes left in which to speak on this very important bill.

An hon. Member: Four minutes.

Mr. Darling: As we are all aware, we are debating this bill—

Mr. Lalonde: On a point of order, Mr. Speaker—

Mr. Darling: The minister wants to cut me off again.

Mr. Lalonde: My hon. friend has just indicated he has four minutes left, but I believe the order was that the bells should start ringing at 9.45 p.m.

An hon. Member: Sit down.

Mr. Lalonde: If I were to look at the precedent established about time—and I am now referring to a debate in which my colleagues on the other side took part in the last two days, only about ten seconds are left to them.

Some hon. Members: Oh, oh!

Mr. Darling: Mr. Speaker—

An hon. Member: Your time is up.

Mr. Darling: I appreciate the comments of the Minister of Energy, Mines and Resources (Mr. Lalonde). When he is here, he is usually speaking a good deal of the time. The last time I spoke here, he interrupted me, and let me repeat what I said then. I said he would do a hell of a lot better for the good of the country if, instead of sitting here, he were in Alberta making a deal on energy.

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): Order, please. I thought the hon. member might appreciate being interrupted only at the end of the point he was making.

It being 9.45 p.m., pursuant to an order made on Thursday, April 2, 1981, it is my duty to interrupt the proceedings and to put forthwith every question necessary to dispose of the bill now before us.

Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Blaker): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Blaker): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Blaker): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Blaker): Call in the members.

The House divided on the motion (Mr. Pinard) for the Minister of State (Finance) which was agreed to on the following division:

● (2150)

(Division No. 52)

YEAS

Messrs.

Allmand
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Berger
Blais
Bloomfield
Bockstael
Bossy
Breau
Caccia
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Chénier
Chrétien
Collenette
Corbin
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Daudlin
Dawson
De Bané
de Corneille
Demers
Deniger
Desmarais
Dingwall
Dion
Dionne (Chicoutimi)
Dionne (Northumberland-Miramichi)
Dubois
Duclos
Dupont
Dupras
Erola (Mrs.)
Ethier
Evans
Ferguson
Fisher
Fleming
Flis
Foster
Fox
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gray
Guilbault
Harquail
Henderson
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hudecki
Irwin
Johnston
Joyal
Kaplan
Kelly
Killens (Mrs.)
Lachance
Lajoie
Lalonde
Landers
Lang
Laniel
Lapierre
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Leduc
Lefebvre
Loiselle
Lonsdale
MacBain
MacEachen
MacGuigan
Mackasey
MacLaren
MacLellan
Malépart
Maltais
Marceau
Massé
Masters
McCauley
McRae
Munro (Hamilton East)
Nicholson (Miss)
Ostiguy
Ouellet
Parent
Pelletier
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Reid (Kenora-Rainy River)
Roberts
Robinson (Etobicoke-Lakeshore)
Rossi
Roy
Savard
Schroder
Simmons
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Weatherhead
Whelan
Yanakis—128.

NAYS

Messrs.

Althouse
Andre
Anguish
Baker (Nepean-Carleton)
Benjamin
Blackburn
Blaikie
Blenkarn
Bradley
Cardiff
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cook
Cooper
Corbett
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Darling
Deans
de Jong
Dick
Domm
Ellis
Elzinga
Epp
Fennell
Fretz
Friesen
Fulton
Gamble
Gass
Gilchrist
Gurbin
Gustafson
Halliday
Hamilton (Qu'Appelle-Moose Mountain)
Hamilton (Swift Current-Maple Creek)
Hargrave
Hawkes
Hees
Hnatyshyn
Hovdebo
Howie
Ittinuar
Jarvis
Jelinek
Jewett (Miss)
Keeper
Kempling
Kilgour
King
Knowles
Kristiansen
Kushner
Lambert
Lawrence
Lewis
Lewycky
MacDonald (Miss)
MacKay
Malone
Manly
Mayer
Mazankowski
McCain
McCuish
McDermid
McKenzie
McMillan
Miller
Mitges
Munro (Esquimalt-Saanich)
Murphy
Murta
Neil
Nickerson
Nielsen
Nystrom
Oberle
Ogle
Orlikow
Paproski
Parker
Patterson
Rae
Reid (St. Catharines)
Riis
Robinson (Burnaby)
Rose
Sargeant
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Skelly
Speyer
Taylor
Thacker
Thomson
Towers
Vankoughnet
Waddell
Wenman
Wilson
Wise
Wright
Young
Yurko—111.

● (2215)

[*Translation*]

Madam Speaker: I declare the motion carried.

Motion agreed to, bill read the third time and passed.

Madam Speaker: It being past ten o'clock, the House now stands adjourned until tomorrow at two o'clock p.m. pursuant to Standing Order 2(1).

At 10.17 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, April 7, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

FISHERIES

CATCH OF FRASER RIVER CHINOOK SALMON BY UNITED STATES FISHERMEN—MOTION UNDER S.O. 43

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, I rise on a matter of urgent and pressing necessity in accordance with the provisions of Standing Order 43. In view of the fact that the Minister of Fisheries and Oceans (Mr. LeBlanc) earlier this year announced a complete closure of the Fraser River chinook salmon fishery, thereby jeopardizing the livelihood of the Fraser River gillnet fishermen, and bearing in mind that these fishermen take less than 20,000 chinook salmon in a season, and whereas the minister has taken no steps to limit the United States interception of Fraser River-bound chinook, which is estimated at some 200,000 chinook per year, or at least ten times the amount taken by the Fraser River gillnet fleet, I move, seconded by the hon. member for Fraser Valley West (Mr. Wenman):

That the Minister of Fisheries and Oceans be instructed by this House to demand a limitation by United States fishermen of the effort they place on Fraser River chinook salmon stocks and, at the very least, to permit the gillnet fleet on the Fraser River to operate one day per week in area 29(D), in the interest of fairness and equity.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

POLITICAL PARTIES

INVITATIONS TO CABINET MINISTERS TO SPEAK DURING QUEBEC ELECTION—MOTION UNDER S.O. 43

Mr. Jim Hawkes (Calgary West): Madam Speaker, I rise under provisions of Standing Order 43. In view of the fact that the voters in Quebec are confused by Liberal cabinet ministers who are unilaterally determined to use the Constitution to separate Canadians from their governmental, legal and economic traditions, I move, seconded by the hon. member for Edmonton-Strathcona (Mr. Kilgour):

That, between now and April 13, all cabinet ministers who are actively engaged in electioneering in Quebec be required to table their invitations in this House so that all Canadians can know whether those cabinet ministers have been invited by the Parti Québécois or the Liberal Party.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BUSINESS OF THE HOUSE

SUGGESTED TELEPHONE CAMPAIGN—MOTION UNDER S.O. 43

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas all political parties in this House have publicly supported constitutional amendments to strengthen native and women's rights in the charter; and whereas this House has been debating a single Conservative amendment for the last seven weeks, thereby preventing other business from being considered, at a cost of some $300,000 a day, I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That this House calls upon women and native leaders, as well as other concerned Canadians, to urge the Leader of the Opposition to abandon his strategy of wasting the time of the House, and to agree to restore order so that other amendments may be debated and voted upon, by calling him collect in Ottawa at 996-5084; that is, area code 613-996-5084.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

TRANSMISSION OF JOINT ADDRESS TO HER MAJESTY—MOTION UNDER S.O. 43

Mr. John Evans (Ottawa Centre): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43.

Whereas the Premier of Alberta declared yesterday that he would disregard a ruling made by the Supreme Court on the constitutional resolution, and whereas the Leader of the Oppo-

sition (Mr. Clark) also appears to be moving in this same direction after initially advocating a Supreme Court reference, I move, seconded by the hon. member for Gatineau (Mr. Cousineau):

● (1410)

That this House condemns the Leader of the Opposition and the Premier of Alberta for their blatant disregard for the traditions of the British parliamentary and legal systems and urges the Leader of the Opposition to have the courage to agree that, following a Supreme Court decision on the legality of the constitutional resolution, the resulting Address to Her Majesty be remitted to London forthwith without debate.

Mr. Clark: Go back to Ohio.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FEDERAL-PROVINCIAL RELATIONS

CALL FOR MEETING BETWEEN PRIME MINISTER AND PROVINCIAL PREMIERS—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43 on a very urgent and timely matter. Given the fact of the Prime Minister's (Mr. Trudeau) decision to abandon the federal system by refusing to meet with the first premiers of the provinces of Canada, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That this House calls on the Prime Minister, in the interest of unity and the welfare of Canada, to reconsider his unCanadian-like position and meet with the first premiers of the provinces.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL ENERGY PROGRAM

SUGGESTED WITHDRAWAL—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Whereas the National Energy Program has been responsible for losing thousands of jobs in all parts of Canada; for driving scores of skilled workers, entrepreneurs and drilling equipment out of the country; for scoring an almost complete shut down of exploration for conventional oil; for decreasing agricultural production because of the increased cost of fertilizer caused by the excise tax on gas, and for causing frustration and agony in the hearts of thousands of investors and would-be investors; therefore I move, seconded by the hon. member for Red Deer (Mr. Towers):

That this House urges the Prime Minister and the Minister of Energy, Mines and Resources to withdraw the National Energy Program at once before it spreads disaster to the breaking point, that is if the Prime Minister is not deliberately trying to break up the country.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

RELEASE OF PROVINCIAL PROPOSALS—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, I rise to move a motion under the provisions of Standing Order 43. In view of Mr. Lougheed's press conference held yesterday, and in view of the fact that the Premier of Alberta and Premier Lyon of Manitoba on the CBC program "As It Happens" last night admitted that these provinces' hidden proposal on the Constitution does not include aboriginal and women's rights, or any charter of rights whatsoever, or equalization payments, and since the secretive manoeuvring by all sides has created bad feelings throughout the nation, I move, seconded by the hon. member for Winnipeg St. James (Mr. Keeper):

That this House urge the provinces to release their proposals now in order that the Canadian people may know the facts and be able to discuss the issue openly.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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EXTERNAL AFFAIRS

SUPPORT FOR INDEPENDENCE OF POLAND—MOTION UNDER S.O. 43

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, I seek the attention of all hon. members of this House on a matter of urgent and pressing necessity under the terms of Standing Order 43. Given the fact that Warsaw pact manœuvres are continuing on the Polish border, and in light of the fact that the Communist Party Congress in Prague is discussing the Polish situation, I move, seconded by the hon. member for Erie (Mr. Fretz) and the hon. Member for Saskatoon East (Mr. Ogle):

That this House express its belief that Poland must be allowed to resolve its current problems by itself without interference by any outside forces, and further, that the House commend the private sector, especially the Canadian Polish Congress, other Polish Canadian organizations and individuals, for their efforts to provide food and medical supplies to the Polish people.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MARINE TRANSPORT

IMPOSITION OF EXPORT CHARGE ON FUEL USED BY CANADIAN VESSELS—MOTION UNDER S.O. 43

Mr. Joe Reid (St. Catharines): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The Premier of Ontario has indicated to the Prime Minister, by telex, how Canadians in general will be adversely affected by the government's proposed export charge on fuel used by Canadian vessels in international trade. If that export charge is imposed in its present form it gives other modes of transport an advantage over the Canadian merchant fleet and is thereby discriminatory. Therefore I move, seconded by the hon. member from the Western Arctic (Mr. Nickerson):

That the Minister of Finance further delay the imposition of the proposed export charge as it applies against the Canadian merchant fleet and put in place either a two-price fuel policy or a rebate system.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

REQUEST FROM PROVINCIAL PREMIERS FOR MEETING WITH PRIME MINISTER

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is to the Prime Minister who told this House and the Canadian public yesterday that, until his own resolution is passed through Parliament by closure, he refuses absolutely to discuss Canada's Constitution with Premier Blakeney, Premier Buchanan, Premier Bennett, and five other elected leaders of some 14 million Canadian citizens. He told us that he refuses to meet his partners in Canadian government, whatever they might propose, until he has had his own way in this House of Commons. Will the Prime Minister now tell this House how he can possibly justify this refusal to respect Canadian tradition and this refusal to meet Canadian premiers who have requested the opportunity to work with him in helping to bring home Canada's Constitution?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, yesterday I indicated that I had serious doubt about the premiers agreeing on anything, let alone an amending formula.

Mr. Nielsen: You doubted their veracity.

Mr. Trudeau: I doubted the veracity of the statement that they had agreed on a formula. I was given a transcript of the CBC program "As It Happens" last night, which featured the Premier of Manitoba, Mr. Sterling Lyon. I read Premier Lyon is stating that there is a basis for an amending formula and I quote:

—albeit one must require further refinement.

A little later he says:

The refinement process will be completed hopefully when the premiers meet on the sixteenth of April.

In another answer to a question he stated:

—until the final negotiations have been approved by all of the provinces . . . we cannot talk about it in detail.

This shows that the premiers have not yet agreed on anything, that they are moving in the direction of an agreement but have not even got a proposal to make. I repeat, if they do have one, why hide it until the sixteenth? If they want me to meet with them and they have something that is good for the Canadian people, surely it is their duty to make it public now. It is their duty not to try to hoodwink the voters of Quebec who are in the middle of an election and pretend there is some agreement when, in fact, we are told by Premier Lyon there still has to be negotiation. That should be the answer as to why I do not want to meet with them.

They should meet among themselves, decide what they want and, when they know what they want, then perhaps they should talk to the two other premiers who have long since given up on the hope that they would agree, and then perhaps we can have a discussion. Until then, I still say that the premiers are obviously not in agreement. They have used the courts in order to gain time, just as the Leader of the Opposition has used the courts in order to gain time.

We have Premier Lougheed stating again yesterday that if the courts go his way, well, that would be nice, that would kill our measure, but if the courts go against them, that does not end the matter. We have the Leader of the Opposition agreeing with them. Surely this proves they are using the courts for political purposes.

Mr. Clark: It may be what we have seen here, quite apart from the Prime Minister's confusion about enumerating his enemies who, in his mind, seem to be almost numberless in this country, because he will not meet with any of them and will not talk with any of them. Was the Prime Minister indicating that his source of information on the premier's proposal is a CBC radio program. I understand his great respect for CBC radio programs.

● (1420)

Why will the Prime Minister of Canada not give the eight premiers of this country who have indicated that nine short days from now, on April 16, they will be meeting to finalize a proposal on a Canadian way to bring our Constitution home, the assurance that when they meet and, if they are able to finalize the agreement which they claim they can finalize, that he will meet with them? Why will he not wait nine short days to see their proposal? Why does he reject it out of hand? How can he justify his statement of yesterday that under no circumstances, whatever they propose, however many their number, will he meet with them? How can he justify doing that to our federal system?

Some hon. Members: Hear, hear!

Mr. Trudeau: Madam Speaker, the Leader of the Opposition said he wondered where I got my information. I told him it was from the words of Premier Lyon speaking last night on the CBC program "As It Happens". That is where I got my information to the effect that they have not yet agreed.

If further certitude is needed, I have the telegram dated April 3 which Premier Lyon of Manitoba sent to me. In it are the following words with respect to the new Canadian patriation. He said it "could be discussed with you as soon as the Government of Quebec has had an opportunity to ascertain its final position after the current election."

Some hon. Members: Oh, oh!

Mr. Trudeau: Madam Speaker, I think we are being hoodwinked by someone.

An hon. Member: We are being hoodwinked by Pierre.

Mr. Trudeau: We have every evidence from the mouth of the premier who has convened this conference—

Mr. Shields: Pierre speaks with forked tongue!

Madam Speaker: Order, please.

Mr. Trudeau: We have every evidence that the premiers have not agreed on a formula.

The Leader of the Opposition asks me why I will not meet with them. The right hon. gentleman wants me to repeat myself. I have been meeting with the premiers since 1968 trying to find agreement on an amending formula on patriation, if nothing else. Among themselves they have been trying to meet since the beginning of last October to find agreement. Right now we are told that they have not yet found it. I think the call on me to meet with them is somewhat premature. Let them state what their position is. Let them convince the Leader of the Opposition and the provinces of Ontario and New Brunswick that they have suddenly found something which is acceptable. Then I will say, "Thank God, we will not have to wait two years to have this amending formula which is hypothetically so good. We will be able to put it into our law as early as next summer, within weeks after we have had our own patriation."

I can only say, though I doubt they have reached agreement, I hope they will very soon, so that we can get on with having a permanent amending formula and not have to wait for the two years which are provided in the resolution to find that ideal formula. Let them keep meeting. Let them find something which is presentable to the Canadian people.

But in the meantime we say—and I believe this was the purport of the Standing Order 43 moved earlier—what is their position on the charter of rights? What is their position on an equalization formula? What is their position on the equality of women?

Some hon. Members: Order.

Some hon. Members: Hear, hear!

REQUEST FOR ADJOURNMENT OF DEBATE ON CONSTITUTIONAL RESOLUTION

Right Hon. Joe Clark (Leader of Opposition): Madam Speaker, it is ironic to hear this Prime Minister, who used to accuse the premiers of attaching conditions before they would come to any agreement, standing here and attaching the longest list of conditions he can dream up before he would even sit down and meet with the premiers of the country.

Some hon. Members: Hear, hear!

Mr. Clark: The Prime Minister has talked about premature action. Surely what is premature, and what offends the whole federal system and the whole idea of working reasonably together as a Canadian family, is the Prime Minister's categoric statement yesterday that he will not meet with any premiers to discuss any proposal any time before his personal resolution is passed through this House of Commons.

● (1425)

Why will the Prime Minister not give the eight premiers representing 14 million Canadians—Premier Blakeney, Premier Bennett and all the rest—a chance? Why will he not adjourn debate in this House until April 15, nine short days away, let us get on with other business, and give the premiers a chance to come forward with a proposal which might allow us to resolve this question in Canada? What does the Prime Minister of Canada have to lose by acting in that reasonable way? Why will he not respect the Canadian tradition? How does he justify his refusal in advance to meet with the premiers of Canada?

Madam Speaker: Order.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I suppose the main answer is because I suspect the premiers of doing exactly what the Leader of the Opposition has been doing for months, just seeking delay, not seeking solutions, seeking delay.

If I were to tell the Leader of the Opposition now that I will meet them on Thursday of next week, and if we reach agreement which is agreeable to everyone, would the Leader of the Opposition then support our amending the resolution as it is with the charter of rights, and putting that agreed upon formula in, or will he then get up and ask for further delay?

The Leader of the Opposition talks about offending the federal system. What is more offensive to the federal system than premiers and the Leader of the Opposition who for months have been saying, "Let's get a judgment of the courts"? Now we hear one or two premiers and the Leader of the Opposition hinting that, if the courts go against them, they will still fight the fight politically. If they want to fight the fight politically, they are saying what we have been saying for the past 12 months, it is a political issue, and that they have only used the courts to subvert the courts to their own political means.

Some hon. Members: Hear, hear!

Madam Speaker: Order, please.

Mr. Clark: Madam Speaker, I will let the Chief Justice and the court of Newfoundland reply for themselves to that slur upon their reputation.

Some hon. Members: Hear, hear!

Mr. Clark: In his habit of avoiding answering questions by posing questions, the Prime Minister has asked me whether we would accept amendment of the resolution to incorporate an amending formula agreed to by the premiers and the Prime Minister. Of course we would.

Some hon. Members: Hear, hear!

REASONS FOR REFUSAL TO ADJOURN DEBATE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, why will the Prime Minister not give the premiers a chance to have that influence on our common Constitution? Why is he in such a rush? What does he have to lose by adjourning debate for nine short days? What is he in such a hurry about? Why will he not let the Canadian process have a chance to work? Why is he trying to shut off the premiers?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Leader of the Opposition asks, "Why such a rush?" Nine days is not of the essence; I agree with that.

Some hon. Members: Hear, hear!

Mr. Trudeau: That is why I put it to the Leader of the Opposition: let us wait until the tenth day; let us deal with other business; let us wait until the tenth day; let us then agree to closure so that the parties in this House can vote on the tenth day. Perhaps the Leader of the Opposition does not want nine days. Perhaps he wants nine months and nine years and ninety years, which was exactly the tactic used by the Tory party when we were discussing in this House how to bring Newfoundland into confederation. The Hon. George Drew said, "Why now; why not wait?" That is the tactic—

Madam Speaker: Order, please.

• (1430)

NUMERICAL GROUPING OF PREMIERS

Hon. Jake Epp (Provencher): My supplementary question, Madam Speaker, is for the Prime Minister. If the Prime Minister is now saying again that he is willing to negotiate, I think that the negotiation procedure is always acceptable. Yesterday the Prime Minister dismissed the Newfoundland Supreme Court judges as being three non-elected officials; today he talks about the provinces subverting the courts. I think those are pretty serious charges. In view of the position the Prime Minister has taken now about the courts—and he has given his judgment there and he has given his judgment about the premiers—how many premiers does he feel would be necessary before he would meet with them? Would he meet three premiers, five premiers, seven or eight premiers? Would they have to include a Liberal premier? How many premiers would there have to be before he would meet with them?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I am surprised that the hon. member asks me that question. The answer is right in the resolution which has been before us for six months, and the hon. member, I am told, has been on the committee and has played an important role. The answer is there quite clearly. If seven premiers representing 80 per cent of the population agree on a formula, the formula will either be accepted by the rest of us, or submitted to the—

Some hon. Members: Oh, oh!

Mr. Trudeau: —submitted to the people for a decision.

An hon. Member: Built in veto.

Mr. Trudeau: What is unfair about that, Madam Speaker? Why does the hon. member ask a question which already has its answer in the resolution?

Some hon. Members: Oh, oh!

Madam Speaker: Order, please. Order. We do need to have a question period, and I would like to recognize as many questioners as possible. The hon. member for Provencher on a short supplementary.

QUERY RESPECTING POSSIBLE GROUNDS FOR FEDERAL-PROVINCIAL MEETING

Hon. Jake Epp (Provencher): Madam Speaker, I have a supplementary question for the Prime Minister. I mentioned to him yesterday that there was a certain way to handle federal-provincial relations, the Canadian manner in which generally we have been operating. In view of the fact that federal-provincial conferences, meetings, and negotiations take place

every day, over 300 in any given year, in his experience has he ever rejected the earnest desire of a premier to meet with him or with his officials on any matter which affected federal-provincial relations? Has he ever rejected that request and, if so, why, on this fundamental question of the Constitution, where there might be a possibility of bringing together people to bring about unity in this country, does he continue to refuse that simple request, namely, to meet once again?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I gave the answer to that question. It is because I am convinced that the premiers are seeking delay and nothing else. I ask the hon. member: why does he suppose that they invited me and not the Premier of Ontario or the Premier of New Brunswick?

An hon. Member: Are you sure they have not?

Mr. Trudeau: I keep hearing there will be a meeting of eight premiers, Madam Speaker. I am just telling the hon. member. They talk about meeting me and about meeting eight premiers. Presumably the two other premiers are not invited or do not want to go.

An hon. Member: If they go, will you go?

Mr. Trudeau: I put it to the House earlier: if you are not seeking delay, if you are seeking one more chance at agreement, and if this House will agree to pass the bill in all stages once that effort has taken place, and if it is successful, we will then introduce that new form of amendment into the Constitution. And if it is unsuccessful, I will let the members of this House be the judge, and if they do not want to be the judge we can always have the provision called for in the resolution, which is a referendum. That is my proposal.

If they are not seeking delay I will meet with them, provided the House agrees to bring this matter to a final vote within one or two days after I have met with them. If that is a fair proposal, I will make it in all earnestness and I will tell the premiers I will meet with them, whether they be eight or ten.

Some hon. Members: Hear, hear!

OPPORTUNITY FOR HOUSE TO DEAL WITH AMENDMENTS RELATING TO EQUALITY OF WOMEN AND ABORIGINAL RIGHTS

Mr. Edward Broadbent (Oshawa): Madam Speaker, there seems to be another effort to reach agreement which could bring us beyond the impasse on this constitutional resolution. Let us hope that this fifty-ninth effort might be successful. But in the interim, considering that the government has announced its intention to bring to an early vote a Conservative amendment which has been before the House for several weeks, I should like to ask the Prime Minister an important question. Will he give the House his absolute assurance that there will be no request for a final vote on the resolution until there has been a vote on an NDP proposed amendment—

Some hon. Members: Oh, oh!

Mr. Broadbent: —affecting the equality of women and the entrenchment of aboriginal rights?

An hon. Member: This is a caucus matter. Handle it in caucus.

Right Hon. P. E. Trudeau (Prime Minister): It is not an assurance I can give. It is an assurance that the NDP wants to obtain for itself. If they can get the floor to move their amendment, of course we would be very happy. That is what the allocation of time resolution put forward two weeks ago House was for—it was to permit us to deal with an amendment which has been before us for seven weeks and to go on to deal with an amendment which improves the situation of women and improves the amending process for the aboriginal peoples. That is why we have closure before the House now, so that we can move on to that. But I cannot give the Leader of the NDP the guarantee that that will happen. He might seek it from his colleagues on that side of the House, he might seek it from Madam Speaker, but he cannot seek it from me.

TIMETABLE FOR TRANSMISSION OF RESOLUTION TO BRITISH PARLIAMENT

Mr. Edward Broadbent (Oshawa): Madam Speaker, the Prime Minister is quite wrong on that. He knows that the timetable of the House is ultimately determined by the government, and if the government is interested in obtaining an amendment affecting the equality of women and the entrenchment of aboriginal rights, it is in the power of the government to wait until that is done. The Prime Minister knows that.

Some hon. Members: Hear, hear!

Mr. Broadbent: My next question to the Prime Minister goes back to the statements he made last week pertaining to the conflicting decisions that have been reached by the superior court in the province of Newfoundland and that in the province of Manitoba. I should like to ask him whether he will offer assurances to the House that no form of request will be made to the Parliament of Westminster to deal with the constitutional resolution until a decision has been reached as to whether it is intra vires in whole or in part by the Supreme Court of Canada.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, in prefacing his question the Leader of the NDP said that it was within the power of the government to wait until it is done, until the amendments are moved. It is within the power of everybody to wait until it is done, but that does not seem to be very much power, Madam Speaker. The Leader of the NDP knows that we have been waiting for seven weeks to have a vote on one amendment so that we could then go on to improving the resolution for women and aboriginals.

The question remains whether the government, any government of the day, should have to wait forever. Is that all that is in its power, or has the Leader of the NDP some other way in which I can guarantee to him that we will go on to the amendments which his party and our party want? I repeat,

there is one way of doing it, it is to have co-operation among our parties on allocation of time. As the Hon. Leader of the New Democratic Party knows, we have not been able to do that.

● (1440)

Some hon. Members: Oh, oh!

Mr. Clark: You have not tried.

Mr. Trudeau: The Leader of the Opposition says that we have not tried to get agreement on an allocation of time.

Some hon. Members: Oh, oh!

Mr. Trudeau: He says that we have not tried to get agreement on an allocation of time! We are trying to get the floor on that—

Mr. Clark: You rejected our proposals.

Some hon. Members: Oh, oh!

An hon. Member: There is a meeting a day of House leaders.

Mr. Trudeau: The government House leader had endless meetings with the House leader of the Conservative Party trying to find some way in which there could be a three way agreement in order to allocate time.

Mr. Clark: And you rejected each of our proposals.

Mr. Trudeau: The House leader of the Conservative Party knows that there has been those meetings. They have been substantiated by both the Leader of the New Democratic Party and by others.

Mr. Clark: I am saying that you have not really tried.

Mr. Trudeau: Now the hon. Leader of the Opposition is saying that we have not really tried.

Some hon. Members: Oh, oh!

Mr. Trudeau: We sure know what happens when he really tries.

Mr. Broadbent: Madam Speaker, I have a final supplementary question. The Prime Minister has not always shown such a great interest in the rules affecting Parliament, but would he not agree, just as we had a timetabling motion before which the government proposed, that it is entirely within the power of the government to bring in a timetabling motion that would cover the points to which I have just referred, the amendments he said the government is interested in passing, as well as including a commitment not to transmit the resolution in any form until the Supreme Court of Canada has passed judgment? The Prime Minister knows that just as well as all members of the House.

Mr. Trudeau: So what, Madam Speaker? The Leader of the New Democratic Party said that it is within our power to bring in a motion setting a timetable which would cover his amendments. We did that; we gave notive of a motion to that effect 15 days ago.

Mr. Broadbent: Stick with it.

Mr. Hnatyshyn: You are consenting adults.

Mr. Trudeau: Now we are told to stick with it, and I guess we are told by the New Democratic Party that passage of time will somehow solve everything. It seems to me they are slipping slightly toward the position of the Tory party, which is to seek a delay.

Mr. Broadbent: We are asking you to live up to your agreement.

* * *

NATIONAL ENERGY PROGRAM

REQUEST FOR CHANGES IN PROVISIONS COVERING PRICES AND TAX RATES

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. Next week the minister will be meeting with his counterpart from Alberta on the question of the energy program. Today four different groups appeared before two committees of the House and described the very adverse elements of the National Energy Program. For the situation to be changed, clearly the government must take its responsibility and propose some changes in this program if we are to free ourselves from the deadlock we are in today.

Is the minister proposing any changes in the price levels, the tax rates or the royalty rates? Is he prepared to consider more fundamental changes in the energy program in order to break the deadlock we are in today?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I appreciate the representations of the hon. member. I assure him that when an announcement has to be made I will be very happy to make it in the House, or following the discussions with my colleague from Alberta. I think we should let those discussions start before making statements right and left about those negotiations at the present time.

Mr. Wilson: Madam Speaker, in view of the response of the minister it is very clear that he is not considering the fundamental changes which would be required to break the deadlock.

In view of the very strong jurisdictional as well as the legal concerns of the producing provinces, it appears that we will be in this deadlock for some period of time, unless the minister is able to free his own thinking and reach some conclusions on the changes that are needed. Why is the minister not prepared

to consider fundamental changes in the area of taxation in order to free the deadlock we are in today?

Mr. Lalonde: Madam Speaker, I fail to see how the hon. member could have reached in any way the conclusions he has reached from anything I have said.

PRICE FOR OIL RECOVERED FROM TAR SANDS

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I want to ask the Minister of Energy, Mines and Resources a question about the April 13 meeting as well. It may surprise him that some Canadians consider it perhaps just as important as the Constitution. Yesterday the Alberta energy minister said:

—the tar sands . . . couldn't proceed because the projects are not economic—

This was even if Alberta permitted them to proceed. The minister knows that existing tar sands projects such as Syncrude are not getting the National Energy Program prices but indeed are getting the world prices.

Is the minister considering giving the tar sands projects more than world prices, which puts us into a rather ludicrous position of having to subsidize once again the foreign multinational oil companies?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I have not seen the declaration by Mr. Leitch, but I suspect he referred to the fact that if we add the cost of Alberta royalties and the various provincial taxes to the federal taxes, in his view there is not enough left to make these new projects economic. This is the only thing I can assume from what he said. I will have it at that and check what my colleague said exactly in this regard. I have nothing to add to the statement of the hon. member.

Mr. Waddell: Madam Speaker, the fact of the matter is that the minister is giving world prices to some tar sands plants; I see him nodding.

According to the annual report of Imperial Oil, "the highlight of the year was Syncrude's record production" which contributed $60 million to Imperial's net earnings. Will the minister confirm that on April 13 he is prepared to depart from the National Energy Program and indeed plans to offer the tar sands projects higher prices than those set out in the National Energy Program?

Mr. Lalonde: No, Madam Speaker, I am not prepared to confirm that.

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NATIONAL GALLERY

LACK OF SPACE—NECESSITY FOR NEW BUILDING

Mr. Chas. L. Caccia (Davenport): Madam Speaker, my question is directed to the Secretary of State and Minister of Communications. It concerns the future of the National Art Gallery of Canada. In view of the fact that less than 4 per cent of the gallery's collection can be displayed to the public at any one time because of lack of space, and in view of the fact that the collection is in danger of being damaged because of humidity, moving and shifting caused by space shortage, would the minister inform the House when he intends to build the proposed new gallery so as to display our valuable collections and to give present and future generations of Canadians a national gallery in which they can take pride?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, I thank the hon. member for his very important question and of course for his very strong personal interest in the future of the National Gallery of Canada. I am not in a position to give him a definitive answer today, but indeed we are looking at a variety of possible options to meet the accommodation needs of the National Gallery and other museums in the National Capital area.

I should point out that under one part of our special initiatives program we have already allocated funds to help various museums and art centres across the country to improve their accommodation. I would point out that a $4.5 million contribution was made to the Vancouver art gallery and very recently $3 million was given to the Thunder Bay art centre.

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NATIONAL ENERGY PROGRAM

MEASURES TO ASSURE EMPLOYMENT

Mr. Len Gustafson (Assiniboia): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. The service industry and the supply industry in western Canada have suffered very, very severely. A long-term employee at the weigh scales in Williston, North Dakota, said that in a 16-hour period, just under 1,000 truckloads of oil drilling equipment moved into the United States.

• (1450)

One of the major planks in the Liberal platform on the energy policy has been to Canadianize. It would seem to me that we are Canadianizing North Dakota and Montana in the Williston oil basin.

Some hon. Members: Hear, hear!

Mr. Gustafson: Just under 120 oil rigs have crossed—

Madam Speaker: The hon. member is really making a speech rather than asking a question. He should ask his question immediately.

Mr. Gustafson: Madam Speaker, through you I would like to ask the minister what measures he is prepared to take at this time to assure the Canadian worker and the small Canadi-

an company that there will be jobs in this country of ours, Canada.

Some hon. Members: Hear, hear!

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the National Energy Program features a whole series of measures to help businesses, particularly small Canadian businesses, and I would invite my colleague to become familiar with it as quickly as possible.

[*English*]

PURCHASE OF CANADIAN OIL

Mr. Len Gustafson (Assiniboia): I would like to ask a supplementary question of the same minister. Why does the minister continue to buy expensive oil from Mexico and offshore sources at $40 a barrel or more while he refuses to buy Canadian oil which would give Canadian people work and small Canadian companies jobs in this country of ours?

Some hon. Members: Hear, hear!

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member has it all wrong.

An hon. Member: Oh no, you've got it all wrong.

Mr. Lalonde: The Government of Canada does not refuse to buy Canadian oil. I remind the hon. member that it is the Edmonton government which has cut 180,000 barrels from the Canadians, not the Government of Canada. As far as the price is concerned, I remind the hon. member that we are buying oil from Syncrude, for instance, at world price at the present time. In the National Energy Program we have offered very significant increases in the price of oil paid for Canadian production. So far as the 15 per cent net imports that we need from abroad is concerned, we must unfortunately pay the international price which those countries are charging. However, we want to eliminate those imports during the course of this decade so that we can buy, in Canada, all the oil which will be consumed in Canada. We do not believe that 23 million Canadian consumers should be obliged to pay whatever price is decided by OPEC.

* * *

FINANCE

PAYMENT OF SUBSIDY ON IMPORTED OIL

Mr. Gordon Towers (Red Deer): Madam Speaker, I have a question for the Minister of Finance. As a result of the so-called energy policy brought out in his budget on October 28, at the present time it is costing the federal government $500,000 an hour, 24 hours every day, 365 days a year, just to pay the subsidy on imported oil. At the same time rigs leaving the country must have an appointment three weeks ahead of time before they can be processed through customs. It just shows how many are leaving the country. How long is the minister going to allow this nonsensical situation to exist?

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, we are bringing to an end the practice where the treasury pays oil compensation charges. These are being, not gradually, but rather rapidly, transferred to the consumers of Canada.

Mr. Crosbie: Far more than 18 cents!

CANCELLATION OF TRUCK AND AUTOMOBILE ORDERS IN WESTERN CANADA

Mr. Gordon Towers (Red Deer): I wish to direct my supplementary to the same minister, in view of the fact that the Minister of Industry, Trade and Commerce has now left the Chamber. I would like to ask a question relating to the cancellation of trucks and automobile orders in western Canada as a result of all these service industries leaving our country. What sense does it actually make to force Canadians to cancel these orders while the federal government is trying to bolster up Chrysler Corporation with tax dollars at the same time? It simply does not make sense.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): I want to assure the hon. member that his gloomy outlook is not really based on any factual assessment.

An hon. Member: You have already changed yours twice.

Mr. MacEachen: The hon. member ought to know that the rate of growth in western Canada for 1981 will be very strong indeed, stronger than most parts of the country.

An hon. Member: That's false!

* * *

PUBLIC WORKS

HEALTH AND SAFETY OF PUBLIC SERVANTS WORKING AT LES TERRASSES DE LA CHAUDIÈRE, HULL, QUE.

Mr. Cyril Keeper (Winnipeg-St. James): My question is directed to the Minister of Public Works. Employees working at Les Terrasses de la Chaudière are suffering from respiratory problems, frequent and severe headaches, eye irritation, skin ailments and fatigue. Mary Lou McPhedron, upon the advice of her doctor, stopped working at Les Terrasses after suffering from loss of energy, headaches, bleeding gums and losing her voice.

A health and welfare study has shown the presence of two toxic chemicals at the work place, formaldehyde and trichlorethylene, chemicals associated with the symptoms which

the workers have displayed. Has the minister identified the source of the chemicals, and what is he doing to eliminate it?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, in response to the hon. gentleman, the Department of Public Works is aware of the complaints of a number of civil servants employed in the building. We have been attempting to identify the source. I must admit that we are not quite so confident that the sources detailed by the hon. member are factual. It is my hope that with the improved tests which we are using at this time, we should have an answer to it. However, I might point out that in the resolve of the Ministry of Public Works to provide a more efficient building with relation to energy-saving, energy conservation and the like, it does create other problems such as the movement of air, and I think that that, by and large, is one of the problems giving rise to this difficulty.

REQUEST FOR PUBLICATION OF STUDIES

Mr. Cyril Keeper (Winnipeg-St. James): My supplementary question is directed to the same minister. My source of information with regard to the chemicals was a National Health and Welfare study. When will the minister make available all of the studies which have been done with regard to work place and safety at Les Terrasses de la Chaudière so that the workers can know the facts which he is aware of, relating to their working conditions, and so that the public can know the conditions under which they are working?

Some hon. Members: Hear, hear!

Hon. Paul J. Cosgrove (Minister of Public Works): In response to the first question, I have indicated to the hon. member that I do not yet have confirmation of the facts which he used in his introduction, presumably from newspaper reports which I saw for the first time today. I do not have the information which he purports to have. When those tests are complete, when I do have the tests, and if the hon. member has information from National Health and Welfare, I would be happy to have that information. I do not have it yet.

* * *

PUBLIC ARCHIVES ACT

REQUEST FOR AMENDMENT EXTENDING FREEDOM OF INFORMATION

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, my question is directed to the Secretary of State. In view of the fact the Public Archives Act has not been revised since 1912, and in view of the fact Bill C-43, the Access to Information Act and the Privacy Act, is before the Standing Committee on Justice and Legal Affairs at the present time, will the minister consider revising the Public Archives Act to bring it into line with the proposed provisions of Bill C-43?

Hon. Francis Fox (Secretary of State and Minister of Communications): I want to thank the hon. member for his question, Madam Speaker. It is quite clear that the intent of the access to information legislation is to give greater access to documents in the possession of the government. If there is inconsistency between two acts, we will try to make sure that the two acts are brought into line. I have requested my officials to discuss this matter in detail with the officials of the Public Archives of Canada so that we could reconcile both acts to make more information accessible to the public.

* * *

FINANCE

EFFECT OF ALBERTA COURT OF APPEAL DECISION ON BILL C-57

Hon. Marcel Lambert (Edmonton West): Madam Speaker, would the Minister of Finance advise whether he is prepared to amend Part IV of Bill C-57 so that the act will conform to the unanimous judgment of the court of appeal in the province of Alberta referring to the powers of the federal government to tax gas which is owned by the province of Alberta?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): No, Madam Speaker, it is not my intention to recommend an amendment. In my view, an amendment is not necessary at this stage.

DECISION RESPECTING APPEAL BY FEDERAL GOVERNMENT

Hon. Marcel Lambert (Edmonton West): Would the minister advise whether he has been in consultation with the Minister of Justice and whether they have agreed that the judgment should be appealed and, if so, when shall the appeal be fought?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): I apologize to the hon. member, I was having a discussion with my colleague.

[*English*]

Madam Speaker: Would the hon. member for Edmonton West (Mr. Lambert) please repeat the question?

● (1500)

Mr. Lambert: Madam Speaker, I will put my question again. Can the Minister of Finance say whether he has consulted with the Minister of Justice about whether an appeal should be filed in the Supreme Court of Canada on that particular judgment and, if so, when will the appeal be filed?

Mr. Chrétien: Madam Speaker, a decision will be made soon on that, and if there is an appeal it will be announced publicly very quickly.

PETITIONS

MR. JELINEK—UNBORN CHILD'S RIGHT TO LIFE

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the forty-sixth and forty-seventh reports of the Clerk of Petitions stating that he has examined the two petitions presented by the hon. member for Halton (Mr. Jelinek) and finds that they meet the requirements of the Standing Orders as to form.

* * *

BUSINESS OF THE HOUSE

Mr. Clark: Madam Speaker, I rise on a point of order flowing from the question period and having to do with the treatment of the constitutional resolution and, indeed, the resolution of the constitutional question generally. It is really a matter concerning House business.

Yesterday the Prime Minister refused absolutely to meet under any circumstances with the Premiers prior to the passage by this House and the other place of his resolution. Today he seemed to back away from that position. What I am interested in—

Miss Bégin: Is that a point of order?

Mr. Clark: The Minister of National Health and Welfare asks if this is a point of order. It is designed to advance the business of the House. I am trying to determine from the Prime Minister and the government House leader whether in fact they were intending in the question period to put forward a proposal that might be the basis for negotiation. I thought that the Prime Minister, at least in one of his answers, was indicating an interest in some negotiation. I want to have that either confirmed or denied.

We know that on April 2 the Prime Minister said he would be prepared, as a matter of principle, to have the constitutional resolution kept in this House, not passed beyond this House, until after the Supreme Court of Canada had decided its legality. I presume that position, which he stated clearly on April 2, remains his position.

What he seemed to be indicating today was interest in a proposal which would have at least the following elements, and I just want to recite them for the Prime Minister's memory.

First, it would involve the Prime Minister meeting with the Premiers in the kind of good faith that would yield agreement on an amending formula and a patriation package. Second, there would be some reasonable limitation on time for debate in this House. Third, there would be, presumably, the adjournment of debate in this House on the resolution until such time as it was profitable to resume debate on a new resolution. Those were the proposals that I thought I heard the Prime Minister making or alluding to.

My question on this point of order is whether or not the government now has some new proposal that it wants seriously to negotiate. If it does, if it has a proposal that follows those

general outlines and retains the commitment the Prime Minister made on April 2, we naturally, in the interests of having this House get on with the business of the country, would be prepared to have any proposal the government might make considered by House leaders. I want to know whether the Prime Minister was in fact making a proposal or is in a position where he is prepared to make one that would allow the House to get on with its business.

Madam Speaker: Order, please. Inasmuch as this has to do with House business and that the persons concerned feel they can answer in the light of what the House business would be if a certain number of things happen, I think I can allow this question. These negotiations usually take place outside the House, and I would urge hon. members to continue discussions outside the House if that is at all possible. However, I will allow the question if it facilitates things. My only interest is to facilitate proceedings in the House and inasmuch as it concerns the business of this House, I will allow the answer.

Mr. Clark: Madam Speaker, just so that my interest in this is made absolutely clear, although I believe it would not be profitable to negotiate matters on the floor of the House, I am interested in knowing whether the government has something that it wants to propose—

Mr. Lalonde: Read *Hansard*.

Mr. Clark: —that can be negotiated among House leaders.

Mr. Trudeau: Madam Speaker, I, of course, agree with you that these things should be negotiated by the House leaders. I will merely give an answer which is intended, hopefully, to result in a meeting of House leaders.

There are two proposals which have been made on the floor of this House and to which we responded positively, an attitude which could be returned.

The first is the one that we made, that we would not press passage of this resolution in Great Britain until hearing from the Supreme Court. If legality was of importance and concern over legality was the driving factor, we would wait until the Supreme Court had judged our resolution to be legal before asking Westminster to pass it. That proposal is still open, Madam Speaker.

The second is a proposal made by the leader of the New Democratic Party. It was made one day when it was the subject of meetings between House leaders. It was examined in some detail and then the question was asked the next day in the House. The proposal was to the effect that we would vote on two amendments proposed by the NDP, one dealing with women and the other with aboriginal rights. For that matter, I am not objecting if they want to have a vote on property rights or on anything else. I am not enlarging the proposal; I am just saying that we on this side are seeking agreement. Whatever the proposal made by the Leader of the New Democratic Party was, there would be a vote on two amendments in this House so that the Supreme Court would be in the position of

dealing with certainty with the resolution which emanates from the House.

A very essential part of that proposal, as I understood it, was that after the Supreme Court had—hypothetically—judged the resolution favourably, there would be a very short debate here without any further substantive amendments. In other words, the Supreme Court would be dealing with it in a fair way.

My answer to that—although for me it did go against the grain—was that if there was agreement among all parties to that proposal, and if it were clearly understood that these were exceptional times, as one hon. member said, and that we were not bowing to the doctrine that we can only act when the Supreme Court says we can act, then we would agree to the proposal. That matter, I take it, as far as we are concerned, is still open if the House leaders want to discuss it.

Today, with some insistence, I was asked why I did not want to meet with the Premiers on Thursday of next week. I indicated that I thought it was just a delaying tactic. Having been shown that this was perhaps not respectful of the Premiers, I made another suggestion. I repeat it now and if the House leaders want to meet and agree on it I would be happy to seek confirmation from my own caucus.

The suggestion is that we take the resolution as it is, with the charter, with the equalization formula, with the protection it gives against discrimination among Canadians and so on—and use it as the basis for some agreement with the premiers whereby they would come up with a new amending formula. In other words, it is the amending formula, I understand, that they are proposing to discuss on Thursday of next week.

If we can agree to an amending formula—and by "we" I mean those who have not have been invited to the meeting but who have been part of the negotiations up to now, namely, at least two provinces and the federal government—then of course we will seek an amendment to put that new amending formula in the resolution that is before the House. If the New Democratic Party can convince the Tory party that it is important to increase protection for women and for aboriginals, we can add that too. Then, Madam Speaker, having achieved this package, which hypothetically would have the approval of all premiers and the Government of Canada, we would vote on it within, say, 48 hours and put it through all stages in this House.

If that could be agreed to—

Mr. Lalonde: And if not?

Mr. Trudeau: If that can be agreed to we would know how the debate would end.

It is possible, of course, that the premiers would either not agree among themselves. If, as we hope, Mr. Ryan becomes Premier of Quebec, he has said he would not attend that meeting. It is possible the proposal would come unstuck because Premier Lyon has said it is not completely stuck yet. It is also possible that there would not be agreement among all Canadian elected representatives. If that happens, then I think we should still have the vote within 48 hours but we could undertake to hold a referendum, giving the people the chance to choose between the premiers' preference—hypothetically the preference of seven premiers representing 80 per cent of the population—and the federal government's preference. Then the people would choose. In that way, Madam Speaker, we would be ending the debate two days after next Thursday. We would be ending it with complete agreement, or we would be ending it with an agreement to let the people decide between the disagreeing premiers and the Government of Canada.

• (1510)

I suggest that the House leaders meet on any of these proposals so that we can get on with the business of governing Canada.

Some hon. Members: Hear, hear!

Mr. Broadbent: Madam Speaker, we are in the process of negotiating an important question on the floor, just as we were last week when we did not reach a settlement. I listened to the Leader of the Opposition and to the Prime Minister with care. I think the Prime Minister was saying that from the government's point of view he is prepared to have a meeting with the premiers to discuss an amending formula that would be compatible with a charter of rights for Canadians from coast to coast, including, as part of the package, aboriginal rights. I see the Minister of Justice nodding to that. Also included as part of the package would be more equality for women. I see him nodding to that, too. I understand that the Conservative Party is in agreement with those two principles.

I can say on behalf of my colleagues, without finalizing the deal, that the principle involved here, namely achieving these elements of a package and having a time limit for debate of 48 hours after the meeting takes place, will allow us, if there is no agreement, finally to face the damned issue, to put it bluntly, in this House with a vote. In principle, I am sure that I can commit my caucus to that kind of process for negotiation.

I conclude by saying that if the Prime Minister is making a serious proposal, then I take it for granted that the closure motion in the name of the House leader would certainly not be acted upon today if the Prime Minister is proposing that the House leaders sit down and talk about this alternative proposal.

Mr. Baker (Nepean-Carleton): Madam Speaker, in the course of his remarks the Prime Minister indicated that he felt he should consult his caucus about this proposal. That is the position in which I find myself. I am sure that for the purpose of facilitating an agreement it would not be an unreasonable proposal, and I agree with the suggestion of the Prime Minister.

However, would it be possible in the circumstances for the government, for today in any event, to designate some other business so that we can examine in detail the proposals which have been made? If we could do that on the understanding

that the meetings we have discussed would be held, this might very well facilitate parliamentary business. I put that to the government House leader.

[*Translation*]

Mr. Pinard: Madam Speaker, if I understand correctly the suggestion made by the House leader of the Progressive Conservative party he wants us to change the orders of the day to make it possible to hold negotiations on the three propositions summed up by the right hon. the Prime Minister. Another line of thought would be that perhaps as evidence of its good faith after seven weeks the Progressive Conservative Party might agree that we set the closure motion aside and dispose of the amendment of the hon. member for Provencher (Mr. Epp), thus enabling us to continue the constitutional debate in which many members are still anxious to participate. That is another way of looking at the problem, or what might ultimately be agreed to would be to suspend the sitting of the House for one hour, if need be so, we may hold a caucus meeting, something which can be done right now, before returning here with a definitive answer.

[*English*]

Mr. Baker (Nepean-Carleton): Madam Speaker, I like the latter suggestion, if we are negotiating in good faith in this matter. I have no objection to our adjourning the House for a period of time to allow two things to happen. First, I would like to have a chance to examine in detail the discussions which took place here. In the interim, it would be very helpful if the Prime Minister could provide the detail I would like to examine. Then it would be possible as well for the consultations to continue. If he were advancing that second alternative as a serious one, I think it is a productive suggestion and I would be prepared to agree with it.

Mr. Broadbent: Madam Speaker, as I understand the proposal so far, it may not be so productive. We do not have a precise idea to take to each of the caucuses. To give it effectiveness and to add to the suggestion that was made, I think suspending the sitting of the House for a couple of hours might be very useful. However, during that time the first hour the Prime Minister and the government House leader, the Leader of the Opposition and the House leader of the Conservative Party, myself and our House leader, should meet together to work on a concrete proposal to take back to our respective caucuses for discussion.

[*Translation*]

Mr. Pinard: Under the circumstances, Madam Speaker, what I am suggesting is that the House adjourn for one hour, at which time we will be able to set forth a clear cut position without changing the order of the day as it had been planned.

Madam Speaker: Therefore, is it the pleasure of the House that we suspend the sitting and that we reconvene at the call of the bells?

Some hon. Members: Agreed.

Madam Speaker: The House is agreed, therefore the sitting is suspended.

The House took recess at 3.17 p.m.

[*English*]

SITTING RESUMED

The House resumed at 5.18 p.m.

Mr. Pinard: Madam Speaker, because we are making what I would qualify as reasonable progress at our meeting, and since the House leaders will meet again tonight to try and reach final agreement, I think you will find there is agreement that we suspend business that was to be considered today and carry on with Bill C-42 orders of the day. It is a very important bill to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, as reported (with amendments) from the Standing Committee on Miscellaneous Estimates.

I understand the Postmaster General is ready to proceed with report stage of that bill and continue for the rest of the day. We will be having another House leaders' meeting this evening. Pending the results of that meeting, the House will deal with Bill C-42.

Mr. Baker (Nepean-Carleton): Madam Speaker, the proposal with respect to orders of the day is quite in order. I want publicly to express my thanks to the hon. member for Vancouver South, who has indicated a readiness to proceed with the post office bill on very short notice indeed. We are all grateful to him that we can continue with that bill and at the same time have our House leaders' meeting.

In the same spirit, I ask that the matters that were brought to Your Honour's attention today by the hon. member for Yukon, be deferred for the moment.

Mr. Knowles: Madam Speaker, I am happy to underline the words of the other two House leaders to the effect that we are making what I believe we can call reasonable progress in our discussions of the way to deal with the constitutional resolution. As has been said, we shall be meeting again tonight.

• (1720)

Part of the agreement that we arrived at just a short while ago was that we would suspend the debate on the Constitution for today and deal with the report stage of Bill C-42. The hon. member from Kootenay East-Revelstoke (Mr. Parker) will be ready when his turn comes.

Madam Speaker: I take note, then, that the House does now unanimously agree that we should proceed with the report stage of Bill C-42.

Mr. Knowles: After routine proceedings.

Petitions

POINT OF ORDER

MR. CROSBIE—REFERENCE BY MR. TRUDEAU TO NEWFOUNDLAND SUPREME COURT JUSTICES

Hon. John C. Crosbie (St. John's West): I rise on a point of order, Madam Speaker, which is based on more than ample precedent. As an officer of the courts of Newfoundland and as a barrister and solicitor of the Law Society of Newfoundland, my point of order has to do with the question period today in which the Prime Minister (Mr. Trudeau) said that the provinces had subverted the courts for their own political ends, implying that the Supreme Court of Newfoundland has been subverted by the province.

I also refer to a statement made by the Prime Minister yesterday in which he referred to the Chief Justice and two of the judges of the appeal division of the Supreme Court of Newfoundland, as appears at page 8988 of *Hansard,* and said that "three non-elected officials have told us that such a thing could not be done."

The Prime Minister is not in the House, Madam Speaker, so I am giving notice of my point of order now, which is not frivolous, not light and which is most serious. It is not only a serious accusation against the courts in Newfoundland but a contemptuous style of reference to the Chief Justice of Newfoundland and two of his brother judges.

Mr. Lalonde: Nonsense!

Mr. Crosbie: Madam Speaker, the Prime Minister is not here to clarify his words, so I am quite willing—

An hon. Member: It is a waste of time.

Mr. Crosbie: The hon. member may think it is a waste of time, but I do not. The judges of the Supreme Court of Newfoundland have been denigrated and insulted—

Some hon. Members: Oh!

Madam Speaker: The hon. member is giving notice that he wants to raise a point of order. I understand he does not want to argue it now. I take his notice and we will hear his point of order in due course.

* * *

PETITION

MISS MACDONALD—REVISION OF NATIONAL ENERGY PROGRAM

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I would like to present a petition to the House. When I was in Calgary not long ago I had the honour to be presented with a petition signed by some 2,500 women from western Canada, and I would like to take this opportunity to present it to the House.

The petitioners are concerned with the adverse effects that the National Energy Program is having on the Canadian economy, and particularly on the petroleum industry. The petitioners feel that the National Energy Program and the measures flowing from the budget are not in the national interest, and they therefore ask this House to press for revision of the National Energy Program so that employment opportunities and social needs will not suffer in the future.

ROUTINE PROCEEDINGS

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 23, 1,545, 1,571 and 1,829.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

[*Text*]

FEATHERBED FILE

Question No. 23—**Mr. Cossitt:**

With reference to the answer given to a question by the hon. member for Leeds-Grenville on Friday, November 23, 1979, at page 1638 of *Hansard*, which stated in part that another purpose of the Featherbed File was to investigate "high-ranking government officials of the day who, in their younger days, may have had connections with the Communist Party of Canada or other groups such as that" (a) how many such high ranking officials are included under the word "many" used in the answer (b) how did such persons reach high-ranking positions in the government if they had been working or had connections with foreign powers opposed to the Canadian government?

Hon. Bob Kaplan (Solicitor General): The number of "high-ranking government officials" and how they reached their positions in government is kept confidential for reasons of national security, pursuant to the government's policy on access to information. It is not in the public interest to provide additional information on the Featherbed File.

RCMP HEADQUARTERS—CIVILIAN STAFF

Question No. 1,545—**Mr. Cossitt:**

1. Is the civilian staff at RCMP headquarters who are involved in all security clearances for the government comprised of 66 persons and, if not, what is the number?

2. Is the section to be computerized and, if so, were all employees told originally that none on their jobs would be affected and were they subsequently told to get lateral transfers because the positions would be deemed surplus that are not vacant by December, 1980, and that those involved would be laid off?

3. Were any of the employees laid off and replaced by casual employees and (a) if so, for what reason (b) if not, is such a thing planned?

4. Has it been estimated that the computer will be only 60 per cent efficient and has it been estimated that the present staff without the computer was 90 per cent efficient?

5. Will the government take immediate steps to provide for the guaranteed job security of persons involved in this situation and (a) if so, in what way (b) if not, for what reason?

Hon. Bob Kaplan (Solicitor General): 1. It is not the policy of the RCMP to publicly identify how many personnel work in any area of the security service.

2. The records section of the security service is being computerized. Employees were initially told that there would be no lay-offs; normal attrition (promotions, resignations and lateral transfers) would be allowed to take care of the 35 positions declared surplus. In late May of 1980 this position was changed to a target date of December 31, 1980. As employees were hesitant to apply for lateral transfers, it was pointed out that in order to meet the required reduction some would have to apply or if they did not some may find themselves subject to being declared surplus. This was a general direction given to those in the 35 positions and not addressed to any specific position or positions.

3. There have been no lay-offs, however, there has been hiring of casual employees to complete the job requirements vacated by permanent staff.

4. No such estimates exist.

5. The government has taken steps to provide for job security of persons involved in this situation.

(a) By allowing a reasonable time period in order that those in the 35 positions can accept other government positions and ensuring that other opportunities in the public service are brought to the attention of those concerned.

(b) Not applicable.

PROPOSED PRISON AT RENOUS, N.B.

Question No. 1,571—**Mr. Howie:**

1. What plans, if any, are there for the development of a minimum security prison at Renous, New Brunswick, and in what time-frame?

2. Has the project received Treasury Board approval and, if so, on what date is it intended to call for tenders?

Hon. Bob Kaplan (Solicitor General): In so far as The Correctional Service of Canada is concerned: 1. The Correctional Service of Canada's long range accommodation program for 1980-1990 does not call for the construction of a minimum security institution in Renous, New Brunswick. However, a protective custody unit/special handling unit maximum security institution is being proposed but has not yet received Treasury Board approval.

2. Not applicable.

SELECTION OF LAWYERS BY GOVERNMENT

Question No. 1,829—**Mr. Cossitt:**

What are the names of all lawyers presently doing business for the government or on the government list of those to be used for government business, when required, in the constituency of Leeds-Grenville and (a) how are they selected (b) what are the names of all persons recommending them to the government?

Adjournment Motion

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): (a) and (b): When considering counsel for appointment as agents of the Attorney General of Canada, the type of case, a counsel's specialization in that area of the law and experience in dealing with the class of subject are taken into account. The Minister of Justice, under statute, has always been charged with the responsibility of appointing competent legal agents to handle on behalf of the government civil and criminal cases that are not handled directly by legal staff of the department. All governments in the past have observed the unchallenged principle that the choice of agents to act on behalf of the minister rests with him, and that the criterion for appointment is one of competence. While advice on appointment of agents is taken from numerous sources including, at times, local Bar societies, there is no single set procedure for receiving recommendations and the final choice is simply a matter of judgment. The object of receiving recommendations from various sources is to ensure that the best available counsel are known to the department should their services be required. The recommendation of counsel does not signify approval or authority "to act on behalf of the government" at that point of time, as a lawyer only becomes an agent of the Attorney General after a case has arisen and instructions have been issued by the Department of Justice or the client department. Regardless from what quarter a recommendation is received, the test of competence is the basis for appointment.

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Shall the remaining questions stand?

Some hon. Members: Agreed.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: Order, please. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Hamilton West (Mr. Hudecki)—The Constitution—Effect of charter of rights on abortion provisions in Criminal Code; the hon. member for Algoma (Mr. Foster)—Health care—Extra billing by doctors—Co-operation of Ontario in banning practice; the hon. member for Saskatoon East (Mr. Ogle)—External affairs—Discussions with United States Secretary of State.

GOVERNMENT ORDERS

[*English*]

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

The House proceeded to the consideration of Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, as reported (with amendments) from the Standing Committee on Miscellaneous Estimates.

Mr. Don Blenkarn (Mississauga South) moved:

Motion No. 1

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in clause 2, by adding immediately after line 12 at page 1, the following:

" 'letter' means any item of mailable matter that weighs no more than 500 grams and has an address, code or other identification sufficient to enable delivery of the item to a specific addressee or destination but does not include

(*a*) any item consisting solely of a newspaper, magazine, book or catalogue or of goods;

(*b*) any item having no further address than 'householder', 'boxholder', 'occupant', 'resident' or other similar expression;

(*c*) any item consisting solely of advertising matter, or a greeting card, or an invoice for goods or services; and

(*d*) any item that is specified by the regulations;"—

He said: Mr. Speaker, on short notice we will try to explain to the House the purpose of this amendment. Unfortunately, with the notice being so short I do not have all my material in front of me.

A problem in this bill arises with respect to the definition of "letter". Earlier in the discussion of this bill in committee, the minister produced a definition of the word "letter" and it was our understanding that this definition would form part of the act. The minister proceeded to talk about the definition and he then withdrew his definition, relying on Sections 14 and 15 of the act, if my memory serves me correctly, to try to define "letter" as almost an exclusionary provision.

What I have attempted to do is to place an amendment before the House with respect to the definitions section of the bill to define a letter to include mailable matter which weighs no more than 500 grams and which has an address or identification sufficient for it to be delivered by a postman on his walk. That definition specifically excludes certain items. I am following to a larger extent what the minister tentatively proposed before the committee but which he never did complete, namely that the definition of "letter" would exclude newspapers, magazines, books or a catalogue of goods.

With respect to a catalogue of goods, for example, this would mean that the Post Office would not have a monopoly on delivering the Simpsons-Sears or Canadian Tire catalogue, or something of that nature. I do not think it was ever really intended that the Post Office should have that monopoly. I think the minister would agree with me that that kind of item should not be regarded as a letter and that the whole purpose of the particular exclusion is to ensure that newspapers, magazines and catalogues are not within the definition of "letter" and therefore are not part of the Post Office monopoly.

The definition goes on further to exclude items which are simply addressed "Householder", "Boxholder", "Occupant", or something of that nature. These are items often delivered by delivery services. They have no specific address or addressee. While they may be in an envelope or in a package, in common parlance they are really not letters. In order to make sure where we are headed in this country, it is essential that the monopoly not be interpreted to include these kinds of items. The consequence is that anything which has no address other than "householder" on the outside of the envelope is really not a letter at all. I see a member opposite is shaking his head. The question is: What is the monopoly for the Post Office? The purpose of this amendment is to provide that items addressed to "Householder" or "Boxholder," are not included in the monopoly.

• (1730)

The next matter—and this was very much in the minister's mind when it was brought forward in the committee—is that the legislation should exclude from the definition anything like a greetings card or an invoice for goods and services. Can my daughter take a greetings card around to her friend? Can she deliver a birthday card or something like that? Is she to be prosecuted for delivering a letter, or is she entitled to do that? I suggest there should be no question that a greetings card which someone might want to deliver is not within the absolute monopoly of the Post Office. We should not have to put stamps on such items. Surely we can walk around and deliver such items.

I want to bring the matter of the word "invoice" to the attention of the House. I do so because a great number of public utilities in this country are involved. Meter readers for The Consumers' Gas Company in Peel region presently deliver gas bills. The hydro electric power commission in the city of Mississauga wants to be able to have its meter readers deliver hydro bills when they go around checking the quantum of usage for the previous month or period. It strikes me that it is ridiculous to say that a public utility or, indeed, a private utility should not be able to deliver its invoices for its services or for power, gas or water consumed on a door-to-door basis to the consumer. Indeed, there is no reason why, if I sell goods or perform services, I should not be able to go around and deliver bills myself or have one of my employees do so. Surely to goodness it is not the intention of the minister to broaden the monopoly of the Post Office to include every single envelope or letter these interests wish to deliver to their own consumers. Surely the minister does not suggest that the Post Office monopoly should prevent public utilities—which are there to serve the public in the same way as the Post Office—from reducing their overhead costs by delivering their own invoices, particularly in times of postal disputes or disruptions. It is in the interest of all of us that we look throughout our economy at ways by which government and business organizations can cut down overhead and keep prices low. After all, one of the major concerns of Canadians is inflation. If we insist that

everything must be done by an organization like the Post Office, then we prevent innovation on the part of utility companies and companies generally which have invoices to deliver.

I think it is essential, in terms of where we are going with respect to the Post Office Act, that we restrict the definition and make it as clear as possible, although it should not be too restrictive because I think it is essential that the Post Office have a monopoly. However, the definition of "letter" should be as clear as possible so that the Post Office has ample control. On the other hand, we should make sure that the Post Office monopoly is not so broad as to prevent a public utility from delivering an invoice or one of our daughters from delivering a birthday card or a greeting by hand. In my community the Lorne Park Estates Association always delivers notices of meetings by having some of the kids in the neighbourhood go around and stuff them in doors. Surely it is not the intention of this bill to bring that kind of delivery into the exclusivity the act would create. Surely that type of thing must be permitted in our society. It seems totally unreasonable that the act would not provide that protection.

Consideration of this particular amendment and the definition of "letter" took place in final form on the last day of the committee hearing. That was before Christmas. It was the evening of the long 23-hour debate on inflation that we had here in this House. The committee met all day and all evening. It met right through, as the minister will remember, until after eleven o'clock that night. We co-operated with the minister in every way. It just so happened that in the rush to get the bill through the committee we never really did get down to a debate on the necessity of protecting the right of people to participate in the activities to which I have referred. People presently do deliver communications which we really did not intend to be letters in the first place.

I say that it is essential that this bill contain the type of definition I propose because we sincerely want to ensure that the postal corporation knows what its limits are in terms of its monopoly and is able to say clearly that a certain type of communication is its exclusive responsibility. We want it to be clear what people can and cannot do so that we can be prepared to prosecute if necessary. On the other hand, we want to make sure that people continue to do those things which have normally been done.

At the present time certain public utility companies deliver their own bills. Surely it is not our intention to say to a public utility company such as the Mississauga hydro or the Port Colborne hydro that it cannot continue to deliver its own bills. Surely it is not our intention to say to ratepayers' associations that they cannot deliver "householders" to "ratepayers" in their district. If it is not our intention, we should spell that out in the bill. Surely we do not intend to tell people who want to deliver catalogues advertising their goods, wares and merchandise door-to-door—or specific consignees—that they cannot hire people to deliver those catalogues. It was never necessarily intended that those catalogues be delivered by the Post Office. In most cases they are not delivered by the Post Office. In all probability the Post Office is not organized to deliver such catalogues, so why not exempt them specifically? Why leave doubt in anyone's mind that perhaps catalogues are letters and subject to the postal monopoly? I say to this House that motion No. 1 should be accepted by the House.

The Acting Speaker (Mr. Blaker): I want to be clear whether the Postmaster General (Mr. Ouellet) seeks the floor on the proposed amendment or whether other hon. members seek the floor to speak on the amendment proposed by the hon. member for Mississauga South (Mr. Blenkarn). If they do, I will recognize them. If they do not, my understanding of the procedure is that the vote on the amendment will be deferred until votes can be taken on all amendments. Does the hon. member for York North (Mr. Gamble) seek the floor to speak on the same amendment?

Mr. Gamble: Yes, Mr. Speaker.

The Acting Speaker (Mr. Blaker): The hon. member for York North.

Mr. John Gamble (York North): Mr. Speaker, I appreciate this opportunity to deal with this significant amendment. One may well ask of what significance is the definition of "letter" in this bill as opposed to the provisions of the bill which require the definition to be incorporated in a regulation passed by the corporation with the approval of the governor in council.

• (1740)

I had an opportunity as a member of the Standing Committee on Miscellaneous Estimates to study this bill clause by clause, and one of the matters that chiefly concerned me was the way in which regulations which are to have the force and effect of law are to be passed by the corporation itself extending its monopoly, in the fashion that this bill provides, to letters. Accordingly, it is very significant that we should determine what the monopoly parameters are and define them clearly for the benefit of those who use the services of the Canada Post Office and presumably will continue to use the services of the new corporation to be established as a consequence of the passage of this legislation.

One of the difficulties here is that under paragraph 17(1)(a) the corporation may, with the approval of the governor in council, make regulations:

prescribing, for the purposes of this act and the regulations, what is a letter—

If one examines the provisions of Subclause (7) of that clause one finds that:

every regulation made pursuant to Subsection (1)—

From which I have just quoted in part.

—is deemed to have been approved by the governor in council sixty days after the day it is received by the Clerk of the Privy Council for submission to the governor in council for consideration, unless the governor in council has previously approved or refused to approve the regulation.

What that means in essence is that inaction by cabinet will result in the passage of a law by a Crown corporation dealing with this very essential issue of what are the limits of the

monopoly enjoyed or to be enjoyed by this Crown corporation to be estalished.

The hon. member for Mississauga South (Mr. Blenkarn) had an opportunity to deal with the exceptions to that monopoly as they apply to letters that must, in fact, under this bill become the exclusive property for delivery of the new corporation. Those exceptions relate in a very limited fashion to letters of an urgent nature that are delivered by messenger for a fee at least equal to the amount that is three times the regular rate of postage; letters concerning goods for delivery carried by a common carrier; letters concerning the affairs of an organization that are transmitted between offices of that organization or by an employee thereof; and letters in the course of transmission by any electronic or optical means. Those exceptions, which I suspect apply to the majority of those areas about which the public may be concerned, are not broad enough, in my submission, and specific representations have been made to me by constituents concerned about the application of the exclusive monopoly to be granted to this corporation, which itself will define what a letter is and, accordingly, the limits of that monopoly.

I have in front of me a letter dated March 25, 1981, which I received on April 1, 1981 from Smith and Associates Insurance Agencies Limited, insurance brokers, expressing their concern about the impact on the insurance industry, particularly during the time of a postal interruption, when they and insurance agents like themselves will not be in a position to cause others or their own agents to deliver the necessary insurance policies without demanding excessive fees.

If we were to take a look at the provisions of the insurance act in the province of Ontario, we would find that a life insurance policy does not become effective until it is physically in the hands of the insured. Companies relied upon the Post Office until it became apparent that that reliance was somewhat misplaced, and accordingly they have taken it upon themselves to see that their representatives deliver these policies, which include covering letters. I submit that even on the narrowest of interpretations which we may anticipate finding in the regulations, this would be an illegal act of which this House should be aware because of the impact it will have on this industry.

I should like to take some time of the House to read a couple of paragraphs which appear in that correspondence. Mr. Smith writes:

> I am concerned that these exceptions do not go far enough—

He is referring to the exceptions to the necessity for the Post Office to deliver the mail. He continues:

> —and that the wordings do not include insurance documents. It is inevitable that there will be another strike, and what would our clients do if they were unable to take delivery of their policy and furthermore, they are unlikely to pay for it. As a broker, we would not be able to live up to our obligation to our insurers and the whole fabric of the insurance business would be in jeopardy as maintenance of an effective communication system is urgent.
>
> In the U.S., legislation exempts delivery of stocks, bonds, insurance documents, etc., as does legislation in the United Kingdom.

He then urges me, when I speak in the House, to draw the attention of members to these significant matters.

I cast my mind back to the representations which were made to the Standing Committee on Miscellaneous Estimates with respect to this specific issue. We had presented to us, particularly by people in the messenger and courier business, specific words which were extracted from the U.S. regulations dealing with time-sensitive materials. We were given not only specific illustrations of the words but examples in a concrete form of some time-sensitive, life-giving materials which were delivered by courier and with respect to which there might have been a covering letter concerning the method to be applied by a medical institution in the use of that medical device.

I know the argument that will be made by the Postmaster General (Mr. Ouellet) is that, under those circumstances, we are confronted with a cost at least three times the regular rate of postage applicable to those materials, but that argument does not cover the situation where, as in the case confronting us here, the cost might indeed not exceed three times the regular cost, or where an organization takes it upon itself to deliver the letters and enclosure in the letters of insurance policies.

I have also received a letter from the Markham Hydro Commission drawing to my attention the fact that that commission is, or has been until now, in the regular habit of having its bills delivered by those who read hydro meters. That practice, in the event that this legislation is passed in unamended form, will have to come to an end. They were concerned, of course, as are most people carrying on an active business practice, about the effect upon their operation of a mail stoppage, a strike, as referred to by Mr. Smith. Very clearly, the business community in Canada cannot come to a grinding halt because the Post Office corporation, as intended by this legislation, is unable to come to some agreement with its employees. I cannot for the life of me see how the passage of this legislation will end all labour-management disputes which have existed in the past and plagued the Post Office. It is unrealistic to expect that all those troubles will suddenly come to an end.

● (1750)

As a result of other provisions of the bill which place employees under the protection of the Canada Labour Code, the basis for potential disagreement between management and labour in fact will be extended. Under the circumstances, how can we realistically expect to find no disputes between the parties which will give rise to a strike and the non-delivery of mail?

It is incumbent upon the House to have regard for those circumstances. It is absolutely essential for taxpayers generally and for individuals who correspond with other segments of the business community or their customers to have at their disposal a way to carry on their business activities without being hamstrung by the present bill.

The hon. member for Mississauga South reflected the conduct of the affairs of the committee when he indicated that the

minister had presented to the committee his definition of what a letter was. The intention was that the definition would be incorporated into the provisions of the bill and not made the subject matter of the regulations. I consider that to be absolutely essential, not only from the point of view of making hon. members of the House aware of the extent of the monopoly they are granting, but at the same time thwarting an effort, as a consequence of the passage of this bill, to transpose to a Crown corporation the authority, unobstructed not only by the House but by the governor in council, to interfere and determine what the law shall be.

It is absolutely fundamental, not only with respect to the definition of the word "letter" but with respect to the way in which all regulations under the bill are drafted, that the House and at least the governor in council pass the regulations. This is not the case which presently confronts us.

Accordingly, I urge members of the House to have some regard for what most assuredly has been a well-recognized practice in the passage of laws. If Parliament does not pass the law, at least the governor in council must pass it. This is not the case, having regard to the provisions in Clause 17(7).

Certainly in my experience I have not encountered a move of this nature by a government since the demise of the East India Company. I have not seen such an illustration since the Hudson's Bay Company, a commercial organization, ruled Rupert's Land.

It is incredible that in this simple piece of intended legislation we have a complete abdication of the responsibilities not only of elected members to pass the laws of Canada but of the governor in council. It is reprehensible enough that this should happen when the governor in council, without reference to Parliament, passes a law. We have seen ample illustration of the growing tendency to avoid reference to Parliament and an inclination to rely upon the governor in council to pass regulations. We have simply gone a step beyond. I submit this is dangerous to the system of representative democracy.

I recognize that the government has taken almost a whole page in the draft bill, that is page 11, to explain the potential need to publish, for the benefit of the public, the intended regulations. I understand that they are there for the purpose, hopefully, of permitting the public to express views with respect to the very items to be covered by the new laws which will be passed by the Crown corporation. But that whole purpose is defeated by the provisions of clause 17(7) which provide that if the governor in council does not take action within 60 days, what will very clearly happen is that the people of Canada will bask in the glory of new laws passed by a Crown corporation.

In my view, under the circumstances we have a most legitimate request with respect to an amendment to clarify the extent of the monopoly, which is the chief purpose of this whole piece of legislation. All other provisions, while interesting from the standpoint of watching the establishment of a Crown corporation, its board of directors and so on, are superfluous to the real purpose, which is to grant a monopoly for the transmission of letters in Canada. That monopoly is not to be handed over to a government department, which is subject to scrutiny by the House, but to a Crown corporation and, accordingly, a minister who will answer questions in the House. The Crown corporation alone can determine what a letter is and will be in a position to determine the nature of the competition it may enjoy.

In case I should be met with the argument that there is provision within the bill to cover the work stoppage situation of which Mr. Smith and I have complained, a situation about which the Markham Hydro Commission and most of the business community in Canada are concerned, I would like to refer to clause 36(1) which was referred to briefly in committee. It reads as follows:

> The Corporation may, with the approval of the Minister, make such arrangements for transmitting mail in emergencies as in its opinion are necessary in the interests of the public.

Clause 36(2) goes on to provide:

> Every common carrier in Canada when required by the Corporation shall carry mail and duly accredited employees of the Corporation on such terms and conditions as the regulations prescribe.

From an examination of that particular clause, it is very clear it does not cover the concern of the public and the business community in Canada with respect to what happens to their business activities in the event of mail stoppage.

The clause provides that the corporation "may", not "must", in its determination decide whether the steps are necessary and in the interest of the public.

I urged the minister to split the provisions in Subclauses (1) and (2) so that it would be very clear that the operative part of the clause was not designed to permit the corporation to insist upon an intervention in the affairs of common carriers to seize up the assets of common carriers and use them at their pleasure. I submit the arguments I advanced have not been met by the provisions of this clause.

May I call it six o'clock?

• (1800)

The Acting Speaker (Mr. Blaker): No, I do not want to recognize the hon. member calling it six o'clock because his time for intervention has ceased. I have been trying to indicate that to him by giving various little signals. I do want to recognize the hon. member for Brampton-Georgetown (Mr. McDermid), who may be attempting to make sure that he has the floor at eight o'clock. That is a courtesy which I can extend to him, if he asks to be recognized.

Mr. John McDermid (Brompton-Georgetown): Mr. Speaker, I will now call it six o'clock.

The Acting Speaker (Mr. Blaker): The hon. member for Brampton-Georgetown will be recognized at eight o'clock provided, of course, that he is in the House at that time.

Mr. Parker: Mr. Speaker, I rise on a point of order, if I may. Two Conservative members have already spoken.

The Acting Speaker (Mr. Blaker): The remark made by the hon. member is quite correct. I had not seen the hon. member

previously rise, and for that reason I was recognizing hon. gentlemen in that order. Perhaps during the dinner hour the two hon. gentlemen can sort things out to their own satisfaction. If not, the Chair will clear the matter up.

It being six o'clock, I do now leave the chair until eight o'clock this evening.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

Mr. Deputy Speaker: When the debate was interrupted at six o'clock the hon. member for Brampton-Georgetown (Mr. McDermid) had the floor.

Mr. McDermid: Mr. Speaker, being an old broadcaster, I should like to bring our television audience and the audience in the galleries today up-to-date on what we are debating, namely; the following motion:

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related Acts and to make related amendments to other Acts,—

We are discussing motion No. 1 which is the amendment to Bill C-42 introduced by my colleague for Mississauga South (Mr. Blenkarn).

My concern about Bill C-42 and the motion my colleague has introduced stems from the monopoly the post office seems to want to obtain through Bill C-42. This bill, as probably one of the solutions to the problems we have experienced in the post office, has been held up for a very long time by the post office, its unions, the Postmaster General (Mr. Ouellet) and the government of the day. It has been said that once a Crown corporation has been established a lot of the labour problems, a lot of the mail delivery problems will disappear. The minister assured me when we met a week or so ago, that mail delivery will be available to new areas.

The hopes of the Canadian people are very high for this bill. They hope that once it is passed and a Crown corporation is established to run the post office, things will improve. I, for one, hope those desires come true. I must say that in the last year or so the complaints I have received from my constituents in Brampton-Georgetown regarding the post office have been very significant, and they have increased. The minister gave me an appointment and we discussed this problem. He is hopeful, I am hopeful and we are all hopeful in this House that once the post office becomes a Crown corporation, many of these difficulties will disappear.

If the problems persist, then I think it is fair to say to the Canadian people that they should have an option, and that the post office should not have a monopoly. People should have the freedom of choice about how they want their catalogues and their bills delivered. In my area, Consumers' Gas and the hydroelectric service hand deliver their bills as was touched upon by my colleague, the hon. member for Mississauga South, in the region of Peel the people want to be assured that this can be done if the post office fails them.

I promised to be brief tonight, Mr. Speaker. Since my friend from the New Democratic Party was a little aggravated that he was not recognized before me, and because there were some Tory speakers ahead of him, I promised to be brief. I will be, but there are two points I want to make.

First, I am concerned about small groups such as air cadets, boy scouts and girl guides who, for a small fee, in order to raise funds, will drop off a notice of a meeting of a community or political association in a community. I am concerned that they might get into a lot of trouble with the post office if we do not adopt motion No. 1, which is an amendment to define a "letter". This would allow groups such as these, and public utilities, to deliver their own material. I know in my area the youth groups participate in this service for community organizations which are then assured that delivery is made on time. I would hate to see young people deprived of that privilege.

I would ask the minister tonight to give an explanation to the House why, in good sense, he would not accept this amendment introduced by the hon. member for Mississauga South. I think it makes great sense. Surely the remarks of the hon. member for Yorth North (Mr. Gamble), the hon. member for Mississauga South and myself have convinced the minister that this amendment should be incorporated in the bill. It does not take anything away from the bill and it would assure those groups of a privilege they have enjoyed in Canada.

Mr. Deputy Speaker: The hon. member for Calgary North (Mr. Wright).

Mr. Parker: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The hon. member for Kootenay East-Revelstoke (Mr. Parker) on a point of order.

Mr. Parker: Mr. Speaker, it was identified that I would be the next speaker. I did step aside for the hon. member for Brampton-Georgetown (Mr. McDermid).

Mr. Deputy Speaker: If the hon. member for Calgary North agrees, I will recognize the hon. member for Kootenay East-Revelstoke.

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, it is indeed a pleasure for me to speak on behalf of the New Democratic Party on this amendment introduced by the hon. member for Mississauga South (Mr. Blenkarn). The committee sat long and tedious hours. Sometimes there were three committee meetings in a day to discuss the matters put forward in this bill. As a member of that committee, I resent the fact that we have to go through all this again tonight in order to discuss this amendment.

I should like to comment on the definition of postal mail. The fact of the matter is that we were lobbied by large groups, some of which sat through every committee meeting. For example, courier service delegations sat through those commit-

tee meetings hour after hour. We had Bell Telephone, CP Telecommunications; some 20 groups bringing in a joint resolution requesting that certain things be done. The right wing element of the Conservative Party fought for the courier services and the telecommunications groups, trying to make it wide open so they could get in and take the cream off the top; the profitable parts of the post office.

Mr. McDermid: Nonsense.

● (2010)

Mr. Parker: The hon. member for Vancouver South (Mr. Fraser), the former postmaster general, had to fight off his own party members on some of the things he knew must be included in this bill. He knew we must bring this bill forward.

The Tories do not want the Post Office to have a monopoly on the mail. The Tories agree with the president Mr. R. M. MacIntosh of The Canadian Bankers' Association who came to the committee meetings. In the committee hearing on December 4, the president said:

We still need the post office for the really remote locations, but the rest we can service ourselves.

Is it not wonderful to cream off the top and say the Post Office and the taxpayers can serve other areas? They want the people of Canada to pay the cost of servicing their own locations which are unprofitable, while big businesses from the United States, our huge banks and telecommunications carriers skim off the rest of the market for themselves.

An hon. Member: That's free enterprise.

Mr. Parker: We reject this idea 100 per cent. We favour the legislation as it presently stands. If somebody wants to use a courier, then we will insist they pay a price greater than that charged by the Post Office. This will ensure that the truly urgent mail is sent by courier, if need be, but that these large U.S. firms do not steal money from taxpayers' pockets by skimming the market in our big cities, leaving the Post Office with the dregs.

I should point out that this amendment is not supported by all the Tories. The critic for that party, the member from Vancouver South, understands that we cannot kill the Post Office. Unfortunately, he has no control over the extreme right wing of his party. Men such as the hon. member for York North (Mr. Gamble) and the hon. member for Mississauga South fought constantly with the official critic in committee. In fact, they spent more time fighting between themselves than they did speaking on the bill. Now the hon. member for Vancouver South has lost control of this right wing element and the right wingers are having a field day in the House.

We completely and totally disagree with this amendment. We urge quick and speedy defeat of it. If the Post Office is to continue to exist in Canada, it must be given the resources to do the job. Clearly, the members proposing this amendment would prefer to see a Post Office controlled by the U.S. dominated courier industry operating in Toronto and Montreal while the rest of the country goes without postal service altogether. We reject that kind of amendment. Therefore, we will not be supporting it.

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Mr. Speaker, in following the member for CUPW, I would like to speak briefly about the amendment proposed by the hon. member for Mississauga South (Mr. Blenkarn).

When the minister was before the Standing Joint Committee on Regulations and Other Statutory Instruments, he indicated to the committee he would be proposing this exact amendment now proposed by my colleague. As you will remember, concern was expressed by many members of various industries about the fact that the bill, as it is presently worded, gave the government great discretionary power to move into areas, to extend its monopoly in those areas without the agreement of Parliament.

The concern which members of the industry had was not that expressed by the hon. member who spoke a few moments ago. Rather, their concern was that the government would have the ability to move in, overnight in the dark, by regulation, acting alone, to extend its monopoly to take over elements of the telecommunication industry, which previously had been operating independently.

This is why representatives of various industries came before the standing joint committee to make recommendations that changes must be made to ensure that the monopolistic power of the Post Office could not be extended simply by regulation. The Standing Joint Committee on Regulations and Other Statutory Instruments expressed concern even about the proposal made by the minister with regard to defining what is a letter. We felt the government's proposal should go further. We felt it was essential the industry and Canadians know that the government would not take that power to extend the Post Office monopoly, simply acting by regulation.

When hon. members recognize that other portions of the bill gave the government the power to move into areas where the Post Office currently is not at all involved, for example, in the electronic or optical transmission of mail, it was very clear then that what we would have with a postal Crown corporation, under the bill as initially worded, was a situation in which the monopoly would be extended further and further, beyond the delivery of the traditional forms of mail, into the newly developing technology on which Canadians will increasingly be relying to deliver messages from one place to another in this country.

What my colleague from Mississauga was trying to do in proposing this amendment was fill a gap left by the minister. When the minister left our committee, he left it with the impression that he would be moving this amendment himself. Yet when he got to the other committee, I believe it is the Standing Committee on Miscellaneous Estimates, to which the bill had been referred, he dropped his intention to propose this amendment. He felt that it would be better for the bill to be mute in this area.

The concern of our committee was that the industry and Canadians would both be better served if there was greater

certainty as to what exactly were the intentions of the Post Office. This is why we felt that first it was essential the legislation be much more specific in terms of what the powers of the government would be; and, second, that it curb the ability of the government to act simply by regulation to extend the Post Office monopoly. What members on this side of the House are asking tonight is that the government give assurance to Canadians that it will put its cards on the table, that it will make it clear what the plans are it has for the Post Office and that the government will insure that if there are to be major changes in the way in which the Post Office is to function in the future, the government will come back to Parliament to ask for authorization for those changes. The government should make it very explicit to Parliament at such time that this is what the government intends to do, rather than simply asking for carte blanche to change the operations of the Post Office in future as it sees fit.

As hon. members can imagine, the ability in the bill as it was originally worded, for the post office simply to sweep in under its monopoly the whole of the telecommunications industry in Canada was a matter of great concern, not just within the industry, but to any Canadian who believes the whole function of Parliament is to defend the rights of Canadians, and the responsibility of Parliamentarians is to know what they are voting for at the time they pass enabling legislation. It is simply not good enough for Parliament to pass broad enabling powers for the government, allowing it to do things, by regulation, which have never been discussed in Parliament at the time the legislation was first considered. This is why our committee felt the government should have gone further than in fact it did.

I would like to refer hon. members of the House tonight to the sixth report of the Standing Joint Committee on Regulations and Statutory Instruments. Unfortunately, there has been very little discussion of the report in the House of Commons. It will be useful as we discuss the amendment moved by my colleague from Mississauga to recognize what the standing committee recommended. On the first page of the sixth report, in paragraph 4, we read:

> The Postmaster General has tabled amendments before the Miscellaneous Estimates Committee which would provide a statutory definition of "letter" and a specific exclusion from the Corporation's monopoly of "letters in the course of transmission by electronic or optical means".

Then the committee quoted what the amendment stated. Incidentally, it is identical to what has been moved tonight by the hon. member for Mississauga South.

The committee report goes on as follows:

> These amendments have allayed many, but not all, of the fears of the telecommunications carriers. By reference to the definition of "transmit" in clause 2 of the Bill, the exclusion proposed by the Postmaster General in the new clause 15(1)(*h*) amounts to an exclusion for letters in the course of their sending from one place to another by electronic or optical means. The Postmaster General was clear in his evidence before your Committee that he wished to maintain the postal monopoly over what are commonly called hard copies before and after transmission of any information or messages by electronic or optical means. However, he spoke in terms of letters as traditionally understood and not in terms of "letters" as they will now be defined.

By that, the committee was referring to the definition which is proposed by my colleague tonight.

● (2020)

The report also reads in part:

> It appears that the actual electronic transmission of information cannot be a letter at all because it has no mass. However, it must be assumed to be included within the new definition of "letter" because it will be specifically excluded from the monopoly over letters by the proposed Clause 15(1)(h). Your Committee notes that there are misgivings amongst telecommunications carriers about the precise effect of Clause 15(1)(h) on their ability to provide a fast and efficient service, including messenger delivery of hard copy, to those who wish to transmit messages by what is popularly known as electronic mail. Just when electronic or optical transmission begins and ends seems to be uncertain. However, as Clause 15 stands outside your Committee's terms of reference, it cannot deal further with this issue.
>
> 5. The proposed definition of "letter" to be inserted in Clause 2 of the Bill is governed by a test of mass. It is cast in terms of "mailable matter" having a mass of no more than five hundred grams. Such a mass limit will catch many time-critical items commonly sent by courier service or other speedy means, including vaccines; pharmaceutical and optical prescriptions; medical tests, including radioactive isotopes for cancer tests; mini-cassettes and so on. The definition will encompass all manner of legal, accounting, financial and data processing material and negotiable instruments and a great variety of small packets, unless they can be classified as "goods", a term which is not defined in the Bill although it appears in paragraph (a) of the definition of "letter".
>
> Until regulations appear defining "mailable matter", it will not be known what precisely will be included within the statutory definition of "letter". This lack of clarity will produce uncertainty and apprehension in the courier and parcel delivery industries. The position of courier services under the Bill is a question of significance. It lies beyond your Committee's terms of reference but is deserving of study by the Committee properly charged with the carriage of the Bill. The term "goods" could be defined in such a way as to include many items now carried by couriers. Perhaps Clause 15(1)(e) could be redrafted to provide a certain basis for courier services dealing with urgent or time-critical matters having a mass of five hundred grams or less. The regulation-making power to be conferred by paragraph (e) of the proposed definition of "letter" could be used to solve many problems and to alleviate many concerns. In its Fourth Report for this Session (Statutory Instruments No. 10) your Committee recommended that regulations should be tabled and studied by the appropriate Standing Committees at the same time as they are studying the Bills which provide for their making. Without the regulations to be made under paragraph (e) of the definition of "letter" the definition of "letter" and the proposed exclusions in clause 15(1) are not sufficiently specific.

What the committee was talking about was the definition then proposed by the Postmaster General, then dropped by the Postmaster General and subsequently proposed by my colleague from Mississauga. Essentially our concern was this. We felt that the government had a responsibility to justify any request it was making to Parliament for regulation-making authority which could broaden the scope of the government's monopoly.

The issue is not whether there is going to be cream skimming by competitors of the Post Office. We on this side of the House believe that the Post Office can be an efficient corporation, can compete and can provide a service for Canadians second to none in the world.

Each of us, particularly those with rural constituencies, have people working in their Post Offices who are tremendously dedicated, who want nothing more than to see Canadians with first-class service, one that is second to none anywhere in the world. Our position has not been that there should be cream skimming by others, but rather that the Post Office should be

efficient in its operations and that it should not be able to extend its traditional monopoly into areas where traditionally it has not operated and where it has not justified to Parliament the need for extending that monopoly.

Members on this side of the House support the decision made by the Post Office to move into electronic mail. It is a positive decision, one which will obviously improve the services provided to Canadians in the future. There is no reason the Post Office should not modernize, and update its methods of delivery and transmitting messages from one Canadian to another.

Where we break with the members to our left is on the question of monopoly and whether Canadians should be coerced into using a postal service if they choose to use another service which in their judgment gives them better value for the money, or which provides a service which is not available from the Post Office. We on this side of the House say the Post Office should compete. We say go ahead, move into those new areas where traditionally the Post Office has not been but where it is necessary to be involved with a modern delivery service if we are to meet the needs of Canadians. However, at the same time the Post Office moves into those areas, let us not use the definition section of the bill or the regulation-making authority within the bill to extend the traditional Post Office monopoly to new areas never justified to Parliament. That is the fight members on this side have been making on this bill. Indeed, it is the concern expressed within the Standing Joint Committee on Regulations and Other Statutory Instruments.

There are a number of motions to amend the bill before the House tonight. I do not want to protract my remarks this evening and prevent us from getting to other motions that have been made, and which are equally important, but I want to indicate that I support the motion by my colleague. I feel it would be in the interest of Canada and the Post Office if the motion proposed by my colleague was adopted by this House.

Mr. Bill Wright (Calgary North): Mr. Speaker, I am pleased to rise this evening to support Motion No. 1 relating to the Post Office in the name of the hon. member for Mississauga South (Mr. Blenkarn). I want to comment briefly on the remarks by the hon. member for Kootenay East-Revelstoke (Mr. Parker) who suggested that many members of the Conservative Party are against the Post Office becoming a Crown corporation. Nothing could be further from the truth. I am at odds with the hon. member for Kootenay East-Revelstoke when we consider the types of things he wants the Post Office to do.

It is fair to say that most of us recognize the change in service of the Post Office over the last 15 to 20 years. We think this will be a tremendous improvement in the Post Office. Perhaps a little later I can relate directly to that.

On May 16 of last year, I presented a motion under Standing Order 43:

> That the Postmaster General and this government direct the Post Office to immediately commence regular mail service in all areas of Calgary North where delivery has been lacking for a period longer than 60 days.

As is usual, the Liberals all voted against that motion, even though there are many members on all sides of the House who are aware of the deplorable conditions within the Post Office. In my riding the situation is even more desperate than in others.

On June 5 I asked the Postmaster General (Mr. Ouellet) when service would be improved in Calgary North. I pointed out that there are 4,000 homes in Calgary North without any type of postal service. There are very few ridings with 4,000 homes without any type of postal service.

During the adjournment debate on June 26, I discussed some of the intricate problems in the postal system in Calgary North. I pointed out to the Postmaster General some of the ridiculous situations that were evident. To briefly review those situations, there are four areas in Calgary North: Beddington Heights, Ranchlands, Edgemont and Hawkesworth. They are all without any type of postal service. Those people have to travel up to five miles a day to get their mail. I did not receive a satisfactory reply in the adjournment debate.

The situation is briefly this, and this was related to the Postmaster General, the Deputy Postmaster General, the regional postmaster, all individuals within the Post Office in a position of authority. It has to do with the high costs. We prepared an analysis and we convinced them, at least I think we did, that it would cost a quarter million dollars to correct the situation in Calgary North. It was costing more than that for the gas which the residents of Calgary North were using just to go to and from the Post Office.

• (2030)

Unfortunately, the Postmaster General has done little. I think we have been very generous with him in that we have not burdened him during this time when he was trying to convert the Post Office with numerous problems creeping up from day to day. When the Post Office becomes a Crown corporation we will not be prepared to stand aside and watch these problems continue. We expect to see some improvement. This relates very well to the area covered by motion No. 1 put forward by the hon. member for Mississauga South. We are very concerned that the community clubs, the department stores and the various community associations which wish to deliver their magazines, bulletins and invoices will still be allowed to do so. This motion is dedicated to that end and we support it very strongly.

There are two main unions involved in the Post Office, the Letter Carriers' Union and CUPW. There is no question that these two unions are at odds with each other, as many of us have related to the Postmaster General. This is something our friends to the left, the NDP, are not prepared to discuss. They are embarrassed by the fact that these two unions are not getting along. There is no question in Calgary North that this is very evident, and the Postmaster General continues to ignore the problem. If we do not include this motion within the parameters of the bill we will be enlarging on the situation since many of these community associations and other volunteer groups will be left high and dry. They will have to rely on

the Post Office and they will not have the funds to pay for its services.

I would like to mention briefly the Liberal record with respect to the Post Office. To say that it is sad is an understatement. There have been 14 strikes in the Post Office since 1918. All but three of these have taken place under the Liberal government of the present Prime Minister (Mr. Trudeau). Hopefully, by converting the Post Office into a Crown corporation we will alleviate some of these problems. Certainly, some of these problems relate to the fact that the Post Office labours under three federal departments, the Public Service Commission, the Treasury Board and the Department of Public Works. There is no question in the mind of most people who understand the Post Office that this creates a serious problem. The situation is certainly not made easier by the difficulties which exist between managements and union within the Post Office system.

During the presentation of the budget the Minister of Finance (Mr. MacEachen) left out the figures covering the losses for the Post Office this year. It is estimated that the Post Office will lose between $400 million and $500 million. Somewhere along the line we would like to know how this will be paid for. I believe I am correct when I say that during the committee meetings it was mentioned that the price of mailing a letter will have to rise to as high as 34 cents. We received little response from the Postmaster General with respect to this subject. He seems to think that the costs will all be covered. Will the Post Office be forgiven its debts? Is this how this Crown corporation will be created? The Postmaster General is silent with respect to these questions, and was for most of the discussions in committee. The costs to run the Post Office have been climbing at an astronomical rate.

In the motion before us we are not suggesting that any of the services or revenues of the Post Office be replaced at the present time. I support the motion which is before us tonight. I hope all members of the House will support it. When the bill is voted upon I think all of us will give it due consideration, but we will not consider it in isolation. We need to consider the bill in conjunction with the excellent motions which will be coming before the House in the next couple of weeks.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, I have been listening very closely to the comments which hon. members have made so far on motion No. 1 aimed at amending the act to establish the Canada Post Corporation by adding the definition of a letter in clause 2. I think it is important to remind hon. members at this time that the question of whether the act ought to include a definition of the word "letter" was debated at length and very seriously when the bill was before the committee.

I must say that the type of intervention just made by the previous speaker does make me a little bit sad because, in fact, he jumped on that opportunity to dwell on several topics which are altogether alien to motion No. 1. I respectfully suggest to him that a general debate on the Post Office has been held on many occasions and that, as recently as this morning, I appeared before a standing committee of the House of Commons where I answered a number of questions having to do with both over-all and specific postal operations in many ridings. Had the hon. member been able to be in attendance this morning, I would have been glad to answer his questions and dead directly with his concerns in his riding. In any event, this amendment introduced by my colleague opposite prompts me to make the following comments.

[*English*]

The suggestion that "letter" be defined in the bill came from several interests groups which were concerned that by allowing the corporation to define "letter", the Post Office could, in effect, by regulation, define its own monopoly. If such were to occur, these groups argue that such things as telex messages and intra-company letters could be trapped by the monopoly. This is why the solution advanced by many of these concerned parties was to have the term "letter" defined in the bill. I responded in committee by tabling a draft definition which, while being acceptable to many, was not perfect and was not wholly satisfactory for a number of reasons. First, time did not permit the adequate refinement of the definition. Even so, the difficulties in having an appropriate definition of the term "letter" are almost insurmountable. I challenge any member of the committee to come forward with an appropriate definition.

• (2040)

The hon. member who introduced this motion copied the definition I tabled in the committee, indicating it was not a perfect definition.

Mr. Blenkarn: Your definition.

Mr. Ouellet: I have to say that although the hon. member has more or less copied my definition, it is not better today than it was when I first tabled it.

The second reason it was not satisfactory was because, if the definition were in the act, it would be virtually immutable and could not be adjusted to take into account actual operating experience, changes in technology or changes in the marketplace. My draft definition was still under consideration when the committee proceeded to address the immediate legitimate concerns of parties who made representations to our committee by including additional exemptions to the exclusive privilege under clause 15(1) of our legislation. It was decided that as a further measure to protect the public from the corporation expanding its monopoly through regulation it would be a requirement that all regulations be pre-Gazetted. Such a requirement would serve to guarantee that notice be given of any regulation amendment and that there would be mechanisms for the public to express its views to any draft regulations.

I have to point out to hon. members of this House that it was unanimously accepted by the committee that a definition

of "letter" in the bill was neither necessary nor desirable. I repeat that it was unanimously accepted in the committee.

Mr. Blenkarn: No, no.

Mr. Ouellet: I invite my colleagues to refer to the minutes of the Standing Committee on Miscellaneous Estimates, Issue No. 41 at page 70.

It therefore follows that by also including in the bill a definition of "letter" at this time there would be two solutions to the same problem, a situation which, I submit, would cast serious doubt on both ideas.

I believe the work of the committee in expanding the exceptions to the exclusive privilege and in building in the mechanism of pre-Gazetting of any regulation dealing with this aspect is the right way to move. The committee accepted the proposal when we dealt with it quite extensively in the committee, and I see no reason at this time to undo what we did so well there.

I appreciate that the hon. member who moved this motion had particularly in mind what would happen to private organizations' using their own people to deliver some messages. I believe we said in the committee, and I repeat this in the House, that any private organization which wants to use its own people to deliver its own messages or its own documentation is free to do so. That has never been forbidden. It is not forbidden by Bill C-42, and we do not contemplate forbidding it in the future.

Mr. Blenkarn: Mr. Speaker, I wonder if the minister would permit a question or two with respect to his statement concerning the amendment.

The minister indicated that in Clause 15 of the bill the exemption for permitting people to use their own forces to deliver memos or messages would allow utility companies to use their own forces to deliver invoices and, presumably, allow organizations to use their own members to deliver notices to their members. Is it the minister's suggestion that Clause 15(1)(*g*) gives that absolute permission?

Mr. Ouellet: Mr. Speaker, if I understand the question of the hon. member correctly, he wants to know if, rather than doing municipal work, employees of municipalities are asked by such municipalities to deliver letters, messages, or—

Mr. Ellis: Hydro bills.

Mr. Ouellet: —bills on their time. I see nothing in this legislation which prevents a private organization from using its own employees to make whatever deliveries it wants. What is at issue is using a private courier or an outside organization to deliver mail instead of using the Post Office.

We say that if a sender believes there is an urgency in the message he wants delivered, he has the option, quite legally, to use a messenger or a private courier to do it, as long as he pays an appropriate fee which we have defined as being a fee for an urgent delivery.

Mr. Blenkarn: Mr. Speaker, I gather from what the minister says there would be nothing to prevent a hydroelectric power commission in a municipality from having designated people whose total job would be to deliver the invoices of the hydroelectric power commission to consumers. In committee I asked the minister whether a lawyer could deliver his bills, and I do not think I received quite that answer, but can the minister confirm right now that a public utility commission could have people employed to deliver its invoices, that being their job, and that that would not be considered an infringement of the monopoly of the Post Office?

Mr. Ouellet: I recall very well that in the committee we answered the question of the hon. member with respect to a lawyer using his own secretary to deliver his documents. We said if he wants to pay that price, that is his privilege, and he could do it. If a private utility wants to have its employees deliver messages rather than do other work, I think it would be paying a much higher price than the Post Office would be charging.

• (2050)

What I am concerned about is, as I have stated many times, that we are, in one way or another, trying to cream off the good business of the Post Office. If we are consistent in giving this new Crown corporation a chance to perform well, do a good job and provide Canadians with a good service, we should not find ways of depriving this corporation of its normal and natural clientele.

To answer the hon. member's question specifically, let me say that I believe we do not want to see municipalities, gas companies or electrical companies using courier services rather than the Post Office. As regards their use of their own employees, we have stated repeatedly that in carrying out its own business an organization may use its own employees.

Mr. Blenkarn: Mr. Speaker, I wish to rise on a point of order—

Mr. Deputy Speaker: I should caution the hon. member that there is a limit to the number of questions which can be accepted in this way.

Mr. Blenkarn: I appreciate that, Mr. Speaker, but I think we should try to straighten out this particular issue. Is it the intention of the minister to allow a utility company to employ its own employees to deliver its invoices?

Mr. Ouellet: Mr. Speaker, I am not here to tell the utility companies what to do, nor am I in a position to tell them how to deliver their invoices. They could follow a number of routes. We have allowed them three specific routes under this legislation. The simplest route for them to take is to use the Post Office, and it is the cheapest and best way. If they want to use private couriers to do their deliveries they will have to pay a price for doing it this way. If they want to use their own employees, that is another way of doing it. I am not here to tell them which way they should take. I am just here to say that the easiest way is obviously to use the Post Office.

Mr. McDermid: Mr. Speaker, I rise on a point of order. I have just one very short question to put to the minister, if he will accept it. The minister has not answered the question I put to him earlier. What about the special interest groups, such as boy scouts, girl guides or air cadets, who deliver messages for, let us say, a ratepayers' group in a certain area or a politician who is calling a meeting in his constituency; what happens to those individuals who in this way can earn a little extra dough so they can carry on their good works in the community? Are they automatically outlawed by this bill, or will they be allowed to carry on as they have in the past?

Mr. Ouellet: I am glad the hon. member is asking this question because it was put to me in committee where I said quite categorically that this will no longer be permitted. If we want to help charitable organizations, there are many ways of doing so, and it should not be done by subsidizing such groups to the detriment of the Post Office.

Mr. Deputy Speaker: The Chair has recognized a large number of questions and points of order. I would prefer now to recognize the hon. member for Bow River (Mr. Taylor) because this is not committee of the whole.

Mr. Gordon Taylor (Bow River): Mr. Speaker, one of the difficulties the minister is encountering is that monopoly and efficiency are not coterminous. Giving the corporation a monopoly will not guarantee good service. As a matter of fact, when I wrote the minister on this point he wrote back saying that a monopoly has provided an assured source of basic revenue which, in turn, achieves economies of a scale that permits affordable rates. It provides a source of basic revenue, but does it provide basic service as required by the people? That is the question which I think thousands, and perhaps millions, of Canadians would like answered. Will they get the Post Office service they deserve and want through this type of monopoly? In his letter, the minister went on to say that it follows, therefore, that without the letter monopoly, higher rates, higher subsidies, lower quality of service, or all of these in some combination, would result. What I fear is that when there is a monopoly, unless there is a definite chain of command and some definite changes made in the structure of the Post Office, we will not get better service than we have today. Simply to change the name and retain the same personnel will not provide better service to the people of Canada.

Today, one of the major difficulties is that the Postmaster General (Mr. Ouellet), or the head of the Post Office in the civil service, cannot put his finger on the man or woman who is causing the delay. Consequently, they have gradually taken the authority away from regional post offices, until today almost everything is referred to Ottawa. Sometimes it takes months to get an answer.

One person in charge of a regional Post Office told me he had a very inefficient employee whom he wanted to fire, and he should have done so if that employee had done what he had which was alleged. However, he could not fire him because he had to ask permission of Ottawa. The answer came from Ottawa, probably by mail, three months later giving him permission to fire the man. Of course, by that time everybody had forgotten what the man had done. You cannot run a business that way. To simply give a monopoly to a group and to say to them, "You do not have to meet certain standards" is to ask for trouble because if this fails, the people of Canada will certainly not be very happy. They are not happy now with the Post Office service.

I want to make one or two other points which I think should be made. A member of the NDP, the hon. member for Kootenay East-Revelstoke (Mr. Parker), decried the fact that we want to discuss these matters. I tell him that we want to discuss them because our constituents want us to discuss them. People are concerned about the inefficiencies in our Post Office and they want some assurance that these are going to be eradicated. I want assurance that that will be done.

For instance, people who are on workers' compensation—surely members of the NDP will understand this—deserve to receive their cheques on time, and they too have obligations to meet. I checked with the Alberta Compensation Board because several pensioners were not receiving their cheques, and their grocers, their butchers and their milkmen were getting angry. They do not have extra revenue; they do not have bank accounts. They are on partial or total disability pensions. They require their cheques to meet their obligations.

• (2100)

Recently the compensation board indicated that on the fifteenth of every month in the province of Alberta—and I think this is so in other provinces—they mail out cheques. If the fifteenth happens to be a Saturday or Sunday, the cheques are mailed out on the thirteenth or fourteenth.

Mr. Parker: Mr. Speaker, I rise on a point of order. The hon. member for Bow River (Mr. Taylor) has referred twice to my speech. I think I am entitled to a point of order to rectify the situation. We are supposed to be dealing with an amendment with respect to definition. At the time of my comments I stated we were speaking about the definition of "mail". Also the minister stated in the House that it was a unanimous decision of committee to include this wording. I wish the member would stay on the amendment.

Mr. Taylor: Mr. Speaker, I wish the hon. member would not make the same speech twice. This is not a point of order.

Mr. Deputy Speaker: The hon. member for Kootenay East-Revelstoke (Mr. Parker) raised a point of order concerning relevance to the amendment before us. I listened to the hon. member's point of order, and I invite the hon. member for Bow River (Mr. Taylor) to note that the item before us is the definition of a letter.

Mr. Taylor: Mr. Speaker, surely I must have an opportunity to make some illustrations so the hon. member of the NDP will understand. There is no sense in raising points of order; he talked about these matters himself.

The entire Post Office bill is designed to provide people with a mail service. I am dealing with the definition, but I cannot do so by saying definition, definition, definition, as the hon. member of the NDP wants. I am referring to illustrations to show the definition.

As I said before, these cheques are mailed out on the thirteenth and fourteenth of the month if the fifteenth happens to be a Saturday or Sunday. For many years pensioners have been receiving their cheques before the end of the month. Now they are receiving them on the fifth and the sixth of the following month. In fact one chap in Canmore told me that he did not receive his cheque until the eleventh of the following month. Surely the mail service should be better than that.

My point is that there must be a chain of command in order to find out who is responsible. I know it is not the Postmaster General, but somewhere between Edmonton and Canmore there is a hold-up. Certainly this is not doing the Post Office any good.

The old age pension department mails out its cheques on the twenty-first of every month. These cheques are arriving later, later and later. Sometimes it is the fifteenth of the following month before pensioners receive their cheques.

Certainly what the minister was saying about a monopoly and so on was fine, but when the service is inefficient it is time for the monopoly to end. I impress this upon the hon. minister.

I should like to refer to one or two other examples. A letter was mailed in Montreal on February 16. It arrived at its point of destination in Calgary on March 12. Where was it? I travel from Ottawa to Calgary every weekend; it takes me 3.5 hours. If there happens to be some airplane trouble, it can take as much as seven hours, but never 24 days. I could go by bicycle faster than that. It is not efficient.

I would like to refer to another matter which bothers many people. One postmaster in southern Alberta said he was losing half his business because it takes so long to send a letter to Edmonton, to Regina, or any place in the east. It is getting stalled some place. I think the place where it is getting stalled is in the Calgary regional Post Office.

Clause 14(1) of the bill reads as follows:

> Subject to Section 15, the Corporation has the sole and exclusive privilege of collecting, transmitting and delivering letters to the addressee thereof within Canada.

The Post Office should cut the mustard. If it cuts the mustard, no sensible Canadian will pay three times as much to send a letter. Business people do not spend money in that way, unless there is something wrong somewhere. They want the best possible service for every dime they spend.

I should like to refer to one or two other points in connection with this matter. Insurance agents depend upon their letters getting to their clients and receiving their cheques on time. Otherwise, clients do not know whether they are covered by insurance, or the agent will cancel the policy if the premium does not arrive. It is a serious matter. An insurance agent in Turner Valley indicated that half her business disappeared. She had to resort to other means at additional cost in order to stay in business. This is the point I am trying to emphasize. We do not want this exclusive privilege eliminated simply for the fun of it. It is because the Post Office is not cutting the mustard; that is the story. What about the inability to serve one's client? If I am in business, I have a responsibility to my client whether I am in insurance or whatever. If I am an insurance agent who must notify a client that his house or furniture is insured, it is sometimes necessary to convey this message over several miles. It is not always a case of walking down the street, because agents cover large territories. If they cannot notify their clients, their businesses go to rack and ruin because of a third party which makes it impossible for them to do their jobs. If that is the case, why should there not be an alternative? Why should there be an exclusive monopoly? I suggest that is simply to get the cream.

One or two members said that they were not trying to take money away from the Post Office. If the Post Office can do the job, anyone will spend 17 cents or even 30 cents on a letter, rather than $4 for a courier. People must have their letters delivered. If we want an efficient postal service, the chain of command must guarantee that these letters will reach their destinations within reasonable lengths of time.

The sad thing is that small businessmen are affected by the service, not the larger organizations such as Calgary power or Canadian utilities. They can afford other methods, but small independent businessmen can least afford to ride out prolonged mail disruption to the orderly cash flow of their businesses.

England and the United States have made provision for this type of thing. For example, in the United States legislation exempts the delivery of stocks, bonds, insurance documents and similar instruments. This can be done in the United States where the mail service is not undergoing the pains of agony suffered in Canada. Why would it be so wrong to do it here, if it means better service?

• (2110)

If the Post Office can deliver the goods, no one in his right mind would pay extra money for courier service. In the United Kingdom, proposed amendments to the legislation provide exemption for "time sensitive" documents which could include such matters as insurance policies.

The bill will not give satisfaction. There will be continual difficulty and trouble in this country unless we provide an alternative, when the Post Office does not or cannot cut the mustard and deliver the mail within a reasonable time. I think that is the important point we must emphasize today. All we are asking is that the Post Office do its job to move the mail and get it to the place where it is supposed to be within a reasonable time. An assured source of basic revenue does not guarantee better service. The monopoly the hon. minister mentioned will not guarantee better service. As a matter of fact, I am afraid that giving an exclusive monopoly would tend to make some types of employees very careless. They might say, "We have got the monopoly. Why should we care? We do not have to compete. We do not have to cut the mustard any more. We have got the monopoly as it is." That attitude is

found too frequently in the Post Office today. If it was not for couriers, there would have been a lot more bankruptcies in this country. The point I am making is that an amendment to this section is required. All we are asking the hon. minister to do is to provide an alternative if and when the Post Office does not cut the mustard.

Another point is that during prolonged strikes, such as we have had, we must have some other alternative. There is simply no way of carrying on, or to even ensure that pensioners or people on compensation receive their cheques. The Alberta government, when I happened to be there, had to set up its own courier service in order to get the cheques out. I suppose the Canadian government did the same thing.

Again, what we are asking is that we should give the Post Office every opportunity to cut the mustard, but, if it does not, let us not make this act so exclusively monopolistic that we will then not be able to do anything about it.

Mr. Albert Cooper (Peace River): Mr. Speaker, the amendment to Bill C-42 we are addressing tonight is of particular interest to me. My father started working for the Post Office in 1951. Of course, when I came along in 1952 I had many a nap on a sack of mail or on a number of bags of mail. One could say that I have grown up with the Post Office business as we know it. I am familiar with a lot of the work which the postal people and staff do. I am familiar with the fact that many of them work hard and seriously do attempt to deliver our mail in an efficient manner and to ensure that all of us get the service we require. They demonstrate a lot of care for people, particularly when we consider places like my riding up in the north country where a lot of people are very dependent on the mail. Some of them, up until recently, have not had TV or radio. Items such as catalogues which arrive on their doorstep are important, significant and mean a great deal in their lives.

I think all of us look forward to the mail. It brings us good news; of course, it brings us bad news as well. We are always familiar with the many problems faced by the department. I am familiar with them, having grown up so close to it: problems with budget, problems with adequate staff, and certainly problems with adequate facilities. All of those problems affect the service, and affect the ability of the staffs in these small Post Offices to carry on their jobs.

There are a number of problems facing the Post Office today. I do not think this is a particularly new situation. In fact, looking back in history, one of the things I have heard is that if it had not been for the Post Office, the Right Hon. John G. Diefenbaker's second wife would have been his first wife. So, the Post Office has had these problems for a long period of time. As I have mentioned, they do affect our lives to a great extent.

One of the problems we are certainly faced with today, and one of the reasons this bill must be explored and looked at which has been mentioned tonight, is that the Post Office has to deal with so many different departments of government in order to run efficiently. These include the Public Service Commission, the Treasury Board and public works. We have all heard the expression that there are too many chiefs and not enough Indians. We are familiar with that and the problems it creates. We know the difficulties we are faced with when we must deal with so many different departments. It is impossible to have efficient planning, it is impossible to make efficient decisions, and it is virtually impossible to provide efficient service. Therefore, this is one of the significance and important matters to which this bill addresses itself. We certainly should be looking at it.

Another problem the Post Office has been faced with and I refer to the annual report of the Post Office for 1980, is that if we look at the charts, we will notice that there is a large gap between revenue and the expenditures. The Post Office has been losing money. I understand that one of the goals of Bill C-42 is to face that problem and attempt to make the Post Office financially self-sufficient. At that point we must immediately ask ourselves a number of questions.

In my area, as I have mentioned before, the Post Office is not only a very important part of our business lives, but also our social lives. When one starts talking about financial efficiency, what comes to mind are some of the problems we have been facing in the past that have given us difficulty. We then begin to wonder, when this efficiency comes in, whether the things we have been promised today, the things we have been looking at and working on so hard, will be threatened with cut-offs.

Let me just refer to a few communities in my riding. In the small town of Wembley, a lease has expired. New facilities are needed there. What will happen there? Will that lease not be fulfilled? Will that lease cease to exist? Will those people have to drive 30 miles to the next town to get their mail? Already it has been an on and off situation like a child with a flashlight. One day we might have a lease and the next day we might not.

One could look at the city of Grande Prairie which has been experiencing a tremendous amount of growth. As a result, postal services and facilities have fallen far behind what is needed. There are facilities for a population of maybe 10,000 to 12,000 when, in fact, facilities are needed to service a city population of over 20,000 and a large surrounding area. This is another problem we must consider. In other communities, Grimshaw, McLennan and so on, the problem is always the same. There is a serious shortage of space and facilities. As a result, their service is suffering.

We must consider whether Bill C-42, which would change the Post Office to a Crown corporation would, in effect, or in fact contribute to efficiency, whether it would provide better service and a situation which is greatly improved over the present. The key, of course, is the word "service". We have not been satisfied in the past. Certainly we hope this will work, but we expect to have a number of continuing problems.

In dealing specifically with the motion we are discussing tonight, I want to first refer to the clause which says: "—any item consisting solely of a newspaper, magazine, book or catalogue of goods"—. In our area of the country, we have a number of small newspapers. This seemingly insignificant little clause has a lot of impact on people up there. We have many newspaper people who are greatly affected by the definition of

"mail", and the definition of a "letter". In fact, it will determine to a great extent whether they can remain in business, whether their operations will remain viable or they will perhaps be forced to go into bankruptcy or to cease publishing the papers. That is an important industry in our area where three or four small newspapers are faced with serious problems. The motion introduced by my colleague would be a significant factor in helping us address the situation. Even though it may not be significant in the larger sense, in terms of my riding and the smaller newspapers it is a very important facet of the motion.

• (2120)

Subclause (b) is also very significant. We do not have to look very far in any community to see that boy scouts, girl guides, church groups, community groups all depend to a large extent on their ability to deliver flyers of various types and mailings that allow them some sort of revenue for their organizations. The minister has indicated that perhaps that is not so important, but something we tend to forget when we get involved in debating a bill and considering the efficiency and the mechanics of the matter is that people are involved. When we consider the bill in its entirety, one of the matters we must address is service and how it will affect the people in all of Canada.

In closing, Mr. Speaker, I should like to say I support this motion. I think it has a very significant impact on the bill and certainly will have a significant impact on the future and the public perception of the Post Office.

Some hon. Members: Hear, hear!

Mr. Peter Elzinga (Pembina): Mr. Speaker, in speaking to the motion presented by the hon. member for Mississauga South (Mr. Blenkarn) let me first pay him tribute. In the time I have had the opportunity to serve with him in the House of Commons, I have found him to be a very active paliamentary and an individual who truly represents the views of his constituents with deep concern for them. I am pleased to support motion No. 1 which is one of twelve before us at report stage of Bill C-42, a bill to transfer the Post Office to a Crown corporation.

Tonight is a night of tributes, Mr. Speaker. I should like to pay tribute to the Postmaster General (Mr. Ouellet) and convey to him my thanks on behalf of the residents of my constituency for allowing us to have additional mail carriers in the various growing areas of the constituency that so badly need them.

Mr. McDermid: What! Why can't I get that in my riding?

Mr. Elzinga: I should like to extend to the minister the gratitude of all those residents who have received additional mail carrier service.

We all hear horror stories about the Post Office. The hon. member for Bow River (Mr. Taylor) and the hon. member for Peace River (Mr. Cooper) have given illustrations of the many difficulties individual constituents face when dealing with the Post Office. I hope that Bill C-42 will alleviate some of these difficulties.

Many sectors of our society rely on the Post Office in the conduct of their business. The small business sector, for instance, relies very heavily on the Post Office in order to develop cash flow. It is important that confidence in the Post Office be restored.

Although I am going to be critical of some aspects of the Post Office, I think it is important that we pay tribute to those individuals who make the Post Office what it is. I should like to pay special tribute to the regional manager in Alberta. On many occasions I have contacted him and he has been most helpful in dealing with the problems of individual constituents or the problems of district post offices. Our many mail carriers perform a very vital function, as the hon. member for Peace River pointed out. I should also like to pay tribute to the local postmasters.

Prior to making the Post Office a Crown corporation I hope the government will lift the freeze on mail carrier service. This drastically effects areas that have experienced high growth rates. In my constituency there are a good many high growth areas outside the city of Edmonton. According to Treasury Board regulations the Post Office is an essential service. Individuals who pay taxes to the Government of Canada deserve this essential service and I hope the government will see to it that taxpayers receive the mail carrier service they are paying for.

Some hon. members have indicated they think we in this party oppose this legislation. The record will show that when we formed the government and the hon. member for Vancouver South (Mr. Fraser) was postmaster general we introduced legislation similar to this, and today we are more than happy to endorse a bill to turn the Post Office into a Crown corporation.

If I were the head of a Canadian government and wanted by one single act to win back public confidence in Parliament and government, I would take every step necessary to restore the postal system to its former efficiency. Complaints about inefficiency in the Post Office are too numerous to be dismissed. Each of us has an obligation to represent constituents in the House of Commons and I am sure each of us has a list of examples of mismanagement in the postal service.

This is not an attack on the efficiency and dedication of smaller Post Offices and rural carriers in Canada. All of us can testify to many acts of kindness and neighbourliness performed without fanfare by numerous rural mail drivers and couriers. What bothers me is that despite increased mechanization and rates of all classes of mail, the delays are getting longer. The hon. member for Bow River gave illustrations of individuals who receive their pension cheques late and my constituency secretary has often complained that her cheque for carrying out such a vital service arrives days late.

In addition to public frustration, many business people are taking drastic action; they have stopped using the Post Office facilities, transferring their patronage to the new private couri-

er service which has sprung up to fill the vacuum. A front page story in *The Financial Post* says that "millions of dollars of potential Post Office revenue is being diverted to private parcel and letter carriers because these companies can offer the one thing the Post Office apparently cannot; reliability." What a sad abdication of responsibility by a once proud service which 50 years ago inaugurated air mail service down the mighty MacKenzie River delta because the horses and dog sleds took too long.

The Post Office used to rank with the armed forces and the Department of Transport as a basic function of government, a visible and tangible return for our taxes. Although breaking even was a goal of the Post Office, it was never a primary obligation. As citizens we expected service, paid for in part when we bought postage stamps, the balance coming from general revenues of the government. I cannot believe there are not thousands of dedicated postal employees who have a sense of duty and want to get the mail to its destination. Unhappily, their ethic is not shared by all their colleagues. It is both sad and paradoxical that in an age when almost anything seems possible, a basic right of citizenship, an efficient postal system, is beyond the competence of our government.

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: The question is on motion No. 1 in the name of the hon. member for Mississauga South (Mr. Blenkarn).

All those in favour of the motion please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And five members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 75(11) the recorded division on the proposed motion stands deferred.

• (2130)

It is at this point that perhaps the Chair should bring to the attention of hon. members a procedural difficulty with the bill as amended and reported by the Standing Committee on Miscellaneous Estimates.

The bill was reported by the committee with an amendment to Clause 6, increasing the board of directors from seven to nine.

It is obvious that one of our most basic and fundamental procedures is that only a minister of the Crown may originate legislation which proposes a charge upon the revenue and this can be done only when accompanied by a recommendation from the governor general. Indeed, amendments made in committee cannot go beyond the terms of the original recommendation. The amendment which was adopted by the committee offends the financial initiative of the Crown and, therefor, I must rule it unacceptable.

Motion No. 2 standing in the name of the Postmaster General (Mr. Ouellet) to all intents and purposes has the same effect as the amendment I have just ruled unacceptable and this motion is accompanied by the appropriate Royal recommendation. I will now propose motion No. 2 to the House which is as follows:

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General) moved:

Motion No. 2

That Bill C-42, to establish the Canada Post Corporation, to repeal the Post Office Act and other related Acts and to make related amendments to other Acts, be amended in Clause 6 by striking out line 45 at page 4 and substituting the following therefor:

"man, the President and nine other directors".

Hon. John A. Fraser (Vancouver South): Mr. Speaker, I rise only to comment. I know that my friend will agree with me that what your Honour has said is, of course, appropriate and proper, because that is the rule. However, I would like to advise the House, as my friend the Postmaster General (Mr. Ouellet) knows, this particular motion was moved by myself at committee with the consent and concurrence of the Postmaster General.

I want to record my appreciation to the House and to the Postmaster General for having introduced this motion and for now having it in a position which complies with the rules.

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, we supported the amendment set forth by the hon. member for Vancouver South (Mr. Fraser) in committee and we also recommend that it be supported here.

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the yeas have it.

Motion agreed to.

If hon. members will permit me a moment, I would like to give them the benefit of the Chair's grouping for the remaining motions. Motions Nos. 3, 4, 5, 8, 9, 10 and 11 seem to be procedurally acceptable and could be debated and voted on separately.

Motions Nos. 6 and 7 are similar in part and should be debated together with a vote on motion No. 6 disposing of motion No. 7.

Motion No. 12, standing in the name of the hon. member for Mississauga South (Mr. Blenkarn), the effect of which is to dissolve the corporation, based on Parliament sitting or not sitting in a particular year on a specific number of days, seems to be out of order on the ground that it goes beyond the scope of the bill.

The long title of the bill reads:

An act to establish the Canada Post Corporation, to repeal the Post Office Act and other related Acts and to make related amendments to other acts.

I refer the hon. member to Citation 773(1) of Beauchesne's fifth edition which reads as follows:

An amendment is out of order if it is irrelevant to the bill, beyond its scope—

For that reason, regrettably I cannot accept the hon. member's motion.

Mr. Blenkarn: Mr. Speaker, I rise on a point of order. You are suggesting that the motion is out of order because under Beauchesne it goes beyond the scope of the act. But we have to take a look at what the act says. The title of the act is "Bill C-42, An act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts."

This act establishes a Post Office corporation. All this particular amendment does it to provide that the Post Office corporation's life terminates in five years.

This is vital. This is precisely what the act is all about. How this amendment can be out of order on the basis of your Beauchesne's citation is certainly beyond me and beyond—

Mr. Deputy Speaker: I call to the attention of the hon. member that this is a decision of the Chair, and the decision cannot be appealed.

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe) moved:

Motion No. 3

That Bill C-42, to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in Clause 10,

(*a*) by striking out lines 26 and 27 at page 6 and substituting the following therefor:

"(2) The board may appoint and fix the"

(*b*) by adding immediately after line 29 at page 6 the following new subsection:

"(3) The salaries fixed by the Board pursuant to Subsection (2) shall not exceed such amount as may be prescribed by the Governor in Council for the Corporation."

He said: Mr. Speaker, you read the wording of the amendment which I proposed concerning this motion. Perhaps it might be useful to bring to the attention of the House, in explaining the need for this particular amendment, how Clause 10(2) reads at the present time. It is brief, and is as follows:

The board may, with the approval of the Governor in Council, appoint and fix the salary of such number of vice-presidents as it considers necessary.

The effect of the motion which I am moving tonight, if we are to amend the Post Office Act, would be first of all to strike out that particular subsection; in other words, the provision which says that the governor in council should be required to approve the appointment and the salaries of various vice-presidents. The reference to the governor in council should be taken out. Then we would include a new clause which would specify that the governor in council would have the right to fix a maximum remuneration to be paid to vice-presidents of the Crown corporation.

It is probably a matter of some concern to members of the House to ask why is it necessary that we make this amendment. As hon. members will remember, under the Clark government we proposed a Crown corporation omnibus bill which was designed to bring into place a regime for accountability in financial management for Crown not just for the Post Office, but for all Crown corporations for which the federal government has responsibility. We had counted over 400 Crown corporations and there were a number more we believed existed but had not been able to locate at that time. We felt it essential to bring in an omnibus bill which would come to grips with the problems of management of Crown corporations and to try to bring into place some generalized rule by which all Crown corporations would be expected to abide.

That particular bill was introduced because of the fact there were numerous incidents which had taken place in the management of Crown corporations. They burst into the attention of the public because of decisions which had been made or actions taken which were embarrassing to the government, costly to the taxpayer and of great concern to Canadians. Consequently the Lambert commission, the public accounts committee and the Auditor General all expressed concern about the way in which Crown corporations were being run and the fact that the regime for accountability of Crown corporations was not adequate.

● (2140)

This is why within six months of assuming office the Clark government introduced in Parliament a bill which was designed to regularize the proceedings for Crown corporations. It was to ensure that Crown corporations, be they the Post Office or other Crown corporations, would have a regime of accountability and a regime of management which was standardized, available to all Canadians to see and which could be justified to the Canadian people.

We felt it was important that Crown corporations conduct their activities in a way which would win the confidence of Canadians, which would satisfy Canadians that their money was being well used and that the Crown corporations which were operating on a business basis were also being operated on a businesslike basis. This is why Bill C-27 was introduced on November 26, 1979.

When it came to the responsibilities of boards of directors, what we did was to spell out once and for all; first, the regime of accountability for these boards of directors in running their Crown corporations and coming back to justify their activities to Parliament and the executive; and second, we said that having built that regime and created a system of accountability and a system of management for Crown corporations which

was acceptable to Canadians and would meet the concerns of the Auditor General, the Public Accounts Committee and the Lambert report, it was the responsibility of the boards of Crown corporations to manage the day-to-day affairs of those corporations. It was not desirable to have interference by the politicians in the day-to-day management of Crown corporations if they were to be run on a businesslike basis.

The reason the government has proposed this Crown corporation legislation to turn the Post Office, which is currently a department of government, into a Crown corporation is they believe it is necessary that the Post Office be run on a much more businesslike basis. The form for a Crown corporation and form of organization is one which would allow a much better system of management within the Post Office. It would allow the managers within the Post Office to do their job free of interference, free of a regime of accountability which at the present time is so fractured as to make it difficult to have any sense of coherence or orderliness about the running of the day-to-day activities of the Crown corporation.

We on this side have indicated that while we have concerns about various elements of this bill, the concept of a Crown corporation for the Post Office is one we have long supported. Having accepted that principle, we believe it is essential that the board of the new Crown corporation should be charged with the responsibility of the day-to-day management of the corporation. The board should have the right and the responsibility to run the corporation and to make business decisions. Otherwise they have no function.

If we were to take that away from the board and say that the governor in council, the cabinet or the postmaster general is to make the day-to-day decisions for the board of the Crown corporation, then it is logical to ask what in fact is the function of the board if it is going to have that sort of interference on a day-to-day basis.

As the bill is worded at the present time, the board would in theory have the right to appoint vice-presidents of the Crown corporation. In theory, it would have the right to set the salaries of its vice-presidents at a level which was acceptable. However, that decision to appoint and to set the salary for a vice-president at a particular level would have to be justified. They would have to win the approval of the Governor in Council, namely the cabinet.

What is of concern is how this would operate on a day-to-day basis. What concerned the Crown corporation's task force, which laboured over this whole issue of the structure of a Crown corporation, has been labouring over it for several years and brought recommendations to government, which were accepted by the Clark cabinet and led us to introducing the legislation, was the practical application of the wording found in the Crown corporation bill here.

What will happen is the board of directors of the Crown corporation will find themselves hamstrung. They could not make business decisions about the management and the Crown corporation without the approval of the governor in council. The authority to hire and set salaries on a defacto basis would reside with the politicians, the governor in council and the cabinet. Appointments would be made nominally by the board of the Crown corporation but in fact would be made by the cabinet.

This is of concern to Canadians and was of concern to those members of the Crown corporation's task force and the Clark government. We believe it is important that Canadians have confidence in the management of Crown corporations. It is essential that the board be charged with the responsibility for choosing people who could run the corporation on a business-like basis and receive salaries commensurate with the responsibilities they are asked to undertake.

If we have the governor in council, which is the cabinet, making these appointments through the back door, we will find the government patronage machinery going into effect. Instead of having people appointed as vice-presidents who are of a calibre we would expect in the private business world, after the approval of the board of directors, we would have defeated candidates or friends of the government appointed to what could be fairly lucrative jobs as vice-presidents of Crown corporations.

That is no basis for starting off this new Crown corporation if we want Canadians to have confidence in the activities of Crown corporations and if we want peace within the Crown corporation. If I were working in the Post Office today and interested in having a senior job within the new Post Office Crown corporation, I would be very concerned about the provision in this bill, as it stands today, which would allow the government to make patronage appointments to vice-president positions.

Either the board will be charged with the responsibility of running the Post Office on a business-like basis or we will go back to the bad old days of patronage within the Post Office where the party in power does the hiring and rewards its friends. We do not want to see that happen. We want to see the Post Office run on an efficient and business-like basis.

Quite properly members could suggest that the governor in council have a right to look at the remuneration being given the individual to ensure it is not excessive. It could make sure it does not create a situation where the government is leading all other sectors, with a difference that is ridiculous. When we introduced the Crown corporation legislation and what we propose in the motion before the House to amend the bill, is that the governor in council should be allowed the right to set a ceiling beyond which the pay for vice-presidents will not be allowed to go.

That is entirely appropriate. It should be done publicly and in a way which does not interfere with the day-to-day operations of the Post Office. If they want to set a ceiling, the amendment would propose to allow that to happen. However, if they want to get in and tinker and appoint a particular individual at a particular salary, we believe that is wrong. It should be the right of the board of the Crown corporation to make that management decision.

I do not want to protract discussion on this amendment. It is straightforward and is consistent with the Crown corporation bill introduced by the Clark government. On a number of

occasions I have asked the President of the Treasury Board (Mr. Johnston) whether the government has the intention of introducing a Crown corporations bill which would be an omnibus bill similar to the one introduced by the Clark government.

On several occasions he promised that would be done. However, well over a year after having been sworn in as minister, we have yet to see any tangible evidence whatsoever of seriousness on the part of the government or an interest in bringing in the omnibus Crown corporation legislation.

When we put questions to the Postmaster General (Mr. Ouellet) in committee and at other times with regard to odious provisions in the Crown corporation bill for the Post Office which fly in the face and are directly contrary to the policy adopted in the Crown corporations omnibus bill proposed by the Clark government, the answer was that he does not know. He does not want to pre-judge what is going to be an omnibus Crown corporations bill.

• (2150)

If ever an omnibus Crown corporation bill is brought back to Parliament, and the minister is arguing he would prefer to have things remain the way they are now, and if the omnibus bill is to be brought in later, then we can amend this Post Office Act at that time and change the provisions then.

If we are concerned about getting the Post Office off to a good start we should begin properly. We should commence by following principles which are sound business principles, which will instil confidence in the public in the Crown corporation; principles which will make it easier for members of the Post Office today to have confidence in the way in which the Crown corporation will be managed and principles which will assure the people who will be asked to sit on the board of directors of the Crown corporation that they will have a job to do and be able to do it. If we are not to start on that proper footing then how can we expect Canadians, the employees of the Post Office and the board of directors of the Post Office to have confidence in the work we have done here?

I would suggest to you, Mr. Speaker, that the Clark government had introduced legislation which was an omnibus bill, the broad principles of which members of the government have stated they support. The government says it has made no decision to overturn those principles. The onus then is on the Postmaster General, if he wishes to depart from those principles, to justify why it is desirable that the cabinet, the politicians, be able to interfere in these day-to-day business decisions of Crown corporations. Why is it desirable to undercut the board of directors? Why is it desirable to have the cabinet, in essence, hire the vice-presidents of the corporation and, in essence, set their salaries? That is what this provision would allow. If none of these decisions could be made without the approval of the governor in council it would mean this power devolves back to the cabinet instead of residing with the board of directors.

I have heard no justification from the government, certainly not from the Postmater General, that public interest requires that provision, which was put into the Crown corporations omnibus bill after considerable thought, after trying to respond to the concerns of the Public Accounts Committee, the Lambert Commission and the Auditor General, be struck down, and no justification for the suggestion that instead we should have a provision which would allow political patronage tinkering in the management of the Post Office.

In the absence of any such justification I think it is incumbent upon the House and the government to accept the motion I am proposing tonight. It is designed to do nothing more than ensure that the Crown corporation functions on a businesslike basis, and to ensure that the public and the employees of the Post Office have confidence in the decisions which are made in the appointment of senior executives of that corporation. The employees and the public are entitled to no less. I think the government, if it is concerned about building that kind of confidence, should be prepared to accept the motion I am proposing tonight.

Mr. John McDermid (Brampton-Georgetown): Mr. Speaker, I will be brief. At one time in this country the Post Office, Her Majesty's mail service, was one of the finest institutions in this country. Everyone was proud of their Post Office and of the service it provided to Canadians. Unfortunately, today, it bears the brunt of jokes across this land.

If the government is serious about developing the Post Office into a Crown corporation so that it provides reliable service for Canadians, of which they can once again be proud, then the question of accountability is very important. In the amendment, motion No. 3, presented by my colleague, this concept is most important. It is one at which we would take a long, hard look.

Rumours are flying around that a certain gentleman from the city of Toronto who ran the transit commission there for many years, a former deputy minister in the provincial government, will be taking over the Post Office. Speaking on my own behalf, and not as a spokesman for any party, I hope that is true because I know of this man's ability. I know he would do an excellent job. I also know he would want to run the Post Office, the Crown corporation, as a legitimate business. He would not want the political interference which could very well take place if this amendment is not accepted.

For heaven's sake, if the Post Office is to be turned into a Crown corporation then let it operate as an independent business. If the government wishes to set guidelines, that is fine. But do not ask someone of the quality of this man to come to the government in order to ask permission to hire this individual and pay him that amount of money. Let him work within the guidelines set out by the government. Let him run the corporation as a business.

The presentation made by my colleague who introduced this motion was very well stated. I want to make this point most emphatically. Accountability is probably the most important aspect of this legislation—accountability to the people. If the aspect of political appointments to senior positions within the Post Office is brought in then that accountability is completely

shot. Let the new president run this corporation within certain guidelines. I ask hon. members to accept this very well thought out proposal as introduced by my colleague, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty).

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, I would say very briefly in reply to the comments made by the two hon. members who have just spoken on the amendment that the Canada Post Corporation will be included in Schedule C of the Financial Administration Act, which means that the government and Parliament will clearly be interested for a while longer in seeing how the new corporation can operate, at least during the first few years.

In particular, it is to be expected that the government will have to make up for the operating deficit of the corporation, at least for a while. It is only after a certain time that we can hope to see the corporation become self-sufficient. Therefore, it is not improper, as such, that appointments should be made by the governor in council, at least for a while after the corporation starts its operation. In fact, the directors of several corporations included in Schedule C of the Financial Administration Act are appointed by the governor in council.

Moreover, the member who introduced motion No. 3 seemed to suggest that we should prevent the board of directors of the corporation from being one day able to manage the affairs of the corporation. For his information, I shall read very quickly paragraph 10(1) of the bill which states the following: The board of directors of the Post Corporation shall direct and manage the affairs of the corporation and may for such purposes exercise all the powers and perform all duties of the corporation. The board therefore has all the powers which the hon. member wanted the board and the corporation to have. The government is in fact giving to the board of directors full power to manage the new corporation.

I believe that the outline law on Crown corporations which will be introduced later on by my colleague, the President of the Treasury Board (Mr. Johnston), will alleviate to a large extent the concerns expressed by the hon. member. I do not think that there is anything else for me to add, and I believe that this motion should not be retained. I suggest that it be defeated.

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

THE CONSTITUTION—EFFECT OF CHARTER OF RIGHTS ON ABORTION PROVISIONS IN CRIMINAL CODE

Mr. Stanley Hudecki (Hamilton West): Mr. Speaker, on March 23, 1981 my question to the Minister of Justice (Mr. Chrétien) was phrased as follows:

It is my understanding that the government interprets the charter of rights in the proposed constitutional resolution as it pertains to the question of abortion as being natural.

What assurance can the minister give that Section 7 of the charter of rights will not be construed so as to make abortion, in the early phase of pregnancy, essentially a matter of privacy and thus protected from the sanction of the Criminal Code?

The Minister of Justice answered:

—the question has been debated at length in the committee. I have stated the position of the government in this matter, that the question of abortion is dealt with in the Criminal Code and in no way can the charter be used to interfere with the actions of this Parliament in relation to the Criminal Code and abortion.

My purpose in bringing this question to the attention of the Minister again is twofold. Incidentally, I want to correct the misspelling in *Hansard* of the key word in the question, changing it from "natural" to "neutral". This error cannot be corrected in the copies of *Hansard*.

However, the real question is this: has a woman, in early pregnancy, the right to seek abortion under the provisions of Section 7 of the proposed constitutional resolution, claiming invasion of her liberty so as to bypass the Criminal Code of Canada? Under the present Criminal Code abortion is illegal unless certain statutory conditions are fulfilled. The following question must be answered: Does Section 7 of the constitutional resolution in essence pave the way for abortion on demand as did the decision of the supreme court of the United States in *Roe et al vs. Wade* in 1973? In that historic supreme court of the United States decision, with two out of seven judges dissenting, the abortion laws of Texas and other states were struck down.

The reasoning of the court was as follows: under the constitution of the United States individual liberty was guaranteed. The court ruled that the concept of liberty included the concept of privacy and that the concept of privacy makes abortion in the early phase of pregnancy essentially a private matter and not a matter on which the state would enact a penal sanction. The court reached this decision only after making an arbitrary ruling that an unborn child has never been recognized in law as a person in the whole sense. In other words, the unborn child was not a human being and had no rights.

In drawing a comparison between possible decisions of the supreme courts of Canada and those of United States courts one must keep in mind the following considerations: First, there is a similarity between the fourteenth amendment of the United States constitution and Section 7 of the proposed constitutional resolution; second, that in the United States courts the unborn child is not considered a human or a person until born; and third, that the Supreme Court of Canada has a tendency to follow the line of reasoning adopted by United States courts in many of their adjudications—for example, *Dehler v. Ottawa Civic Hospital.*

Once these facts are recognized, then the fear exists that if the Supreme Court of Canada in its wisdom follows the somewhat unrealistic reasoning of the United States court, Section 7 of the proposed constitutional resolution could be interpreted as interfering with the right of liberty of the mother, and on constitutional grounds the remedy of abortion could be upheld by the court and abortion on demand constitutionally authorized.

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, I thank the hon. member for Hamilton West (Mr. Hudecki) for bringing this question to the attention of the House. We have answered it several times, but that does not take away from its importance.

On March 5 this point was raised by the hon. member for Edmonton South (Mr. Roche). I answered at that time, and I refer the hon. member for Hamilton West to the proceedings of that day. I extensively quoted various people who came before the joint committee.

• (2205)

On March 23, the hon. member for Hamilton West asked a question in the House, to which the Minister of Justice (Mr. Chrétien) said:

—the question of abortion is dealt with in the Criminal Code and in no way can the charter be used to interfere with the actions of this Parliament in relation to the Criminal Code and abortion.

That is still the position of the government. The charter of rights will remain neutral on the position of abortion.

What is very important is that just last week, His Excellency Cardinal Carter put out a release in which he indicated he had received a long and courteous hearing from the Prime Minister (Mr. Trudeau). He looked at the opinions of the senior counsel of the Department of Justice and he looked also at another reputable legal source. In conclusion he said:

—while I am not satisfied with the protection accorded the unborn, I do not consider the proposed charter as worsening the position and because of its many positive values I do not oppose its passage on moral or religious grounds.

I am sure this statement from His Excellency will go a long way in assuring the hon. member for Hamilton West that the opinion of the government is well founded and consistent.

HEALTH CARE—EXTRA BILLING BY DOCTORS—CO-OPERATION OF ONTARIO IN BANNING PRACTICE

Mr. Maurice Foster (Algoma): Mr. Speaker, my question to the Minister of National Health and Welfare (Miss Begin) on March 20, 1981 referred to the minister's indication that she planned to negotiate an end to extra billing under the medicare program. It has been indicated recently that the cost of extra billing runs to some $56 million a year and that at least $43 million of this is paid by people in the province of Ontario. I asked the minister at that time if she had any indication that the province of Ontario would be willing to co-operate in restoring medicare to its original concept of universality without extra billing. The minister stated she was hoping a consensus would develop and she felt that Ontario could take a positive lead in this regard. But, of course, at that time the provincial election had just taken place and she did not say what the response had been from the province of Ontario since the announcement that she planned to negotiate toward this.

It is important to remember that the federal government contributes through medicare and other transfer payments some $8 billion a year, so obviously the federal government has a big stake in ensuring that the health programs are run in an effective and equitable way.

It is interesting to note in the report of the Hall Commission, which was prepared in the past year, that Mr. Justice Hall indicated that extra billing denies access to many of the poorer elements of society and violates the principle of accessibility to all. He stated in the report that extra billing would create a two-tier system of health care, casting the poor, the aged and the unemployed into a category apart from those who can afford the extra charges. He also indicated that if extra billing is permitted, it would destroy the program over the years. He went on to say:

A solution must be found to solve the conflict, otherwise medicare as Canada has known it since 1970-71 can fail in time.

I think it is terribly important that the position of Ontario, because of its strategic nature, because of the large number of physicians in the province, be clarified, because if other provinces were to opt out, doctors would cross over the provincial boundaries and perhaps settle in the province of Ontario. With the large population of physicians in Ontario, this is not likely to happen.

• (2210)

It is interesting that the province of Quebec has not experienced opting out; it has an excellent service. British Columbia and Saskatchewan have indicated that they want to move toward the position of no extra billing. I hope the minister will receive a positive response from the province of Ontario.

Mr. Justice Hall indicated in his report that there must be a fair and equitable way for doctors to be paid. We all recognize this, and that mechanisms must be put in place in that regard which are fair to Canadians.

It seems to me we have had the best medicare system in the world in the past decade. Approximately 20 or 30 years ago many of us only dreamed of having a complete, comprehensive medicare program which was portable, accessible and covered the costs of doctors and hospitals. This is something of which people in the United States only dream of even today; the United States is the strongest, richest and most powerful nation in the world.

We should be moving to restore the medicare program to its previous greatness. We should protect the health of our rich and poor equally. We should give the poor, the young, the weak and the old equal opportunity to one of life's greatest blessings, good health.

Adjournment Debate

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, in reply to the hon. member for Algoma (Mr. Foster), I am glad he began his remarks with some of the recommendations of the Hall report.

On March 20, the minister indicated to the House that she agreed with the position taken by Mr. Hall in his report in which he said that extra billing was totally unacceptable. Extra billing is unacceptable to the minister. Justice Emmett Hall reported that there must be a reasonable compensation mechanism for payment to physicians. The minister also supports that viewpoint of Mr. Hall.

The minister would like to point out to the hon. member that when the renegotiations take place in 1982 for extra program funding, one recommendation she will make to her cabinet colleagues will be to take steps or conditionalities to ban extra billing, as well as to recommend that some mechanism be found to properly compensate physicians.

The minister would also like to point out that when the new Ontario government was elected on March 19, she was hopeful that through negotiations we would be able to attain some way in which to ban extra billings but at the same time find a mechanism to properly compensate physicians. The minister also agrees with the recommendation of the Hall report that if we were to take unilateral action on the banning of funds to provinces to stop extra billing, it would simply result in the disruption of services. In September 1980, she promised provincial ministers that we would tend to do it by consensus. We plan to meet with provincial ministers of health sometime over the next two or three months. Hopefully by consensus we will reach a method by which to ban extra billing but at the same time to find some mechanism which properly compensates physicians.

EXTERNAL AFFAIRS—DISCUSSIONS WITH UNITED STATES SECRETARY OF STATE

Mr. Bob Ogle (Saskatoon East): Mr. Speaker, I first directed my question to the Secretary of State for External Affairs (Mr. MacGuigan) on February 3. It related to his visit with General Haig which took place just a few days previous. Also it related to the credibility of such a meeting and how they discussed the North-South question at that time.

Since that time, two months have passed and many events have taken place in relation to the situation in El Salvador and to the development of the north-south question. In that time, too, we found out much more about the credibility of certain matters which had been used as a basis for making judgments, but which put Canada into an unfavourable light, not only within Canada, but also within many other countries in the world, in our relationship to central America and, in particular, El Salvador.

● (2215)

Last Monday, when we watched in horror as President Reagan was shot down in Washington, I was struck by another factor of the whole story which was unveiling itself at that time. It was the inaccuracy of the news we were receiving about what was taking place with the president. This was an event being witnessed right there with television and radio people and commentators. Yet during the course of those first three or four hours we were told the President of the United States had not been hit, that the President of the United States was fine, and that the President of the United States was joking when he went into the hospital. We then found out that the President was hit, and then that the President was hit severely and was in a dangerous situation. At the same time, from the same news sources, we were finding out that James Brady, the press secretary, had been hit seriously, that he had died, then that he had not died, that he was getting better, and then that he was going to recover.

The reason I make this point—and that was a very recent experience with so many people in this country who watched that happening—is that right there, in that very limited space, they had difficulty finding out what was going on. These people who were involved very closely in that whole incident, as the power structure changed in Washington, and everything else occurring after the incident, could be the people who might cause our next atomic war. That kind of inability to be on top of the truth of the situation really made me afraid.

Canada's jumping-in almost immediately in El Salvador in order to follow the pattern of the United States in that country or at least give it a kind of moral dimension that it was not wrong, is based on what I feel has been very inaccurate information. Our government must be very careful about checking out its information as a situation like this proceeds, particularly if we are to have any credibility whatsoever in the North-South matter. The North-South matter, which I believe our country and our government wants to enter into seriously has a great deal to do with credibility. Are we really serious about the poor of the world, or are we just sufficiently serious that we will follow what the United States decides to do in a particular part of the world on a policy which may be founded on very poor information?

A publication printed in Toronto, gives good information about Latin America in general. It is called "Central America Update", and it is published jointly by the Latin American Working Group and the Jesuit Centre for Social Faith and Justice. They followed this El Salvador question and reported that:

> In late February, the U.S. State Department released a special "white paper" titled "Communist Interference in El Salvador". This white paper is the first major foreign policy statement by the Reagan administration, and reflects its determination to "draw the line" against "international communism" in Central America.
>
> While President Reagan proclaims that El Salvador will not be another Vietnam, this white paper paints a picture of the world that is almost identical to the one that lead us into the Vietnam War. The white paper itself is similar to another white paper put out by the State Department over a decade and a half ago to justify U.S. intervention in the Vietnam conflict. In 1965, the State Department released "Aggression from the North: the Record of North Vietnam's Campaign to Conquer South Vietnam". This document on Vietnam, like the Salvadorean white paper, blamed the war raging in the south on external forces and was used to argue for a massive buildup of U.S. forces in South Vietnam.

American people are afraid of what is now happening. Mr. Brady, before he was wounded during the attempt on the President, had just released a report which stated that of the letters and mail being received by the State Department, over 25 to one were against what the Americans were doing in El Salvador. Our Secretary of State for External Affairs received this information from General Haig.

• (2220)

There have been inquiries about Haig's understanding of the situation in El Salvador. One such was published in the *Globe and Mail* on March 31 last. It is a report from the *New York Times Service* written by Anthony Lewis. General Haig was questioned about the death of four American nuns, one of the key factors causing interest among the American people in this little Latin American country. I shall quote from the article to some extent as follows:

> The Secretary of State was testifying before the House Foreign Affairs Committee. He said: "I'd like to suggest to you that some of the investigations would lead one to believe that perhaps the vehicle that the nuns were riding in may have tried to run a roadblock, or may accidentally have been perceived to have been doing so, and there'd been an exchange of fire and then perhaps those who inflicted the casualties sought to cover it up. And this could have been at a very low level of both competence and motivation in the context of the issue itself. But the facts on this are not clear enough for anyone to draw a definitive conclusion."

That testimony would very clearly go against what the former U.S. ambassador to El Salvador, Robert White, said. He blamed right wing ideologues in the Reagan admistration for forcing him out of the foreign service. White claims his troubles began when he criticized the Salvadorean investigation of the rape and murder of the four U.S. missionaries. He said that if the price of keeping a job is to participate in the continuing cover-up of those responsible for this barbaric act, that price was too high for him to pay.

Salvadorean human rights workers report that just days before the murders, two of the American women had met privately with White to provide photographic evidence of the security force's complicity in the rampant violence.

My point, Mr. Speaker, is that to my mind, when speaking about that incident General Haig, completely misinterpreted it. I am very much concerned that our government has accepted the word of this person when deciding how to direct our policy in that part of the world.

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, through you I should like to ask the hon. member for Saskatoon East (Mr. Ogle) for clarification. I realize that he read a lot of statements. I recognize the point you made but is there a specific question you want to have—

Mr. Deputy Speaker: Order, please. With all due respect, will the hon. parliamentary secretary please address his remarks to the Chair.

Mr. Frith: Through you, Mr. Speaker, I would ask the hon. member for Saskatoon East if he could clarify the question. In all the points he made in the last seven or eight minutes I think I missed the gist of his question.

Mr. Ogle: Mr. Speaker, my question is this. Is the Secretary of State for External Affairs going to continue to accept this kind of information without what I would call a credible base for events in Central America, or is he going to find other information which would be more relevant to what is actually taking place?

My point is that unless we establish credibility about our own government and not just fall in behind the United States in this particular situation, we will lose our standing in the eyes of the poor in developing countries all over the world. The poor in Latin America realize that what happened there—

Mr. Deputy Speaker: The Chair has extended a certain amount of latitude, but the hon. member has exceeded his time. The parliamentary secretary has a brief period in which to reply.

Mr. Frith: Mr. Speaker, with respect to questions about Canada's policies toward El Salvador, I have been instructed to remind hon. members that the Secretary of State for External Affairs gave a definitive statement on Canadian policies toward El Salvador on March 9, 1981. No substantive change has occurred in Canadian policy since that time and I would refer hon. members to that statement for specific information.

Other than that, the rest of the comments prepared by the department have absolutely no relevance to the question put by the hon. member for Saskatoon East.

Mr. Deputy Speaker: A motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at two o'clock p.m.

At 10.25 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, April 8, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

DISARMAMENT

ARMS LIMITATION TALKS BETWEEN UNITED STATES AND RUSSIA—MOTION UNDER S.O. 43

Mr. Simon de Jong (Regina East): Madam Speaker, I rise today on a matter of urgent and pressing necessity under the provisions of Standing Order 43.

Considering that Canada is playing a greater role in the present U.S. space shuttle program than ever before, notably in terms of hardware, experimental devices and scientific personnel; and considering that the strongest impetus toward an increased U.S. presence in space is the escalating strategic arms race, including the planned deployment of high-energy killer lasers, I move, seconded by the hon. member for Winnipeg-Birds Hill (Mr. Blaikie):

That the Canadian government urge the U.S. Senate and the Reagan administration to press for further arms limitation talks with the Soviets so that the space program is not dominated by military planning which threatens to plunge the U.S. into a strategic space war with the Soviet Union.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EXTERNAL AFFAIRS

EL SALVADOR—OUTRAGE AT SENSELESS KILLINGS—MOTION UNDER S.O. 43

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, I rise on a matter of urgent and pressing necessity, under Standing Order 43.

In light of the tragic and brutal massacre of 30 Salvadorans on April 7 by right wing forces, and in light of Canada's support of the United Nations' resolution of December 15 last condemning El Salvador's human rights record and requesting the United Nations Commission on Human Rights to examine the situation in El Salvador, I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That this House convey to the El Salvadoran representatives in Ottawa our deep shock and outrage over the senseless killings of April 7, and urge the United Nations Human Rights Commission to commence its investigation into human rights violations in El Salvador forthwith so that further tragedies of this sort may be deterred through international pressure.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL ENERGY PROGRAM

IMPACT ON BUSINESS AND EMPLOYMENT IN ALBERTA—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): The Nisku, Alberta, businessmen's association has just completed an alarming study assessing the impact of the National Energy Program on 41 companies in the area and the study concludes that in this small part of Alberta alone close to $40 million and over 400 jobs were lost by January, 1981, because of the National Energy Program. It is projected that another $100 million worth of contracts and business will be lost this year. Therefore, under the provisions of Standing Order 43, seconded by the hon. member for Athabasca (Mr. Shields), I move:

That the Minister of Energy, Mines and Resources explain immediately to those Canadian companies his philosophy as to why they must suffer this tragedy as he attacks the western oil industry.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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YUKON TERRITORY

CALL FOR ESTABLISHMENT OF YUKON CAPITAL TRUST FUND—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity.

The Minister of Indian Affairs and Northern Development has stated publicly the government's anticipation that the Yukon may be given provincial status by 1985. The need for revenues from non-renewable resources by a province for the

installation of needed infrastructure is vital. Therefore, to accumulate such capital, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That the government immediately establish a Yukon capital trust fund and direct into it all royalties from current oil, natural gas and mineral production in the Yukon. And furthermore, that the fund be used exclusively for capital works and infrastructure construction in the Yukon, and that, pending provincial status, the fund be administered jointly by the national and Yukon territorial governments.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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SEARCH AND RESCUE

TRIBUTE TO LIFE-SAVING EFFORT BY AIRCRAFT CREW—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. I move, seconded by the hon. member for Northumberland-Miramichi (Mr. Dionne):

That this House recognize the daring search and rescue effort by the crew of a Greenwood, Nova Scotia-based Aurora aircraft, who, under adverse flying conditions, 300-foot ceiling and one half mile visibility, on their own initiative during a two-hour search on Monday played a key role in saving the lives of four people on a raft adrift on the North Atlantic.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

HUMAN RIGHTS

CONDEMNATION OF CAMPAIGN TO ENCOURAGE INVESTMENT IN SOUTH AFRICA—MOTION UNDER S.O. 43

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, I rise today on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Considering that on December 16, 1980, the General Assembly of the United Nations voted in favour of economic sanctions against the racist regime in South Africa, and considering the worldwide campaign against investment in South Africa being carried out by churches, non-governmental organizations, trade unions and humanitarian groups, I move, seconded by the hon. member for Regina East (Mr. de Jong):

That this House condemn Bache Corporation for holding free seminars across Canada, including one in Ottawa this afternoon, to encourage investment in South African gold stocks, and that this House urge Canadian individuals and companies to comply with the United Nations resolution calling for disinvestment in South Africa.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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INDIAN AFFAIRS

MARCH BY BIGSTONE INDIAN BAND, ALTA.—LACK OF GOVERNMENT RESPONSE—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise under the provisions of Standing order 43. Whereas the Bigstone Indian Band in northeast Alberta is nearing the completion of its protest march for economic equality in which both young and old band members are demonstrating their desperate need for economic assistance by walking 400 kilometres to gain the attention of the government, and whereas the band has received no indication from the Prime Minister (Mr. Trudeau), the Minister of Employment and Immigration (Mr. Axworthy), the Minister of Indian Affairs and Northern Development (Mr. Munro), or the Minister of Regional Economic Expansion (Mr. de Bané) that the government intends to address the very serious poverty and unemployment that plague these people, despite the fact that the government's western development fund was supposed to have placed the needs of native people in the west at the top of its priority list, I move, seconded by the hon. member for Wetaskiwin (Mr. Schellenberger):

That this House condemn the government for its lack of response and compassion in this case, and demand that the government act immediately by meeting with the band so that a comprehensive plan may be developed to assist the band members to begin the arduous task of raising their standard of living and attaining economic independence.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*Translation*]

EXTERNAL AFFAIRS

SUGGESTION SYRIA BE ASKED TO END MILITARY OPERATIONS AGAINST LEBANESE—MOTION UNDER S.O. 43

Mr. Pierre Gimaïel (Lac-Saint-Jean): Madam Speaker, I rise under the provisions of Standing Order 43, to ask for the unanimous consent of the House to move a motion dealing with an urgent matter of pressing necessity. I also ask the approval of my colleagues on humanitarian grounds. In view of the critical conditions prevailing in Lebanon at the moment,

and since it is increasingly evident that civilians are the target of military operations in that country, I move, seconded by the hon. member for Labelle (Mr. Dupras):

That the House asks the Secretary of State for External Affairs to send his Syrian counterpart a note asking the Syrian government to order its deterrent forces posted in Lebanon to stop any operation against Lebanese civilians or those of any other nationality, as evidence of their respect for life and basic freedom principles.

Madam Speaker: The House has heard the motion of the hon. member. Under the provisions of Standing Order 43, such a motion requires the unanimous consent of the House. Is there such consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*English*]

INDUSTRY

SUPPORT FOR FOOD PROCESSING SECTOR—MOTION UNDER S.O. 43

Mr. Vince Dantzer (Okanagan North): Madam Speaker, I rise under the provisions of Standing Order 43. Whereas Canada's trade deficit in manufactured foods and beverages is increasing rapidly, and whereas even the Minister of Agriculture (Mr. Whelan) has admitted that of the $4.7 billion in food products imported into this country some $2.5 billion in manufactured foods, semi-processed meat and fish products could have been processed in Canada, and whereas the food processing industry is the largest employer in seven of the ten provinces, I move, seconded by the hon. member for Elgin (Mr. Wise):

That this House censure the government for its lack of support and encouragement to the Canadian food processors and Canadian agriculture, and further that this House direct the government to devise immediately and put into effect a Canadian food policy designed to increase Canadian self-sufficiency in the production and processing of food.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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METRIC CONVERSION

ERRONEOUS IMPRESSION OF F-18 FIGHTER AIRCRAFT MEASUREMENTS—MOTION UNDER S.O. 43

Mr. Bill Domm (Peterborough): Madam Speaker, on page 45 of the seventh annual report of the Metric Commission there is a picture of Canada's new fighter aircraft, the CF-18A, and attached is a caption describing the specifications of the aircraft in metric. As both McDonnell Douglas

and the Department of National Defence informed me "This CF-18A is built entirely to imperial specifications", I move, seconded by the hon. member for Elgin (Mr. Wise):

• (1415)

That this House censure the executive director of the Metric Commission for intentionally allowing to be published erroneous information designed to suggest that the aerospace industry in North America is metric when in reality it is still imperial.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

MEASURES TO COMBAT INFLATION AND STIMULATE GROWTH

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is directed to the Minister of Finance who, for a few weeks now, has been hiding behind the constitutional skirts of the Prime Minister. The minister will know that mortgage rates have just gone up again to 16.5 per cent, U.S. interest rates are tending upwards again, inflation is running over 12 per cent, and the Canadian dollar is still vulnerable.

The Conference Board of Canada, in its first quarterly report, has concluded that the inflation rate, high interest rates, and the investment outlook plagued by the energy conflict between the federal government and the provinces, will prevent any sustained economic recovery in 1981. Would the minister now tell us what concrete steps he is taking to stop the increased interest rates or to dampen down inflation or to stimulate real economic recovery in 1981, in view of these forecasts?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, first of all the hon. member should not complain about how the question period has been going during the last several weeks. If it has been devoted to the Constitution, it is because the Leader of the Opposition and the other front benchers have totally ignored the economy—

Some hon. Members: Oh, oh!

Mr. MacEachen: —and concentrated on the Constitution.

Some hon. Members: Hear, hear!

Mr. MacEachen: I welcome the return of the Tory party to the economy, which is evident today by the question of the hon. member. However, the hon. member has asked a whole series of questions with respect to interest rates, economic growth, inflation—

Miss MacDonald: And you can't do anything about any of them!

Mr. MacEachen: —the answers to which would require a very long time.

Mr. Clark: You are Minister of Finance.

Mr. MacEachen: I would refer him to the budget which outlines the economic strategy which is being employed by the government. When any changes are made to that, I would be happy to tell the hon. member for St. John's West. In fact I will try to make sure that he will be the first to know.

Mr. Crosbie: It is 13 months now, and the government has not returned to the economy yet. It has not even turned to the economy.

Some hon. Members: Hear, hear!

POLICY RESPECTING FISCAL AND MONETARY RESTRAINT

Hon. John C. Crosbie (St. John's West): I might quote Don McGillivray in yesterday's paper which said the minister's "first budget, according to non-government economists, increased inflation and reduced economic growth." I hope he will do better on his second.

My supplementary question will be much simpler for the minister. He has a job to understand anything over one syllable. Is it the policy of the minister and the government to exercise fiscal and monetary restraint? It is a very simple question. Is it the policy to exercise fiscal and monetary restraint?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, on the question of monetary policy which is being carried out under the direction of the Governor of the Bank of Canada, as my hon. friend knows, the governor of the bank, not so long ago, adjusted the target range for the growth of the money supply indicating a renewed effort at restraint on the monetary side. The Government of Canada fully supports the Governor of the Bank of Canada in that particular effort. That is the situation on the monetary side.

Has my hon. friend understood that, before I go to the fiscal side and tell him that it is the intention of the government to exercise restraint through a gradual reduction in the deficit, financial requirements, and maintaining restraint on government expenditures? That is on the fiscal side. Does my hon. friend understand that?

POSSIBLE CREATION OF ECONOMIC SLACK

Hon. John C. Crosbie (St. John's West): It has taken 13 months, but the minister is now telling us what his policy is. The minister is the Rip Van Winkle of finance ministers. He has been asleep for 13 months.

• (1420)

If the minister's policy is fiscal and monetary restraint, to create some slack in the economy—he has that policy, I assume—I want to ask the minister this: on January 9 his department said that public support was not yet present for a full program of wage and price controls because there was not enough general or severe slack in the economy, but the department suggested that with a policy of fiscal and monetary restraint the minister could create that slack. Is the minister now attempting to create that slack so that he can come in later in the year and announce a full program of wage and price controls as his department advocated in its paper of January 9?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the answer, clearly, to the question as put is no.

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AUTOMOTIVE INDUSTRY

GOVERNMENT PLANS TO DEAL WITH IMPORTATION OF FOREIGN AUTOMOBILES

Hon. Sinclair Stevens (York-Peel): Madam Speaker, if I may, I would like to put a question to the emperor himself, the Prime Minister. On this economic theme I would like to mention to the Prime Minister that there still appears to be a lack of industrial strategy on the part of his government or, if there is an industrial strategy, it seems to be founded on the exportation of resources on one hand and jobs on the other. Would the Prime Minister indicate what, if anything, the government plans to do with respect to the importation of foreign cars, especially Japanese cars, into this country, and does the government see fit only to have the Minister of Industry, Trade and Commerce go to Washington to talk about the Japanese problem?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker—

Mr. Hnatyshyn: The emperor is not wearing any clothes.

Mr. MacEachen: —I believe the hon. member should be pleased that the Minister of Industry, Trade and Commerce is holding consultations with his counterparts in Washington because obviously, in looking at the impact of Japanese exports, one has to look at in terms of the North American market, and it is in that context that I invite the hon. member to judge the minister's visit to Washington.

FINANCE, TRADE AND ECONOMIC AFFAIRS

GOVERNMENT POLICY ON FOREIGN INVESTMENT

Hon. Sinclair Stevens (York-Peel): Madam Speaker, perhaps the Prime Minister would care to familiarize the House with the government's policy concerning one related matter, that is, the question of foreign investment. Last September a trade mission of the Department of Industry, Trade and Commerce told the Japanese, "Canada welcomes foreign investment". Is that in fact government policy, bearing in mind that many assumed when they read the National Energy Program that certainly some foreign investment is not too welcome?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the assertion that some foreign investment is not too welcome is a policy followed by many governments, including the government which preceded mine, mine and probably the one which will follow mine.

For instance, in the area of banking we want to make sure that financial institutions remain under Canadian control and that they are not dominated by foreign investment. The same applies, for instance, to communications. There are areas where I believe even the very conservative Conservatives believe we should have control over our domestic environment. That is the policy we follow, and that is compatible with the desire to welcome foreign investment generally in Canada.

* * *

EXTERNAL AFFAIRS

EL SALVADOR—MURDER OF TWENTY-THREE CIVILIANS—REQUEST FOR ACTION BY UNITED NATIONS

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Prime Minister. On Monday night in El Salvador there was another in a series of tragic acts of violence perpetrated by the national guard under the control of the junta in that country. This time it was the vicious murder of 23 civilians in their own homes. Considering that the Government of Canada voted for a UN resolution last fall condeming the junta for its violation of human rights, is the Government of Canada now prepared to request the UN to take some direct action to put an end to the systematic murder in that country?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, during these last few months we have repeatedly expressed the horror we feel at the many violations of human rights in El Salvador. We have done so at the General Assembly of the United Nations, as the hon. member has indicated, we have done so at the Human Rights Commission of the United Nations, we have also continued our efforts through the Organization of American States, and bilaterally we have expressed to the representatives of El Salvador in Ottawa our profound disagreement with what is happening in their country, and we shall do so again at the next opportunity, either bilaterally or multilaterally.

• (1425)

[*English*]

Mr. Broadbent: Madam Speaker, in recent weeks all that the Government of Canada has done on this subject is to accept the highly biased reports coming from the United States on what is occurring in that country. I should like to ask the Prime Minister, since we are, we hope, in the final stages of debating a resolution affecting human rights in Canada, if he would demonstrate some concern on the same subject for people who live elsewhere by having the Canadian ambassador at the United Nations request the UN Commission on Human Rights to investigate these murders that are taking place in El Salvador.

[*Translation*]

Mr. Duclos: Madam Speaker, the hon. member should know that the situation in El Salvador cannot be described in black and white. The government in place led by President Duarte has announced its intention to undertake negotiations with the leftist forces. Unfortunately, whether these negotiations take place at the instigation of the Catholic Church in El Salvador or the Socialist International, up to now the revolutionary forces have been the ones to indicate that they did not want to take part in these negotiations.

[*English*]

REQUEST THAT UNITED STATES STOP ARMS SHIPMENTS

Mr. Edward Broadbent (Oshawa): Madam Speaker, I will try another question, but I will not even go to the Prime Minister in this case because obviously he is not going to concern himself with what happens in that part of the world. But I will put my question to the gentleman who is doing the answering today. Considering that the United States is presently increasing its arms supply to the junta, and considering that the junta is dependent upon the use of these arms to perpetuate itself in power, will the Government of Canada at the very least use this most recent act of terrorism as a legitimate reason for requesting the United States to stop shipping arms to that country?

[*Translation*]

Mr. Louis Duclos (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, the hon. member should know like everyone else that our position as a government concerning shipments of arms to this unfortunate country is extremely clear and precise. We condemn any shipment of arms from whatever source.

[*English*]

AIR CANADA

CLAIM TO ROUTES LINKING CANADA AND ORIENT

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, my question is to the Minister of Transport. Speaking in Vancouver last week the president of Air Canada, Mr. Claude Taylor, made strong representations that Air Canada should be given an exclusive right to fly the Vancouver to Tokyo and Hong Kong international routes. In view of the fact that Canadian Pacific Airlines pioneered these routes, took the losses to get them established, and now the president of the state owned airline is giving press interviews in which he states he wants these routes, I would ask the minister whether the president of Air Canada is expressing official government policy, is he testing the wind of public opinion, or he is whistling in the wind and on a frolic of his own with no government sanction for such horrendous statements?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, obviously the president of Air Canada was expressing his own views.

An hon. Member: They should be your views.

Mr. Pepin: The reaction to those views is a clear indication that there is no consensus on the subject. But we are going to come out in a very few weeks with an adjusted domestic air carrier policy, and in the coming months we will review the international air carrier policy. In the meantime Mr. Taylor was expressing what he would like to see come about. By the way, we all rejoice in the financial and operational success of Air Canada in recent years.

Mr. Cook: Madam Speaker, I have a very brief supplementary for the minister. Will he make a flat statement that Canadian Pacific airlines and other private carriers will be protected in their present routes from the grabbing tactics of Air Canada?

An hon. Member: Yes or no.

Mr. Pepin: Madam Speaker, this is the policy of the government at this time. The competition internationally between Air Canada and Canadian Pacific airlines is looked upon by the Minister of Transport as being desirable at this time.

* * *

● (1430)

AUTOMOTIVE INDUSTRY

EFFECT OF RELAXATION OF UNITED STATES POLLUTION AND SAFETY REGULATIONS

Mr. Otto Jelinek (Halton): Madam Speaker, in the absence of the Minister of Industry, Trade and Commerce I should like to direct my question to the Minister of the Environment. The Reagan administration in the United States announced plans this week to relax automobile pollution and safety regulations in order to aid the ailing automobile industry. This will be to the tune of $1.4 billion in savings to that industry.

In view of the fact that the industries in Canada and the United States are so closely related, can the minister tell us what effect these changes—and 18 of them affect the environment alone—will have on our environmental regulations?

Further, what has the minister done, perhaps in conjunction with the Minister of Industry, Trade and Commerce, to ensure that the Canadian automobile industry does not receive another setback as a result of these changes?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, my department and the Department of Transport are assessing the significance of these potential changes. I will confer with my colleague, if there is any necessary response on my part.

REQUEST FOR RESTRICTION ON IMPORTATION OF JAPANESE CARS

Mr. Otto Jelinek (Halton): Madam Speaker, again in the absence of the Minister of Industry, Trade and Commerce, my supplementary question is directed to the Minister of State for Small Businesses and Tourism. As the minister knows, last week the Canadian Automotive Parts Manufacturers Association, among others, which is comprised mainly of small Canadian businesses, appealed to the government for restrictions on automotive imports, especially those from Japan. I do not have to quote the statistics in that regard.

Since these ailing manufacturers fall under the jurisdiction of the minister, could he tell us what is his position in regard to these requests for import quotas? Has he made any representations to either the Minister of Industry, Trade and Commerce or, better still, has he made any representations to cabinet in this regard?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, when spokesmen for the automobile industry met last week with the Minister of Supply and Services, the Minister of Industry, Trade and Commerce, and other ministers of this government, it was clearly indicated that the entire question of automotive imports, particularly from Japan, ought to be assessed in the North American context. Since the Minister of Industry, Trade and Commerce will be holding talks this week with his Washington counterpart, I believe it would be premature to comment further on this topic.

[*English*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF FORMER SPEAKER AND GOVERNOR GENERAL, HON. ROLAND MICHENER

Madam Speaker: I am sure hon. members of the House would want to greet a former Speaker of the House of Commons and a former Governor General, the Hon. Roland Michener, and Mrs. Michener, who are present in the gallery.

Some hon. Members: Hear, hear!

* * *

INDIAN AFFAIRS

REQUEST FOR MINISTER OF EMPLOYMENT AND IMMIGRATION TO MEET WITH BIGSTONE INDIAN BAND

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is directed to the Minister of Employment and Immigration. The minister knows that for two and a half weeks 80 members of the Bigstone Cree Band has been making a 250-mile trek from northern Alberta to Edmonton. This walk is their desperate way of asking Canadian people for a new deal which will include decent housing, with sewage and running water, better education, and, above all, economic development. The minister promised to meet with the Bigstone Cree. Will he meet with them when they arrive in Edmonton this weekend? Will he commit moneys from the Western Initiatives Development Fund to help the Bigstone Cree with their economic development?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I share the concern of the hon. member about the general conditions which native people face, particularly the large number in western Canada who have a real need for economic development. But I remind him that there have been meetings. In fact there was just one yesterday between the regional director of the Department of Indian Affairs and Northern Development and the chief of the Bigstone Band. They are having these discussions.

We have indicated that we are very sympathetic to their suggestions. As soon as we can sit down and discuss with them and with other native leaders across Canada to develop a comprehensive approach to economic development, we are prepared to do so and hopefully work out what will be solutions for their future.

Mr. Manly: Madam Speaker, the people who are marching for 250 miles have the right to meet with the minister.

PROVISION OF ADDITIONAL FUNDS

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my supplementary question is directed to the Minister of Indian Affairs and Northern Development. The minister knows, as the previous minister admitted, that the situation of the Bigstone Cree is typical of that of Indian bands from one end of Canada to the other. Indian people are tired of being told that if money is given to them it will have to be taken from another band somewhere else.

Will the minister go back to cabinet and secure sufficient funds in supplementary estimates so that the Indian people can put an end to this vicious cycle of poverty, disease, bad housing, and no economic development? Will the minister go back to cabinet to get these funds?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, the hon. member must be aware that the role of the Minister of Indian Affairs and Northern Development is always to endeavour, within the government, to get the maximum amounts of money possible for his programs. This is what I am doing. Having said that, I tell the hon. member that as far as the Bigstone Band is concerned there was an unfortunate incident with regard to the audit of their books and the manner in which the funds were handled prior to Chief Beaver becoming chief. Since that time we have endeavoured to be of assistance, as I think the hon. member for Athabasca is aware. We have done the maximum we can in terms of picking up the deficits and putting them on a sound financial basis.

I might say that all the items respecting what we are prepared to do have been communicated both to the Member of Parliament for the area and to the chief of the band.

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ENVIRONMENTAL AFFAIRS

RESULT OF MINISTER'S DISCUSSIONS ON ACID RAIN WITH UNITED STATES SECRETARY OF THE INTERIOR

Mr. Maurice Foster (Algoma): Madam Speaker, my question is directed to the Minister of the Environment. In view of the continuing concern in Canada with acid rain and press reports that the United States administration is planning to reduce its powers under the clean air act to control acid rain, can the minister assure the House that, as a result of his meeting with Secretary of the Interior James Watt last week, the U.S. will not reduce its power to control acid rain under the clean air act and that it will be concluding an international agreement to control this problem?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I thank the hon. member for his question. As he noted, I met with Secretary of the Interior James Watt. He confirmed the word which the President of the United States gave us, that the United States expects to begin, as was originally forecast, negotiations leading to an air quality agreement early this summer.

Also I brought to his attention our concerns about possible changes to the American clean air act which might undermine the ability of the American government to respond to the international obligations it has to our country.

I must say that I received some considerable reassurance from the Secretary of the Interior. Our discussions were somewhat disrupted since it was the day of the attempted assassination of the President. Our meeting was cut short to some extent, but he gave a very positive indication that the administration is not intending to act in a way which would undermine its present ability to respond to our interests.

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INDIAN AFFAIRS

MARCH BY BIGSTONE INDIAN BAND—REQUEST FOR ATTENDANCE AT MEETING IN EDMONTON

Mr. Jack Shields (Athabasca): Madam Speaker, my question is directed to the Minister of Manpower and Immigration. It is supplementary to an earlier one regarding the Bigstone Band. As the minister knows, the band is not satisfied with meeting with regional officials. It has asked specifically, as outlined in a telegram to the minister two days ago, if the minister cannot be there that a senior official of the PMO or PCO attend Edmonton to meet with the band. Will the minister do this?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I cannot speak for other departments of the government, but I indicated to both the hon. member and the chief of the band that we are very open to the representations of that band, as well as those of other native organizations in the west. We have been meeting on a very frequent basis with a number of native leaders over the past two or three months. We are certainly quite willing and open to any discussions which will take place. This is why senior officials are meeting with them at the present time to work out those details. But we must respect the fact that there are various kinds of native organizations—not just those that are marching but many others—that would like to make their cases known.

Mr. Shields: Madam Speaker, my supplementary question is directed to the Prime Minister who received a telegram from Chief William Beaver of the Bigstone Band last Friday. He indicated at that time that he had not read it. In the telegram the Prime Minister is being asked to intercede and send someone from the PMO or PCO to Edmonton to meet with the Bigstone Band. Obviously I am not getting anywhere with the minister responsible for the western development fund. Would the Prime Minister consent to sending someone to meet with the band this weekend? The band arrives in Edmonton on Friday.

• (1440)

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the Minister of Indian Affairs and Northern Development answered that question earlier in the question period. He gave a perfectly satisfactory explanation. If the leader of the band wants to meet with the Minister of Indian Affairs, the minister has never closed his door with regard to such meetings.

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NATIONAL ENERGY PROGRAM

IMPACT ON SERVICE INDUSTRY IN WESTERN CANADA

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. I was somewhat taken aback yesterday by an answer the minister gave to the hon. member for Assiniboia with respect to the plight of the service companies in the oil industry in western Canada. In his reply the minister seemed to indicate that there were special programs for these companies, bail-outs if you will, which is not what the industry is seeking. The industry is looking for changes in the National Energy Program which will restore the level of business to the level which prevailed on October 28. Does the minister realize that these companies do have a problem? If so, what is the minister proposing to do to change the National Energy Program? I would appreciate it if he would be specific.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I met with representatives of the service industry in Alberta a couple of months ago at which time I had an opportunity to discuss with them their particular problems. I again met with their representatives yesterday in Ottawa. I am fully aware of the difficult circumstances these companies and individuals are facing at the present time due, in part, to the reduction in exploration for natural gas because of a surplus of natural gas at the present time on domestic and international markets. This is also due to the combination of our fiscal measures together with the very high royalties and tax rates imposed by the government of Alberta on the oil and gas industry.

The combination of all these factors makes it extremely difficult at the present time for all these people. I hope that in the weeks to come we will be able to arrive at a satisfactory arrangement with the government of Alberta on the issue of oil and gas pricing and revenue sharing. We have indicated that we have approached these negotiations in good faith and have shown flexibility. I am still waiting for a similar indication from the government of Alberta.

Mr. Hnatyshyn: Assiniboia is in Saskatchewan.

POSSIBLE CHANGE IN PRICING POLICY

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, the minister has put his finger on it. The problem is caused by a combination of the National Energy Program, fiscal measures, as well as some of the measures which are outside his control. I am looking for some indication from the minister as to those areas which he feels are within his control and on which he feels he is able to move. Last night in committee we heard that one of those areas was with regard to price. The

companies, and members from the government side were there. They heard the representation that price is a very important factor. Is the minister considering a change in the pricing policy to allow for a different treatment of those low productivity wells in Alberta and Saskatchewan which generate a tremendous amount of drilling activity but which are not economical now because of the combination of factors, particularly price and the production taxes which were introduced in the National Energy Program on October 28?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, we indicated in the past that we were approaching the discussions with flexibility and some room for adjustments and further modifications. I hope that the governments of Alberta and Saskatchewan will approach these negotiations in the same spirit. Unfortunately, I have had no indication whatever that they are ready to move at all on any of these issues. I hope they will be willing to show the same degree of flexibility that we will be showing.

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PETRO-CANADA

CANCELLATION BY BRITISH PETROLEUM OF CREDIT CARD EXCHANGE AGREEMENT

Mr. Paul Dick (Lanark-Renfrew-Carleton): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. In view of the fact that the National Energy Program deals with Petro-Canada as a key element of it and that the minister hopes that wide use and acceptance of Petro-Canada will be a desirable thing, I wonder if the minister is aware of a bulletin issued by British Petroleum to all their lessees and dealers, effective April 30, 1981, which states that the credit card exchange agreement with Pacific Petroleum, now Petro-Canada, will be cancelled. Is this a restriction with which the government agrees, or will the government enter into negotiations to ensure that the Petro-Canada credit cards can be used as widely as possible?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I will certainly not enter into negotiations on behalf of Petro-Canada with their various competitors as far as commercial arrangements between those various companies are concerned. I suggest the hon. member phone Petro-Canada, or write to it, asking for an explanation. I will be quite happy to inquire on his behalf and inform him later on, if he wishes. I am not aware of this particular situation, which is obviously a matter of commercial decision left quite clearly to Petro-Canada and British Petroleum.

CANADIAN HUMAN RIGHTS COMMISSION

RECOMMENDATION CONCERNING SEXUAL HARASSMENT OF WOMEN

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is for the Minister of Justice. The Canadian Human Rights Commission in its 1980 annual report, which was tabled yesterday, recommended that "it has now become urgent for Parliament to make it clear that sexual harassment constitutes discrimination on the grounds of sex and will not be tolerated", pointing out that public perception of sexual harassment as a major barrier to equality in employment for women has greatly increased. In view of the fact that the Canadian Human Rights Commission recommended last year, and is again recommending this year as a top priority, the elimination of discrimination against women on the grounds of sexual harassment, what action does the government intend to take to implement this important recommendation?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, we are in the process of reviewing the recommendation of the commission which was tabled Monday. If need be we will introduce a bill in Parliament dealing with this matter after the cabinet has made a decision.

I fail to see the need to proceed very rapidly at this time because, unfortunately, the House has had very little time in recent months to look after such problems because the business of the House was taken up by something else.

[*English*]

Mr. Robinson (Burnaby): Madam Speaker, the minister should know very well that it has been over a year since this recommendation was tabled. The report of the Human Rights Commission makes a number of other important recommendations, including a prohibition of discrimination on the grounds of political belief, sexual orientation, the abolition of mandatory retirement at an arbitrary age, and an end to discrimination against women based on pregnancy and childbirth. The minister has spoken many times about the importance of human rights. I suggest that if he is serious about these recommendations he take the advice of the Prime Minister—

Some hon. Members: Question!

Mr. Robinson (Burnaby): —and put up or shut up on human rights questions.

Some hon. Members: Hear, hear!

Mr. Chrétien: Madam Speaker, I have spoken a great deal in the last year with respect to human rights. This is why we are about to have a charter of rights in the Canadian Constitution.

Some hon. Members: Hear, hear!

Oral Questions

PENITENTIARIES

CONSTRUCTION OF MAXIMUM SECURITY INSTITUTION AT RENOUS, N.B.

Mr. Maurice A. Dionne (Northumberland-Miramichi): Madam Speaker, my question, of which I have given notice, is for the Solicitor General.

Some hon. Members: Oh, oh!

An hon. Member: Did he put you up to it?

Mr. Dionne (Northumberland-Miramichi): I do not need any prompting, Madam Speaker. As the minister knows—

Some hon. Members: Oh, oh!

Mr. Dionne (Northumberland-Miramichi): Madam Speaker, if hon. members opposite will keep quiet I will put my question.

As the minister knows, two of his predecessors gave commitments to me and, more important, to the people of the Miramichi, that a maximum security institution would be built at Renous.

An hon. Member: No one else wants it.

Mr. Dionne (Northumberland-Miramichi): The minister also knows that the commitment was rejected by the previous government. Can the minister tell the House if, and when, this commitment will be fulfilled, what the capital investment will be, and what the level of employment will be?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, I would like to thank the hon. member for giving me notice of the question.

Some hon. Members: Hear, hear!

• (1450)

Mr. Kaplan: I am very pleased to inform the hon. member that this project, which was cancelled by the Conservative government—

An hon. Member: Shame!

Some hon. Members: Oh, oh!

Mr. Kaplan: —has been reinstated and was approved by the Treasury Board last week—

Some hon. Members: Hear, hear!

Some hon. Members: Shame!

Mr. Kaplan: —that construction will begin in September of 1982, that the project will cost $37.4 million—

Some hon. Members: Hurrah!

Mr. Kaplan: —and that the estimated opening date will be January, 1986.

Some hon. Members: Hear, hear!

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NUCLEAR DEVELOPMENT

SALES OF CANDU REACTORS ABROAD

Hon. George Hees (Northumberland): Madam Speaker, I have a question to put to the Prime Minister and I do so in view of his role as Canada's No. 1 salesman for the Candu reactor to countries around the world. Could he advise the House why it is, in view of the fact that the Candu reactor is generally considered throughout the world as the finest piece of machinery ever produced to do the job it is called upon to do, that Canada is losing out regularly all over the world, particularly to France, on sales of this very important piece of machinery that Canada produces so well?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I can think of a couple of examples of sales that we have lost because members of the hon. member's party either criticized the government that was going to buy the equipment, or complained about the lack of security arrangements for those sales.

Mr. Hees: Madam Speaker, it appears that the only way that this disastrous sales record can be set right is by far superior salesmanship than has been available so far. In view of this great need, would the Prime Minister consider taking a short course in salesmanship? If he would, I would be very glad to arrange one for him.

Mr. Trudeau: Madam Speaker, I want to remind the hon. member that some sales were lost to the Argentine precisely because the then secretary of state for external affairs, a member of his party, undisposed the government of the Argentine toward the buying of this.

Miss MacDonald: You have lowered standards.

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SUPPLY AND SERVICES

POSSIBILITY OF SAVINGS THROUGH CHANGES IN TELEPHONE LEASING POLICIES

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, I have a short question for either the Minister of Supply and Services or the Minister of Communications which may result in saving enough money to help the hon. member for Northumberland-Miramichi pay for his new prison. I want to ask either or both of those ministers whether they have considered any changes in the policies that they employ in their departments with respect to the government telephone agency and the supply and procurement policies for government services. If they changed their policies and did not continue to use

perpetual leasing policies with Bell Telephone, but instead dealt with some competitive Canadian companies, they could probably save millions of dollars. Will the ministers look into this and respond on whether they recognize the potential for saving millions of dollars in this regard?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, we are always willing to look at suggestions made by hon. members on the other side of the House. We will be pleased to examine the matter and see if any improvement can be made.

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CANADIAN BROADCASTING CORPORATION

PREPARATIONS FOR LAUNCHING OF CBC-2

Miss Pat Carney (Vancouver Centre): Madam Speaker, my question is also addressed to the Minister of Communications. Is the minister aware that the CBC staff at one regional centre is currently engaged in transferring programming to one-inch tapes for CBC-2 on equipment with the CBC-2 logo, even though CBC-2 has not yet been authorized by the CRTC? Does this indicate that the government has given assurance to the CBC that CBC-2 will proceed, regardless of the CRTC decision?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, the answer to all the questions put by the hon. member is no.

Miss Carney: Madam Speaker, my supplementary question is also addressed to the Minister of Communications. Would the minister undertake to look into this matter, and would he please tell us his views on whether he considers it proper for the CBC to be spending public money on a system which has not yet been authorized?

Mr. Fox: Madam Speaker, I will be pleased to look into the matter that the hon. member has raised. If the CBC is interested in CBC-2, and if its application is in front of the CRTC, it goes without saying that it has undoubtedly spent some funds to prepare its application for the CRTC and is undoubtedly thinking in terms of a positive decision being given. I shall be pleased to look into the matter in a more general way.

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CANADIAN WHEAT BOARD

REPORTED ACQUISITION OF LAKER TO TRANSPORT GRAIN

Mr. Douglas Neil (Moose Jaw): Madam Speaker, my question is for the Minister of Transport who answers in this House for the minister in charge of the Canadian Wheat Board who sits in the other place. I wonder if the minister could advise whether the Canadian Wheat Board has purchased, or is negotiating the purchase, or is considering building a lake ship to transport grain.

Hon. Jean-Luc Pepin (Minister of Transport): No, Madam Speaker, I cannot, but I will find out. I am aware, however, that the Canadian Wheat Board is aware of its responsibilities and of the need of adequate transportation for exports. It is trying to negotiate longer-term contracts on the Great Lakes but I do not know if the Board intends to purchase ships. I will find out immediately and report to my hon. friend in the next 20 minutes.

Mr. Neil: As a supplementary question, Madam Speaker, when the minister is reporting could he determine whether it is either purchasing or arranging to build a ship? Would he also determine whether it will be paid for out of producers' funds? At the same time, would he consider having the legal department look into the regulations or the act to determine whether such activities on the part of the Canadian Wheat Board are, in effect, legal?

Mr. Pepin: Yes, Madam Speaker, I will do that.

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CANADA LABOUR CODE

APPLICATION OF PROTECTION TO WORKERS UNDER FEDERAL JURISDICTION

Mr. Derek Blackburn (Brant): Madam Speaker, my question is addressed to the Minister of Labour. It relates to the CLC proposals that were announced on Monday of this week. Can the minister tell the House exactly what is happening with respect to the revision of Part IV of the Labour Code. When will he and his department get their act together and introduce their recommendations for the complete revision of Part IV, thereby guaranteeing the over 600,000 workers who are under federal jurisdiction, without exception, the right to refuse to perform dangerous work without fear of disciplinary action, and the right of designated worker representatives to shut down dangerous and unhealthy operations until they are corrected?

Hon. Gerald Regan (Minister of Labour): Madam Speaker, if I were to attempt to deal with the several parts of the question I am sure I would be transgressing on the rules of brevity that apply in the House. That is the last thing I would want to do.

I do want to say that the question of the hon. member deals with a serious matter. We believe that our department, under a succession of governments and ministers, has provided as good a level of protection as any jurisdiction in Canada to the working people, despite the efforts of some people to play politics in that regard. I want to say to the hon. member that we have had a comprehensive review of the provisions of Part IV under way for a considerable number of months. We are moving toward the point when legislation of a comprehensive nature will be brought into the House.

I just want to make one other point, and that is with reference to the position taken by the CLC calling for particular reforms. It must be remembered by the hon. member that the CLC was consulted by our department about our ideas for reform and that a large part of the package which it is now talking about is based on ideas that originated in our department.

Mr. Blackburn: Madam Speaker, I should like to point out to the minister that the protection given to federal workers is about as bad as that given to workers provincially in Nova Scotia.

Given the fact that the minister and his department are aware of the urgent need to consolidate the 15 departments and agencies which have jurisdiction over occupational health and safety in the federal work place, what progress can the minister report to the House with respect to his efforts at the ministerial and departmental levels to ensure that this consolidation will take place, resulting in a rational administrative structure so that federal occupational health and safety measures can finally be enforced under Labour Canada and not under any other government department?

● (1500)

Mr. Regan: Madam Speaker, consultations with various departments affected have been under way for some period of time and similar contact has been made with the Treasury Board. When new policy is determined, it will be announced in due course.

Finally, I might point out to the hon. member that traditionally the labour laws of the province of Nova Scotia, not only in relation to safety but in other provisions as well, have been well ahead of those of the province from which he comes.

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YUKON TERRITORY

ESTABLISHMENT BY SECRETARY OF STATE OF OFFICE IN WHITEHORSE

Hon. Erik Nielsen (Yukon): Madam Speaker, I have a question for the Secretary of State. Has the Secretary of State established a ministerial office in Whitehorse, with the manager of that office being one Joanne Linzey who is one of the directors of the Canadian Status of Women group?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, I am not aware of the names of the people who would be employed in the Whitehorse office. I will check into that and report back to the hon. member.

ESTABLISHMENT BY MINISTER OF ENERGY, MINES AND RESOURCES OF OFFICE IN WHITEHORSE

Hon. Erik Nielsen (Yukon): Madam Speaker, I have a question for the Minister of Energy, Mines and Resources. Has the Minister of Energy, Mines and Resources established a brand new office in Whitehorse intended to be staffed by eight? If so, for what purpose?

Mr. Laniel: To compensate for your absence.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I want to assure the hon. member that the office has not been set up to compensate for the hon. member's absence from his riding in the last few weeks.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Lalonde: The Department of Energy, Mines and Resources is going to open a number of offices across the country, including the Northwest Territories and the Yukon, in order to manage and operate the conversion grant program designed to help citizens convert from oil to other forms of energy. Those offices will be operated by officials of the Department of Energy, Mines and Resources. The staff there will serve the public of those particular provinces and regions.

* * *

PETITION

MISS MACDONALD—REVISION OF NATIONAL ENERGY PROGRAM

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the forty-eighth report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Kingston and the Islands (Miss MacDonald) and finds that it meets the requirements of the Standing Order as to form.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

Madam Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate have passed Bill C-60, to amend the National Energy Board Act, with amendments, to which the concurrence of this House is desired.

* * *

BUSINESS OF THE HOUSE

Mr. Pinard: Madam Speaker, I am pleased to confirm that after a series of meetings between parliamentary leaders and consultations with our respective caucuses it would appear that the House may now be informed of a special order which is likely to get unanimous agreement. I simply want to take this opportunity to thank the parliamentary leaders of the other

parties who have been patient and who, in spite of the climate in the House, have always shown willingness to attend the meetings which were necessary to reach this agreement. Therefore, Madam Speaker, I will read the full text which in a few minutes might prove to be the solution and the way to end the constitutional debate, should the House agree unanimously.

[*English*]

That the motion of the Minister of Justice for an Address to Her Majesty concerning the Constitution of Canada, Government Orders, Government Business, No. 36, shall be disposed of as follows:

1. The motion and any amendments proposed thereto shall be the business considered on Tuesday, April 21, 1981, Wednesday, April 22, 1981, and Thursday, April 23, 1981, and on those days no member shall speak for more than thirty minutes.
2. No later than 6:00 p.m. on April 21, 1981 the House leader of the Progressive Conservative Party and the House leader of the New Democratic Party, and no later than 10:00 p.m., on April 21, 1981, the government House leader may give notice of one amendment to the said motion affecting one or more provisions of the motion and any such amendments shall be printed on the notice paper until disposed of.
3. No amendments or subamendments may be proposed to the said motion except as provided in the preceding paragraph.
4. At 9.45 p.m. on April 23, 1981, the Speaker shall put without further debate or amendment every question necessary to dispose of any proposed amendment and any amendment put on notice pursuant to paragraph No. 2 of this order which shall be deemed to have been proposed for the purpose of this order. No member shall rise to speak after this hour, but all such questions as must be decided in order to comply with this order shall be decided forthwith before the House adjourns.
5. The government shall not designate any days on which the said motion shall be dealt with until the first sitting day following the rendering of the decision by the Supreme Court of Canada on the appeals concerning the opinions of the Manitoba Court of Appeal rendered on February 3, 1981, and the Newfoundland Court of Appeal rendered on March 31, 1981 on the questions put to the said courts concerning the amendment of the Constitution of Canada.
6. On any day that is designated for dealing with the said motion as may have been amended, the hours of sitting shall be as follows:

   On Mondays, Tuesdays and Thursdays: From 10.00 a.m. to 1.00 p.m. and from 2.00 p.m. to 11.59 p.m.

   On Wednesdays: From 2.00 p.m. to 11.59 p.m.

   On Fridays: From 11.00 a.m. to 1.00 p.m. and from 2.00 p.m. to 7.00 p.m.

   Provided that on any such day no private members' business or proceeding pursuant to Standing Order 40 shall be taken up.

6(a) A designated day for the purposes of this order is a day appointed by a minister of the Crown by written notice to the Clerk at least twenty-four hours in advance and, if necessary, such notice shall be published in a special notice paper. A day shall be deemed a designated day for the purpose of this order regardless of whatever proceedings are before the House at any time during that day.

7. On any day designated by the government pursuant to the preceding paragraph no member shall speak for more than twenty minutes and no amendments shall be proposed.
8. At fifteen minutes before the time of adjournment on the second day designated by the government pursuant to the paragraph numbered 6 and 6(a) of this order the Speaker shall at that hour put the motion as may have been amended. No member shall rise to speak for any purpose after that time and all questions necessary to dispose of the said motion of the Minister of Justice shall be put forthwith without further debate.

   Provided that nothing in this order shall be considered to affect in any manner or to any degree the separation of the legislative and judicial powers, a fundamental principle of our Constitution.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Madam Speaker, I am pleased to join the government House leader in this matter. I think what we have accomplished by the negotiations which he described embodies four things. We have provided an opportunity for the federal-provincial process to work in the traditional way. The proposal really says this is nothing more than a special order of the House to govern its conduct of the debate which will follow. It permits all parties a reasonable opportunity for access to the amendment process. It permits the House to have the benefit of the opinion of the Supreme Court of Canada and to take it into account in the debate which will ensue thereafter.

We are agreed with the proposition put by the government House leader, and we are prepared to consent.

Some hon. Members: Hear, hear!

Mr. Knowles: Madam Speaker, it gives me particular pleasure to join with the other two House leaders in submitting to this House of Commons this historic agreement. The time that it has taken to arrive at this document has been very lengthy. We have had many meetings. I am sure there is not any aspect of the whole matter that we have not discussed, but it has been worth it because, as I say, we have achieved an agreement which I believe will prove to be historic.

• (1510)

As should happen in all bargaining sessions, each of us gave something, each of us won something. We are particularly pleased that we now have the guarantee that our amendments concerning aboriginal rights and equal status between men and women will come before the House for a vote. One other thing that we are pleased about, of course, will be shared by all members of the House. That is that we will be permitted to enjoy life without the trauma of closure.

When this debate is over after five more days of debate, however it comes out, whatever the vote is on the final motion, it will be the people of Canada who will have scored the greatest gain, for our Parliament will have acted in a civilized manner. That is the way we should act. I dread the thought of what the scene would have been had we not reached an agreement. We should act in a civilized manner and we shall now do so. In that way Parliament will have the right to be proud of what it will have done. We give our unanimous support to this agreement.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Pinard: Madam Speaker, I think it might be advisable to have the House approve this agreement which seems to be unanimous, but for the record I suggest we should ask for unanimous consent.

Point of Order—Mr. Crosbie

[*English*]

Madam Speaker: Does the House give its unanimous consent to the order which has been read by the President of the Privy Council?

Some hon. Members: Agreed.

Madam Speaker: It is agreed and so ordered.

Mr. Benjamin: I rise on a point of order, Madam Speaker. In light of the success of the hon. member for Northumberland-Miramichi, I wonder if the government House leader or the Minister of Transport could provide—

Some hon. Members: Order.

Mr. Benjamin: —the name of the Liberal backbencher to obtain success with Treasury Board on rail line relocation in Regina and an airport.

Some hon. Members: Order.

Madam Speaker: Order, please.

* * *

POINTS OF ORDER

MR. CROSBIE—REFERENCE BY MR. TRUDEAU TO NEWFOUNDLAND SUPREME COURT JUSTICES

Hon. John C. Crosbie (St. John's West): Madam Speaker, I rise on a point of order. It concerns the Prime Minister (Mr. Trudeau) so I hope he is not leaving the House. It involves the separation of legislative and judicial powers which we have just dealt with. I refer to the point of order I raised yesterday.

Mr. Lalonde: It is not a point of order.

Mr. Crosbie: It is a point of order.

Madam Speaker: Order, please. I can understand the exuberance of the House, but could we have a little silence.

Mr. Crosbie: Madam Speaker, I rose on a point of order yesterday having to do with the proper treatment of the judiciary in this honourable House by members of the House. In particular, I refer to *Hansard* for Monday, April 6. The Prime Minister, in replying to a question by the hon. member for York North (Mr. Gamble), as reported at the top of page 8988, said this:

> Madam Speaker, it is basic to our system that three judges, five judges, or nine judges, cannot tell us what is right. We are elected by the people. We are answerable to the people—
>
> It is the job of the courts to judge whether these laws are intra vires or ultra vires.

With that I agree.

> What the opposition has been doing is saying "We are timid fellows—"
>
> SOME HON. MEMBERS: Oh, oh!
>
> MR. TRUDEAU: —"because three non-elected officials have told us that such a thing could not be done."

With those remarks the Prime Minister was referring to the Chief Justice of the Court of Appeal of Newfoundland, Chief Justice Mifflin, and to Mr. Justice Morgan and Mr. Justice Gushue of the Court of Appeal of Newfoundland. He referred to them as three non-elected officials. These are three appointed members of the judiciary, and it is so important that this House always remember that they are to be kept completely independent and treated in this House with the respect the judiciary should be accorded. I will refer to Beauchesne on that point in moment.

They are not non-elected officials; they are non-elected members of the courts of this land and, in the case of Newfoundland, of the highest court of that province. Chief Justice Mifflin was appointed in 1964 by the Pearson administration, Mr. Justice Morgan was appointed in May, 1975, by the administration of the present Prime Minister, and Mr. Justice Gushue was appointed in February, 1976, by the administration now headed by the Prime Minister.

As if that were not enough, this slighting and insulting reference to three non-elected officials who have told us that such a thing could not be done—this is the historic decision rendered March 31 by the Newfoundland Supreme Court which held that it was beyond the constitutional jurisdiction of this Parliament to pass certain resolutions—

Madam Speaker: Order. The hon. member must recognize that a point of order has to be short. If I understand the point of order the hon. member is trying to make, and I have before me the statement made by the Prime Minister, to which the hon. member for St. John's West (Mr. Crosbie) is objecting, he should state quite simply why he feels these words were unparliamentary. that would suffice. I would ask him not to discuss the substance of what took place in the Supreme Court of Newfoundland; that is not relevant to the point of order. We should keep this fairly short, and by that I mean a few sentences will suffice to make a point of order.

Mr. Crosbie: Madam Speaker, I now wish to make reference to another page of *Hansard* on the same subject. I intend to be very short, Madam Speaker. This is a matter of the dignity and independence of the Supreme Court of Newfoundland, and there I do not intend to be too short.

Some hon. Members: Oh, oh!

Mr. Crosbie: In *Hansard* of Tuesday, April 7—

Some hon. Members: Order.

Mr. Crosbie: Hon. members opposite are not going to bully me, the Supreme Court of Newfoundland or the Supreme Court of Canada. As reported at page 9027 of *Hansard* for Tuesday, April 7, the Prime Minister carried on in the same manner as the day before. In reply to a question from the Leader of the Opposition (Mr. Clark), he said, referring to the opposition and the premiers:

> If they want to fight the fight politically, they are saying what we have been saying for the past 12 months, it is a political issue, and that they have only used the courts to subvert the courts to their own political means.

If that means anything, it is an allegation that the province of Newfoundland in particular—because the only appeal court that has held against the government's constitutional proposals so far is the Supreme Court of Newfoundland—has used the courts in Newfoundland, or is subverting the courts in Newfoundland, to its own political means. That is an allegation that the judiciary in Newfoundland is not independent, that it has somehow been subverted by the province to their cause, that it has not acted judicially and with independence and reason. It is an allegation that it has somehow been subverted to their own political means by the provinces, in this instance by the province of Newfoundland.

Let me give the authority from Beauchesne so that hon. members opposite will not think this point of order is entirely frivolous. I refer to Beauchesne's Parliamentary Rules and Forms, fifth edition, page 103:

> Besides the prohibitions contained in S.O. 35, it has been sanctioned by usage that a Member, while speaking, must not:—
>
> (h) cast reflections upon the conduct of judges of superior courts, unless such conduct is based upon a substantive motion;

These are judges of a superior court in Newfoundland, the Supreme Court of Newfoundland on appeal.

● (1520)

At page 114 in the section headed "Protected Persons", paragraph 321 of Beauchesne provides:

> (1) All references to judges and courts of justice of the nature of personal attack and censure have always been considered unparliamentary, and the Speaker has always treated them as breaches of order.

That is why I have risen on a point of order. Hon. members have been interrupted in Committee of the Whole by the chairman when they have cast an imputation upon a judicial proceeding. In this case, there have been imputations cast upon a judicial proceeding, unless the Prime Minister wants to clearly withdraw the statement which he made, or clarify it, and there have been imputations cast with respect to the three judges of the Supreme Court of Newfoundland, all of whom were appointed by the government opposite and its predecessor. All of those judges are impeccable. Chief Justice Miffin has a record of 17 years of unparalleled service in Newfoundland. He is very highly regarded by the Bar and in no way should he be held up to ridicule in this House as a non-elected official. He has been a judge since 1964. He was appointed Chief Justice of the trial division in July of 1975 by the government of the Prime Minister, and in December of 1979 he was made Chief Justice of the Newfoundland Court of Appeal by the administration of the Leader of the Opposition.

This is a course of action started by the Minister of Justice (Mr. Chrétien), whose job in this House is to protect the judiciary and who said on October 6 last that he was opposed to going to the Supreme Court of Canada because—and I quote from *The Globe and Mail*—"The Supreme Court is very unreliable and timing is very important".

I would like the Prime Minister to clarify whether he will say, once the justices of the Supreme Court of Canada have ruled, that they have been subverted in some way or other by the provinces or by the hon. members of the opposition if the decision is not in accord with the decision that he wants, or if they affirm the decision of the Newfoundland Court of Appeal. Are they to fear a public attack from the Prime Minister if they do their duty in the appeal which they will be hearing on April 28? They are not in a position to defend themselves in the political arena. It is for the hon. members of this House to see that the judges are protected and not attacked or have slurs cast on them in this House by the Prime Minister, who is the first among us. The Prime Minister is the man—or the woman—who gives us the lead, the example. He is in no way superior to me. He is the first minister, but he is not one whit better than I am in this House, nor in my view is he one whit better than I am outside of the House.

However, I would ask the Prime Minister, before the Chair rules—and I know this was said during the question period in the heat of being questioned on a matter in which he is very much interested—to withdraw any suggestion that the judges of the Newfoundland Supreme Court are simply non-elected officials, or that anyone has subverted them. Because the word "subvert" means to overturn them, to upset them, to effect their destruction or to overthrow them. That is the definition in The Concise Oxford Dictionary.

The Prime Minister has said that the judges of the Newfoundland Supreme Court have had their destruction effected by the provinces, that they have been overthrown, overturned or upset. It is the Prime Minister who is upset and overturned and overthrown by this judgment, not the other way round.

I am not going to get excited about this. I have put this matter calmly before you, Madam Speaker, and I ask the Prime Minister to clear away this very unfair attempt to denigrate the Newfoundland Supreme Court.

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the short answer would be that I have never heard such nonsense from a man who pretends to be equal to other hon. members in this House. However, I will give a longer answer to that.

Mr. Crosbie: Yes, you had better!

Mr. Trudeau: Now I am being threatened by the hon. member for St. John's West (Mr. Crosbie).

Mr. Crosbie: Well, your own reputation would demand it.

Mr. Trudeau: My first point is that I referred to the judges as non-elected officials. Madam Speaker, we both agree that they are non-elected. As to whether they are officials, I looked up the definition in The Concise Oxford Dictionary and I found the word "official", when used as a noun, meant "presiding officer or judge of archbishop's, bishop's, or especially archdeacon's court; person holding public office". So we know that one can be a judge of one kind and be called an official. An official is also a person who holds office. One reads in the same dictionary that "office" is defined as "position with

duties, to wit, attached to it, place of authority or trust or service, especially of a public kind".

If anyone would be insulted because one is called a public official, it seems to me one must be even more thin-skinned than the hon. member for St. John's West. It is obvious—

Mr. Crosbie: Really humorous. It is very humorous.

Mr. Trudeau: It is obvious that I was using the expression "non-elected official" as opposed to the expression of "elected official", and we in this House are elected. I do not consider it an insult to myself to be called an elected official.

Mr. Crosbie: Never been described as that.

Mr. Trudeau: I am there to serve the public of Canada. When I was making the distinction between elected and non-elected, I was really—

An hon. Member: It is not like sophism.

Mr. Trudeau: What are you wondering about over there?

Mr. Crosbie: "Sophism", he says it is.

Mr. Trudeau: Do you mean "sophistry", or "paralogism"? Which do you mean? It cannot be both. It has to be one or the other. I think the hon. member is really referring to paralogism, but it is not paralogism, if he will listen to my argument. I am sorry that the hon. member for St. John's West is wasting our time by raising such a spurious point of order or point of privilege.

Mr. Crosbie: You think so?

Mr. Trudeau: The division of powers is what I had in mind. It is accepted, in the very House order that we have all just agreed upon, that there is a fundamental distinction between the executive, the legislative and the judicial function. In this case, I was making the distinction between those who are elected officials and therefore part of the legislative power, and judicial officials who are part of the judicial power; they must be separate. So much for the suspicion that I might be accusing some people of something, debasing them by calling them non-elected officials.

The second argument was really a sophistic one, namely, that by accusing the provinces of subverting the courts, or using the courts to their political advantage, somehow—

Mr. Hnatyshyn: Not "using", "subverting".

Mr. Trudeau: —that is an attack on the courts. If the hon. member is suggesting that I might be attacking the provinces, then he might have a point; but to say that I am attacking the courts because I am saying that someone else is trying to use them is obviously sophistry.

Mr. Crosbie: You are saying they allowed themselves to be used.

Mr. Trudeau: Will the hon. member stand and say where I said they allowed themselves to be used? Will he stand up and say that right away?

Mr. Crosbie: The Prime Minister said that it is a political issue and they have used the courts to subvert the courts to their own political means. That means that the courts—

Some hon. Members: Oh, oh!

Mr. Crosbie: —have allowed themselves to be used and subverted. That is plain English. It is saying that the courts are not independent and have allowed themselves to be so used.

Mr. Trudeau: My case stands, Madam Speaker. The hon. member has just proved the point that he is talking nonsense.

Some hon. Members: Hear, hear!

Madam Speaker: I have the two texts of *Hansard* dated April 6 and 7, to which the hon. member for St. John's West has referred and about which he has raised a point of order. The first one to which he had reference is on April 6. He felt that the reference to the judges of the Supreme Court as being non-elected officials could be denigrating or insulting to these officials. That was the only direct reference that the Right Hon. Prime Minister made to the judges. The fact that the reference was to the effect that they were non-elected officials does not seem to be either denigrating or insulting.

In my understanding of the other text, the Right Hon. Prime Minister did not speak of the courts but of the premiers, and he expressed an opinion on the way in which the premiers might be conducting their political battle in the case that concerns us. In the course of describing that situation, the Right Hon. Prime Minister used the word "subvert". The hon. member for St. John's West read the Oxford Dictionary, as I did, and he has given us the definition of "subvert", which is, of course, not an unparliamentary expression. On that ground I have to say that the point of order of the hon. member for St. John's West is not well taken.

• (1530)

PROVISIONS IN MAIN ESTIMATES, 1981-82

Mr. Harvie Andre (Calgary Centre): Madam Speaker, I rise on a point of order to seek the instructions of the Chair with regard to a notice which I gave the Chair about a week ago respecting the provisions in the main estimates of the current fiscal year, 1981-82, which I believe to be out of order based on rulings by Your Honour and previous Speakers.

I seek clarification by the Chair as to when this matter might be proceeded with. It obviously would be most advantageous to the smooth conduct of business if it were proceeded with at a time when the President of the Treasury Board (Mr. Johnston) could be present. Tomorrow or the next day would be satisfactory.

After looking through the history of this matter over the last ten years, I believe this is the first occasion on which this type of point has been raised with regard to the main estimates.

Heretofore it has always been with respect to the supplementary estimates, which provide a rather limited supply period, and therefore it was seen to be appropriate, near the end of the supply period but prior to the appropriations act being presented to the House, that this point of order be raised.

I suggest to the Chair that it might be beneficial to the smooth conduct of business both here in the House and in the committees which are currently hearing these main estimates if this matter might be examined now. If the Chair were able to find that the votes which I will bring to the Chair's attention are in fact out of order, then I think it would be conducive to the smooth conduct of government business and House business here and in the committees to have the matter brought to the attention of the House at an early rather than late date.

To put it simply, I suppose I am asking direction from the Chair as to whether tomorrow or the next day, if it suits the agenda of the President of the Treasury Board, I might raise the details of the points of order with respect to those items in the main estimates.

Madam Speaker: I have received notice of the hon. member's intention to raise a point of order on this particular point, and I thank him for having given me that notice.

I just want to point out to the hon. member that those estimates constitute an order of reference for the committees and they cannot be discussed in the House until they have been reported by the committees. If the hon. member is seeking some remedies, it is perhaps through the committees that he might seek them.

However, this does not preclude the hon. member from raising a point of order at the time when the estimates will be reported to the House or deemed to have been reported to the House. It has been helpful when those points of order have been raised somewhat in advance of the time when the estimates have been discussed in the House, and I think closer to the date, that is, May 31, on which the estimates are to be reported or deemed reported to the House, I would entertain the hon. member's point of order. I think I would like to delay the matter until we get closer to that date, if that is agreeable to the hon. member. I think we will then be in a better position to deal with that problem.

Mr. Andre: Madam Speaker, I do not have any particular reason for concern, other than the fact that committees are now studying the votes, many of which I humbly submit are out of order; but if there is no problem with the committees studying votes which will subsequently be deemed out of order, there is no problem as far as I am concerned.

I do not wish my remarks to be taken as criticism, but one of the characteristics of previous decisions by the Chair is that when the Chair has concurred in the fact that certain votes were out of order, your Honour's predecessors have taken the position: "In view of the fact that we have just now known about it, we will leave them here, but let this be warning that this should not happen in the future". By virtue of the Chair's leniency in the past with regard to this type of thing and leaving in appropriations bills items which the Chair had judged were out of order—but given the time were left in—we now have circumstances in which those basically illegal votes are being used again in another illegal fashion. We have a perpetuation. I would not like the matter to be left so long that we would be back into the same circumstance of saying, "Well, given the time and so forth we will leave them in this time and hope the government will bear in mind the decision of the Chair", because, as I hope to point out when discussing the main estimates, that has not turned out to be the case in some instances.

Madam Speaker: I think I understand the hon. gentleman's intervention. It seems that we are having some trouble determining which of those votes are in order and which are not. With respect to discussions which might take place between the different interested parties, it seems that those parties always agree on the principles, but when it comes down to the actual votes, there is disagreement as to which ones are in order and which ones are not. It seems that what the Chair is doing as these estimates come back to the House is determining as we go along which of the votes the Chair feels are in order.

I do not think votes have come back because of the leniency of the Chair. I think everyone is trying to define which of the votes are in order and which are not in order. That is the reason my predecessors asked if these points or order concerning this particular matter could not be brought earlier rather than later. I will entertain points of order to try to determine which of the votes are in order, but closer to the day on which the estimates will be reported back to the House. I think that is the difficulty. As we go along we have to reflect on each and every one of those votes.

I was going to suggest that at some point there be a meeting between the interested parties, but it seems they all agree when they meet. It is when the actual estimates come out that there is disagreement. So I suppose it is the responsibility of the Chair to determine by the different rulings which of the votes are in order and which are not. I will do that, and I will be more than grateful if the hon. member gives me the wisdom of his opinion.

* * *

PRIVILEGE

MR. SHIELDS—NOTICE OF INTENTION TO RAISE QUESTION

Mr. Jack Shields (Athabasca): Madam Speaker, I have given you notice of a question of privilege. Are you prepared to hear it now? It is a very short one.

Mr. Blais: Go through the orders.

Madam Speaker: I am not sure that the hon. member's statement was complete enough. I have the notice, but the statement of the hon. member is far from complete. If he refers to the Standing Orders, he will find that it is not merely a notice that I should receive but also a statement on the

question of privilege. If the hon. member wants to make a statement to me in writing, I will hear his question of privilege at another time.

MR. HAWKES—NOTICE OF INTENTION TO RAISE QUESTION

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question of privilege is of the same kind. I believe I had a question of privilege stand over from several days ago by unanimous consent. I wonder what the status of that is.

Madam Speaker: May I ask the hon. member whether he had two questions or one? If he has one, the notice I have just says, "I have a question of privilege which I would like to deal with," and that is all. There is no statement which would allow me to prepare any judgment I might have on that question of privilege.

I should remind hon. members that they should send the Chair a statement to save the time of the House. When they do, the Speaker tries in advance to understand what the question of privilege deals with and comes to the House a little better prepared to make a ruling. The Standing Orders state quite definitely that the Speaker requires a statement. In the past I have held hon. members to that Standing Order, and I intend to continue to ask hon. members to be helpful by sending me complete statements of their questions of privilege.

Mr. Hawkes: Thank you, Madam Speaker. One day I did send Your Honour a brief note on a question arising out of the question period, but I think members should send a letter containing a somewhat more expanded version. The question of privilege related to the laying before the House of false documents, and if there is some confusion—

Madam Speaker: Order. I do have that. It concerns the presentation of a false document and the making of a misleading statement to this House, but I would like to know what that false document is and what the misleading statement is. This notice is too general in nature for the Speaker to prepare any judgment on that question of privilege. I would have to know what that document is and perhaps receive the document so that I could look at it in advance. What are the misleading statements to which the hon. member is referring? I have the notice here and I do find it incomplete. I will listen to the hon. member's question of privilege only when he gives me a more complete statement.

• (1540)

Mr. Hawkes: Madam Speaker, the question concerns the falsity of motion No. 41 in the name of the House leader—

Madam Speaker: Then the hon. member can put that in writing.

Mr. Shields: Madam Speaker, I seek your indulgence for a moment. Would it be possible to make a very short statement on the question of privilege?

Madam Speaker: It has to be put in writing and sent to the Chair one hour in advance of the time at which it is heard.

STATUS OF CLAUSE IN BILL C-57

Hon. Marcel Lambert (Edmonton West): Madam Speaker, I hope to be commendably brief on a matter which breaches my privilege as a member of the House and of the Standing Committee on Finance, Trade and Economic Affairs. It arises out of the committee's present study of Bill C-57, which is the budget bill giving effect to the proposals on the Excise Tax Act, the Excise Act, and on a revenue tax in respect of petroleum and gas.

I am referring in particular to paragraphs 25.12 and 25.13 at page 53 of the bill. The Chair may have received judicial notice of a judgment of the Court of Appeal of the province of Alberta dated March 20, 1981, declaring that the purported attempt by Her Majesty in right of Canada to tax natural gas, the property of Her Majesty in right of the province of Alberta, was ultra vires the power of the Government of Canada. Yesterday, the Minister of Finance (Mr. MacEachen) confirmed that he was not amending Bill C-57, that he had not yet made up his mind, along with his colleague the Minister of Justice (Mr. Chrétien) to appeal this judgment, and therefore the judgment that that portion of the act is ultra vires the powers of the Government of Canada is annulled. By a House order, this bill will be reported back to the House no later than Wednesday, April 15. In the interval, there are still a few witnesses to be heard tomorrow, and then the committee will consider the bill clause by clause.

My question of privilege is that I am put under the obligation of voting yea or nay on a clause which is being ruled illegal. It is not enough, I submit to you, Madam Speaker, to say that an hon. member can vote against it. That is only a Marie Antoinette type of remedy because there is no alternative, no choice. In fact, this clause is only part of an omnibus bill. If I find it repugnant to my position as a Member of Parliament, whose responsibility it is to uphold the law, to insist on voting against this clause, I must vote not only against sections 25.12 and 25.13, but I must vote against the whole of Clause 43 of the bill, which is Part II of the bill, and, in fact, against the whole bill, even though I may approve of a great deal of it.

My question of privilege is simply that the Minister of Finance has refused to remove that particular section and therefore not only members of the committee but all of us find ourselves in this position. Ultimately, unless there is an appeal carried to the Supreme Court of Canada which would reverse the judgment of the Court of Appeal of Alberta, or unless the minister amends this bill, we will have to vote for something that is illegal, unless we vote the bill down and defeat the government.

Madam Speaker: Again the hon. member is raising a question of privilege similar to the ones which have been raised in the House on a resolution. What the hon. member has just said leads me to conclude that he would like me to confirm the

judgment of the court declaring that clause in the bill ultra vires. I cannot do that. The hon. member knows that the Speaker should not make such a judgment. As a matter of fact, the rules governing the Speaker in the House of Commons enjoin the Speaker not to do that.

If the hon. member finds himself in a dilemma as to whether or not he can vote on a bill when he objects to a particular clause of the bill, I am afraid I am unable to do anything which would get him out of that dilemma. As a Member of Parliament, it is his responsibility to determine on what side of the question he wants to vote. Therefore, I do not see that he has a legitimate question of privilege, and certainly he has not established a prima facie case.

MR. WENMAN—OMISSION OF INTERJECTION FROM OFFICIAL REPORT

Mr. Robert Wenman (Fraser Valley West): Madam Speaker, I rise on a question of privilege of which not only have I given you notice but which has been further aggravated today. I want to raise it on both counts as a question of privilege, one with notice and one without notice. It will qualify under both categories. In order to expedite proceedings in the House, I should deal with it briefly at this stage, and therefore I seek further direction as to whether you require a longer statement in order to handle this matter more expeditiously. If you would do that, Madam Speaker, I would deal with it very quickly at this stage.

Madam Speaker: I found the hon. member's notice to be sufficiently complete. It gave me an idea of the problem to which he referred and I will hear him very briefly. If, in the first three, four or five sentences, the hon. member is not able to tell me exactly what the privilege is and whether he has a legitimate point to make, I will be at liberty to say that I do not find a question of privilege.

Mr. Wenman: Perhaps with that request I will state specifically to what my question of privilege refers. It refers to statements in *Hansard* of October 17, 1979, at page 303 an earlier ruling by yourself, and at page 8787 and 8790 of *Hansard* of last Tuesday. My problem relates to interjections and how interjections in the House of Commons are handled, particularly when there might be conflict among the various levels of recording in the House as to where the priority should lie. This is a very important matter to me. This particular interjection has given rise to my question and I think in fact will make the case that it needs further consideration by Madam Speaker.

• (1550)

My question of privilege is twofold, and it relates in part to recorded remarks made by members in *Hansard*. The second part arises out of the remarks themselves. As to the first part, the remarks were made last Tuesday during an exchange in question period between the hon. member for Provencher (Mr. Epp) and the Minister of Justice (Mr. Chrétien). The Minister of Justice was just finishing his answer, and his final remarks were as follows:

> Of course, the Prime Minister said, and it is the position of the government, that we respect the decision of the courts. But we will finish our duty as Members of Parliament to finish the work that we have started in the fall, and of course we will wait for the decision of the Supreme Court before deciding to press the matter in England—yes or no.

At that point the Prime Minister (Mr. Trudeau) made an interjection which I heard or thought I heard at the time. The interjection seemed to say, in effect, "anything if we can get it out of the House".

I wanted to be absolutely certain that in fact the Prime Minister had made the remark, so I checked with the videotape at the broadcasting unit the next morning. The videotape in fact confirmed that the Prime Minister had made a remark to this effect. To be doubly sure, I checked the blues, and to my surprise the Prime Minister's remarks were not recorded. When *Hansard* arrived at my office at 12 noon the next day, I discovered the remarks were not recorded there either. I must confess I find the omission extremely disturbing, as I would like to show in the second part of my argument.

Apart from the omission, which was puzzling in itself, if hon. members would refer to pages 8787 and 8790 of Tuesday's *Hansard*, they will notice that there are a large number of interjections which were faithfully recorded. It is in fact the faithfulness and the detail to which our *Hansard* reporters went that make it even more amazing that this particular remark, which was possibly one of the more significant remarks of the day, was not included.

Madam Speaker: Order, please. If I understand, the hon. member is telling me that *Hansard* has not properly recorded all the things he himself heard from his seat, and that subsequently he listened to the tapes and found those particular interjections.

I will not entertain the hon. member's arguments any longer because that, in itself, is not a question of privilege. I want to tell him that *Hansard* is not a verbatim report of what happens in the House, and some would say "thank God it is not". At any rate, it is not a verbatim report; it is as complete a report as possible of what has taken place in the House of Commons.

We do everything we can to make that report as complete as possible. When interjections are not heard by the reporters and are not so recorded, there is not much the Chair can do about it; possibly the Chair itself did not hear those interjections. At any rate, this does not constitute a question of privilege. The point of the hon. member is well taken, but if *Hansard* reporters have not reported the interjections, then they are not part of the record and that is final.

The hon. member is not seeking the floor to comment upon my decision, is he?

Mr. Wenman: Madam Speaker, perhaps—

Madam Speaker: Will the hon. member please resume his seat. If he is rising to discuss what I have just said, he is commenting upon my decision. If he has a new point of order

to raise, I can hear it, but he cannot comment upon my decision.

I have explained to him that this is not a question of privilege. This is not the first time the House has been seized of a problem of this nature. The final word is that when the reporters have recorded interjections, they are in the report; if they have not heard them, they are not in the report.

Mr. Wenman: Madam Speaker, I was just getting to the specific point. I am making the suggestion that there may have been a deliberate move to delete these remarks from *Hansard* because of their significance. Now, I think that—

Madam Speaker: Order, please. If the hon. member wants to suggest that, he must give me proof of its being deliberate. Who did it, under whose instructions, for what reason? I cannot entertain a vague apprehension on the part of the member.

Mr. Wenman: That is my question of privilege, Madam Speaker, and that is what needs to be examined by the Speaker in some detail to determine whether there was any deliberate alteration or removal because of the significance this kind of a comment would have given to the debate. If so, it could destroy the good faith we expressed today. I had great reservations—

Madam Speaker: Order, please. If the hon. member has a charge to make, he can make it. The Speaker does not investigate every time a member says that an interjection has not been reported in *Hansard*. That would be absolutely impossible. If the hon. member has precise proof that somebody has deliberately omitted the interjection from *Hansard*, he can make the charge, but he must know what are the consequences of that. Then on the basis of that charge I would make an investigation.

* * *

POINT OF ORDER

MR. CROSBY—SERVICES PROVIDED TO MEMBERS

Mr. Howard Crosby (Halifax West): Madam Speaker, I rise on a point of order relating to the question of privilege which I raised in a letter to you dated April 1, 1981. In that letter I gave you notice of a question of privilege which was quite different in kind and character from the other questions of privilege which you first considered on that day and on subsequent days. Basically the question of privilege related to what I considered and perceived to be the preferential treatment given to Members of Parliament in relation to their access to the Official Report of the House of Commons, commonly known as *Hansard*. I think I gave you details of the question of privilege in the letter.

I do not want to prolong the matter here; I am quite willing to submit to you, Madam Speaker, a substantial memorandum on the subject. I have done some research and have tried to determine what was the origin of this practice of giving such preferential treatment, and I want very briefly to mention three points.

First, in a memorandum dated March 27, 1981, Madam Speaker referred to the practice of granting access to *Hansard* and indicated that ministers, former ministers, parliamentary secretaries and others were given special and preferential treatment in relation to the examination of the transcript of the *Hansard* report, that other members had to obtain access to *Hansard* in a different way.

Second, I want to point out that on October 17, 1979, as reported at page 303 of *Hansard* for that day, Mr. Speaker Jerome stated that the Speaker is in charge of *Hansard*, exercises control over it and is responsible for the proceedings.

Third, I want to point out that the Senate and House of Commons Act and other legislation make it very clear that members of the House are Commoners; they share the privileges of this House in common. Indeed, on April 1, in response to a question of privilege raised by the hon. member for Durham-Northumberland (Mr. Lawrence), Madam Speaker underlined again the equality of members of this House.

I cite all those points in support of my question of privilege. As I say, I do not want to prolong the matter in the House. I realize there are differences of opinion, even among members on this side of the House, about the matter, but I think I can demonstrate very clearly that we, as members of the House, ought to receive the same privileges in respect of the services of the House of Commons. Outside and off Parliament Hill we may not expect to receive equality of treatment; but if we do not receive it in the House with respect to the privileges and services provided by the House under the jurisdiction of Madam Speaker, then I think the privileges not only of myself but of all those who are victimized by this preferential treatment are dishonoured.

Madam Speaker: The hon. member sent me quite a complete letter on this particular problem. I just want to remind the hon. member that the matter of distribution of the blues has to relate to practicality. I understand there would be enormous distribution problems if the blues were sent to every member of the House.

• (1600)

I remind the hon. member that originally the blues were only provided as a courtesy to the Prime Minister, and much later they were provided to all cabinet ministers. Former cabinet ministers were then added to the list of members who receive blues. The blues are now distributed to cabinet ministers, ex-ministers, parliamentary secretaries, members of the Privy Council not in the cabinet, leaders of the parties, the Speaker, the Deputy Speaker and occupants of the chair throughout the sitting.

Mr. Nielsen: And the press gallery.

Madam Speaker: And they are distributed to the press gallery.

Mr. Crosby: What about to the member for Halifax West?

Madam Speaker: Members have usually gone to the *Hansard* office to look at their blues. I am in the hands of the House. If this service should be extended to all members, I can look into the practicality of providing this service. But the system has worked well up until now and this is the first complaint I have ever received with respect to it. If the hon. member will bear with us and does not find it too cumbersome to go to the *Hansard* office to check his own blues, perhaps we could leave the situation as it is.

Mr. Crosby: Thank you, Madam Speaker. I will certainly not comment on your decision since I am not exactly sure whether it was a decision on a matter of principle.

I would like to say this very clearly: I rose simply on a matter of principle. I did not want particularly to raise this issue because I knew of the difficulties it would cause. But in this House I thought we stood on principle and not on difficulties.

Madam Speaker: The hon. member has a valid point. I like to think of all hon. members as being equal in this House. I guess equality must refer to the fact that a member has spoken in the House. That seems entirely logical. I agree with the hon. member that if we are all equal we should all receive this service. But, again, I am in the hands of the House. I am somewhat new to this practice, but I think it was established by the House itself. I will look into the question and determine how practical it will be to proceed, and whether we are sufficiently staffed at the present time to carry it through.

ROUTINE PROCEEDINGS

[*English*]

PUBLIC ACCOUNTS

Fifth report of Standing Committee on Public Accounts—Mr. Clarke.

Order Paper Questions

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

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 2,191, 2,196 and 2,240.

[*Text*]

CANADA ASSISTANCE PLAN PAYMENTS

Question No. 2,191—**Mr. Herbert:**

1. What amount was paid last year toward the cost of income maintenance and social services under the Canada Assistance Plan and what amount is the estimated payment for the current year, by province, for total payment and also per capita payment?

2. Have there been adjustment payments in the past five years?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): 1. Please see list below.

2. There have been no adjustment payments in the past five years other than those associated with normal retroactivity, financial settlements and adjustments relating to the program interface between assistance and services and the established program funding of health services.

Canada Assistance Plan
Income Maintenance and Social Service Payments
($ Millions)

1979-80	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.	Y.T.	N.W.T.	Total
Income Maintenance	34.2	7.7	38.5	56.8	512.1	354.6	35.6	44.0	87.5	183.3	.4	2.9	1,357.6
Per Capita	59.23	62.15	45.24	80.59	81.44	41.51	34.69	45.58	42.62	70.18	18.35	67.29	57.02
Social Services	9.0	2.7	15.1	9.5	220.3	118.0	24.5	15.9	39.9	72.2	.7	3.0	530.8
Per Capita	15.59	21.79	17.74	13.48	35.03	13.81	23.87	16.47	19.43	27.64	32.11	69.61	22.29
Total	43.2	10.4	53.6	66.3	732.4	472.6	60.1	59.9	127.4	255.5	1.1	5.9	1,888.4
Per Capita	74.82	83.94	62.98	94.07	116.47	55.32	58.56	62.05	62.05	97.82	50.46	136.90	79.31
1980-81													
Income Maintenance	41.1	8.5	45.9	68.1	565.4	374.8	43.1	48.6	101.3	209.5	.6	3.6	1,510.5
Per Capita	70.74	68.00	53.56	95.11	86.65	42.98	41.13	49.90	50.12	78.11	25.00	78.26	62.49
Social Services	10.7	3.3	16.6	10.4	279.3	134.4	24.7	23.6	43.8	89.7	1.0	3.0	640.5
Per Capita	18.42	26.40	19.37	14.53	43.79	15.41	23.57	24.23	21.67	33.45	41.66	65.22	26.50
Total	51.8	11.8	62.5	78.5	844.7	509.2	67.8	72.2	145.1	299.2	1.6	6.6	2,151.0
Per Capita	89.16	94.40	72.93	109.64	130.44	58.39	64.70	74.13	71.79	111.56	66.66	143.48	88.99

SOURCE: 1979-80 Actual Payments
1980-81 Supplementary Estimates "C"
Population—Statistics Canada

NOTE: The above amounts include the value of five tax abatement units for the province of Quebec.

Order Paper Questions

HEALTH RESOURCES FUND CONTRIBUTIONS

Question No. 2,196—**Mr. Herbert:**

1. What amount, by province, was contributed from the Health Resources Fund to assist in meeting the capital costs of health training facilities in (a) 1978-79 (b) 1979-80?

2. What amount is estimated to be contributed in the present year and what amount is included in the estimates for next year?

3. In the last full fiscal year and the present year to date, what specific facilities have been assisted in the province of Quebec?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): See below.

1. Health Resources Fund

Province	1978-79	1979-80
Newfoundland	2,951,975.60	—
Prince Edward Island	133,844.90	—
Nova Scotia	1,601,948.00	2,444,050.54
New Brunswick	4,516,613.82	—
Quebec	5,093,657.03	1,502,076.14
Ontario	7,596,311.82	1,985,299.10
Manitoba	4,163,192.48	799,408.13
Saskatchewan	1,247,032.25	769,166.09
Alberta	3,220,200.00	—
British Columbia	10,910,009.91	—
Northwest Territories	—	—
Yukon	—	—
Canada Totals	41,434,785.81	7,500,000.00

2. 1980-81—$17,321,000.00
   1981-82—$ 6,000,000.00

3. April 1, 1979, to March 1, 1981:
   Montreal Neurological Institute
   Montreal General Hospital
   Hôpital Saint-Luc
   Cité de la Santé, Ville de Laval
   École de médecine dentaire, Université Laval
   Hôtel-Dieu de Lévis
   Hôpital Sainte-Justine
   Centre Hospitalier de l'Université Laval

STUDY OF WAGE RATES IN PUBLIC AND PRIVATE SECTORS

Question No. 2,240—**Mr. Herbert:**

Has the government considered the creation of a neutral body which would examine the comparability of wage rates in the private and public sectors and, if so, would such a body have the responsibility for suggesting rate changes prior to the negotiation of new collective agreements?

Hon. Donald J. Johnston (President of the Treasury Board): There exists presently an agency within the Public Service Staff Relations Board, the pay research bureau, whose role is to obtain information on rates of pay, employee earnings, conditions of employment and related practices prevailing both inside and outside the public service to meet the needs of the parties to bargaining.

The needs of the employer and the bargaining units are established, by the pay research bureau, under the aegis of an advisory committee on pay research, comprising representatives of Public Service of Canada employers and certified bargaining agents, in order that the bureau's programs reflect their needs as closely as possible.

No action is being considered by the government in terms of changing the role of the pay research bureau or of creating another agency which would be involved in examining the comparability of wage rates in the private and public sectors.

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[*English*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,612 (revised) could be made an order for return, this return would be tabled immediately.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,612 (revised) be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

HOSTAGES—PRISON GUARDS OR STAFF

Question No. 1,612 (Revised)—**Mr. Skelly:**

1. Since 1960, how many prison guards/staff were taken hostage and what were their names, the dates and the locations of the incidents?

2. Since 1960, how many died in a hostage-taking incident and how many were killed by (a) inmates (b) penitentiary staff and, in each case, what was his/her name, the date and the location of the incident?

Return tabled.

[*English*]

Mr. Collenette: Madam Speaker, I ask that the remaining questions be allowed to stand.

Mr. Elzinga: Madam Speaker, I rise on a point of order with regard to question No. 1,637. It has been on the Order Paper since October 21. I realize that is not a lengthy period of time when compared with the length of time it takes to answer some questions on the Order Paper, but I find it somewhat disturbing that this question was not answered prior to the National Pension Conference, since this question directly relates to the Canada Pension Plan and the action the government is taking to ensure that there will be pension funds available for individuals in future generations.

I would ask the parliamentary secretary to see what he can do with respect to answering this question in a forthright manner.

Mr. Collenette: Madam Speaker, as I have indicated many times in the past, I do my best to have answers as quickly as

possible. I shall undertake to get that particular answer for the hon. member.

Mr. Friesen: Madam Speaker, I would like to ask about questions Nos. 1,007 and 2,003. Unless these questions have been answered in the last couple of days and I have missed them in the mail, they have not been answered. Question No. 1,007 was submitted last May 28, ten months ago. I think that the department has had some time to deal with that question. It is a very important question for small businesses and the use of form B32 to restrict international trade.

The second question, No. 2,003, was submitted on January 21. It deals with wheat sales and credit loans related to wheat sales to the Soviet Union and eastern bloc countries. It is not a very long or difficult question to answer. I would certainly appreciate some dispatch in the answering of these questions, Madam Speaker.

Mr. Collenette: Madam Speaker, it is a little difficult for me to answer the hon. member since, by his own admission, he does not know whether these questions have been answered. I am sorry, but I do not keep a running tally of the questions which have been answered. They are printed in *Hansard* each day. I would ask the hon. member to check copies of *Hansard* for the past week, and if the questions have not been answered then he can bring it to my attention in private and I will do my best to get them answered quickly.

Mr. McKenzie: Madam Speaker, I also have a point of order with respect to a question which has been on the Order Paper for six months. It is question No. 1,541. The answer is rather important to me and to the province of Manitoba in light of the difficulties with the Liberal caucus calling for the opening up of the new fighter aircraft contract—to get more work for the province of Quebec. The government is not satisfied with 48 per cent, even with only 12 per cent for the rest of Canada.

My question asks what percentage of the new fighter aircraft contract will come to Manitoba, if any. It would certainly allay a lot of our fears if I could obtain as soon as possible an answer with respect to what percentage the government will give to the five aerospace firms in Manitoba.

Mr. Collenette: Madam Speaker, I will give the same undertaking to the hon. member that I gave to the others.

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MOTIONS FOR PAPERS

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, would you be so kind as to call Notice of Motion for the Production of Papers No. 48?

Madam Speaker, Notices of Motions for the Production of Papers Nos. 50 and 52 are acceptable to the government.

Madam Speaker: Is it the pleasure of the House that notices of motion Nos. 50 and 52 be deemed to have been adopted?

Some hon. Members: Agreed.

Mr. Collenette: Madam Speaker, I ask that the other notices of motions for the production of papers be allowed to stand.

Madam Speaker: Is that agreed?

Some hon. Members: Agreed.

COPIES OF ALL CORRESPONDENCE RESPECTING MRS. PAT JORDAN ON HER RETURN FROM THE ORIENT

Motion No. 48—**Mr. Riis:**

That an humble address be presented to His Excellency praying that he will cause to be laid before this House, copies of all correspondence between the government and the government of British Columbia, between the customs offices in Ottawa and in British Columbia and between any cabinet minister and the Ottawa customs office in relation to a custom declaration filed by the British Columbia tourist minister, Mrs. Pat Jordan, upon her return from a trip to the Orient in the summer of 1980.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, in reply to the hon. member for Kamloops-Shuswap (Mr. Riis), I should inform him that there has been no exchange of correspondence between the Department of National Revenue and the government of British Columbia, nor with any other government offices mentioned in this motion, in relation to a customs declaration filed by Mrs. Pat Jordan. I therefore ask the hon. member to withdraw his motion.

Madam Speaker: Shall the motion be withdrawn?

Mr. Knowles: Transfer for debate.

Madam Speaker: Transferred for debate.

Mr. Collenette: Madam Speaker, I would question the propriety of another member transferring for debate a motion not standing in his own name.

Mr. Friesen: And he was not in his place.

Mr. Collenette: And he was not in his place either. Since it was the hon. member for Winnipeg North Centre who said it, I am sure that he knows the rules better than I do.

COPY OF TASK FORCE REPORT ON BIO TECHNOLOGY

Motion No. 50—**Mr. Herbert:**

That an order of the House do issue for a copy of the task force report on Bio Technology.

Motion agreed to.

Canada Post Corporation Act

COPIES OF ALL COMMUNICATIONS BETWEEN PARLIAMENTARY SECRETARY TO MINISTER OF THE ENVIRONMENT AND SENIOR DEPARTMENTAL OFFICIALS

Motion No. 52—**Mr. Domm:**

That an order of the House do issue for a copy of all correspondence, notes, transcripts and all other communications exchanged between the Parliamentary Secretary to Minister of the Environment and senior departmental officials cited by the parliamentary secretary in the House on May 13, 1980, at page 1012 of *Hansard*.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

The House resumed from Tuesday, April 7, consideration of Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, as reported (with amendments) from the Standing Committee on Miscellaneous Estimates, and motion No. 3—Mr. Beatty (p. 9053).

Mr. Fraser: I rise on a point of order, Madam Speaker. When the debate concluded at ten o'clock last night we were on motion No. 3 and the Postmaster General (Mr. Ouellet) was speaking. I took it that he had concluded, but we had not called a vote nor made a referral of the motion. According to the record, it has not been dealt with. I just wanted to bring that to the attention of the Chair.

Madam Speaker: Since I was not in the chair at the time, I will leave this matter to one of the assistants in the chair and I am sure he will be able to deal with it.

• (1610)

The Acting Speaker (Mr. Blaker): I think we should deal with the point of order raised by the hon. member for Vancouver South (Mr. Fraser) immediately. Do I understand that the Postmaster General (Mr. Ouellet) had completed his remarks on motion No. 3? If so, I will simply note that the normal course would be to defer the vote on that matter if no other members wish to speak. Could the Postmaster General contribute to the situation? If there are other hon. members who seek to be recognized on the motion, I will hear them.

[*Translation*]

Mr. Ouellet: Mr. Speaker, I can confirm that indeed I had completed my intervention last night and that in fact the Chair should have recognized another member who had risen and was seeking the floor. Motion No. 3 was not voted on last night, so we are still on motion No. 3.

[*English*]

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, we offered amendments to this Post Office bill in committee, some of which were accepted and others refused. The clause by clause consideration of the bill in committee was speeded up so that it could be reported to the House prior to the Christmas adjournment. As a result, some of the matters before the committee were not given proper consideration, even though it sat till eleven o'clock one night. Some of the amendments which were not considered in committee are now before us.

After the Christmas adjournment, the House returned in early January. At that time we were given the assurance that we would deal immediately with this urgent legislation, but presumably between then and now it lost some of its urgency and is now treated by the government as filler legislation. Nevertheless, we take this bill very seriously. That is the reason the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) brought forward this motion, which specifically directs the publication of the salaries of people appointed as vice-presidents. Under clause 10 of the bill the board has the right to fix the salary of such number of vice-presidents as it considers necessary.

The object of this motion is to ensure that those salaries shall not exceed the scale fixed by the governor in council. In other words, we would not approve the appointment of a number of vice-presidents whose salary is determined without public knowledge. The bill provides that directors of the corporation are to be appointed by the minister of the Crown and the governor in council responsible for the corporation. It is only proper and right that the salary of that appointment should be fixed. There is no reason for the remark made by the Postmaster General (Mr. Ouellet) last evening that the salaries of these officers would be hidden.

Motions Nos. 6 and 7 which stand in the name of the hon. member for Vancouver South (Mr. Fraser) and myself, which are grouped for voting purposes, are similar in that they call for the direction of the governor in council to be published in *The Canada Gazette*. The point of these motions is to ensure that the public can see what is happening. We think that is important.

I do not have to tell you, Mr. Speaker, that the Canadian public is very unhappy with the way in which the Post Office is operating at the present time under the direction of this minister. Indeed, the same is true of the situation under previous ministers. The minister has claimed that the Post Office works to 95 per cent efficiency. A letter sent by the Inspector General of Banks from Place Bell Canada to my office in the Centre Block took only seven days! I sent that information to the Postmaster General. This morning I received a letter from the Minister of health in the province of Ontario asking me to get together with him about the task force committee on inter-provincial financial relations. That letter took eight days to come from Toronto. If the minister regards that as good delivery, then he is quite right, because that is 95 per cent of the type of delivery we get and expect.

Mr. Speaker, we are not going to accept the appointment of vice-presidents without knowing the types of persons being hired and their salaries. Considering the experience we have had with this organization in the past, why should we allow the salaries of the chief executive officers to be kept from the public?

Last night the minister claimed that the corporation should have an element of independence. That is a laudable idea but it should not be entirely an independent organization. The minister does not claim that the organization is in competition with any other. Indeed, the whole tenor of the bill is to give the Post Office a monopoly on the delivery of letters. It is not a question of trying to protect the post office against competitors or of not allowing those competitors to know the internal workings and salaries of the executive officers of the Post Office. If it is not in competition with other companies or organizations, what is wrong with disclosure? Where is the competitive disadvantage that disclosure, or lack of it, would give the Post Office?

This bill is an attempt to establish a new corporation which will restore public confidence in the Post Office. The minister will not accept my colleague's amendment because he wants to hide something. This is not the way to build confidence in or a new sense of direction for this corporation. Surely the minister must go to the public and the House of Commons openly and say that all the cards will be laid on the table, disclosing who will be appointed vice-president and what salary will be paid. That is the kind of openness we want and we think that is necessary if this corporation is to be a success.

● (1620)

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, I am disappointed that the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) did not take the opportunity to come to the committee to put forward this amendment. I think he has some concerns that he worries about.

However, I would like to respond to some of the comments made by the hon. member for Mississauga South (Mr. Blenkarn). We are not talking about whether salaries will be hidden; the amendment provides that we fix the salaries. Members of this party want to see the best representatives possible sitting on the board of directors.

We have some serious problems in the Post Office. We want that board to be able to select individuals who will represent the people of Canada. When that is done, the board will be presented to the governor in council for approval. We accept that. That kind of process was referred to in the committee. We accept the wording of the bill and, therefore, we oppose the amendment.

Mr. John Gamble (York North): Mr. Speaker, I wish to direct a few pertinent remarks specifically to the proposed amendment before the House. I listened with some interest to the comments made by the last speaker. Believe me, it would certainly be my intention, and I am sure the intention of all hon. members, that we have vice-presidents and other officers of this intended Crown corporation who are competent and efficient and can inject some semblance of business judgment into the functioning of what otherwise has been a lacklustre and incompetent government department. However, that is an entirely different story, one which would take a great deal more time than the 20 minutes accorded me with respect to this matter. As I have indicated, I do not intend to take that long.

Let me deal with the provisions of the bill presented to us and the suggested amendments which have been made by our party. Clause 10(2) as it presently stands reads:

> The board may, with the approval of the governor in council, appoint and fix the salary of such number of vice-presidents as it considers necessary.

On first reading one might come to the conclusion that it was intended that not only should the governor in council fix the number, but it should also fix the salary. I submit that on a strict legal interpretation of the words as they appear, that requirement of governor in council approval would be satisfied in the event that the corporation through its board, approached the governor in council and asked: "Will you grant to us the right to fix the salary and appoint the number of vice-presidents that we choose?" The governor in council would reply "Yes". Thereby the requirements of the subclause would have been met.

What we are concerned about is not whether we have efficient service—that is an entirely different matter—but whether at any time anyone but this corporation shall determine how many vice-presidents it has and how much they are paid.

In this bill we will be embarking upon a system foreign to Parliament, I submit. Yesterday I mentioned my views with respect to the laws, specifically regulations, affecting the public in Canada which this corporation may pass, and which, if breached, could result in fines or imprisonment of Canadian citizens.

We now have the board of this corporation entitled as of right to appoint 10,000 vice-presidents and pay them $1 million each, should the board so choose, without so much as the right to determine the number of vice-presidents or their salaries, I am not saying by Parliament, but at least by the governor in council. Surely the government at this stage is not fearful of the fact that it should exercise rights which a government is normally prepared to undertake and discharge.

If we examine the amendment, it simply has the effect of dividing up and removing any interpretation difficulty which currently exists, so that clause 10(2) would read:

> The board may appoint and fix the salary of such number of vice-presidents as it considers necessary.

The board would have that authority, subject to what we propose by way of the addition of subclause (3) to clause 10, which provides:

> The salaries fixed by the board pursuant to subsection (2) shall not exceed such amount as may be prescribed by the governor in council for the Corporation.

That necessary amendment, I submit, is both logical and reasonable. I recommend it to the Postmaster General in the event that he can direct some attention to this matter. I recommend it also to our colleagues on the other side of the House. I hope all members of this House would take seriously the recommendations made by other members of this House who desire to serve the public and whose interest it is to see that taxpayers' dollars currently spent on this project, or postage revenue generated by this corporation, will be astutely administered. It is only prudent and reasonable that we should have some regard for the scrutiny that the government should give to determining the maximum salaries paid to vice-presidents of this intended corporation.

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, I wish to participate for a few minutes in the debate on this amendment. I listened last night to the remarks made by the hon. member for Kootenay East-Revelstoke (Mr. Parker). What we are debating is the formation of a monopoly. The hon. member for Kootenay East-Revelstoke suggested that if the monopoly were to face a situation where it was no longer a monopoly but would have competition, the competition would then skim off the cream. In other words, all the profitable parts of the service would be skimmed off, and the Crown corporation would be left to deliver the unprofitable parts. I suppose that is a natural tendency.

I could agree with his proposal if the Post Office today would at least deliver the cream, but it does not. When it takes three weeks to deliver a letter from Toronto to Vancouver—or as someone has said, a penny a day is not bad—one wonders whether the Post Office is willing to deliver the cream.

One of the most important features we should incorporate into the operation of a monopoly is the process of scrutiny, to make sure that the monopoly is operating in the best interests of the public it is supposed to serve. I think the hon. member for Kootenay East-Revelstoke would agree with that. We must ensure that the public is protected from the callousness which is an inherent trait of human nature and is part of a monopolistic enterprise. I suggest we need an arm's length relationship to government by way of a commission to control this kind of monopoly. We have it in the telephone systems of Canada whereby the government by legislation creates a monopoly because it is the best way to deliver service to the Canadian people. If the cable systems of Canada are going to be a monopoly and the subscribers are going to be either the recipients or the victims of that monopoly, they deserve some protection from government by the creation of a commission to protect the subscribers.

● (1630)

Today a citizen goes to the post office and buys a stamp for 17 cents. The only assurance he has when buying that 17-cent stamp is that it will cost another 17 cents to deliver the letter. It actually costs 34 cents to deliver a letter. We have no guarantee of service.

Is the Crown corporation now being formed going to ensure that service is important? Will we have the same system of priorizing the delivery of mail that we now have in the Vancouver post office, the distribution centre for British Columbia? First-class local mail receives first treatment, followed by provincial or national mail and then by international mail. During rush periods the international mail is piled up. It is set aside until such time as the rush is over. Then it is delivered. People wonder why it takes three, four or five weeks for a letter from the U.K. to be delivered to a household in British Columbia. They do not realize that most of that time has been spent in storage in the post office in B.C.

Will there be a provision in the legislation that there be a regulatory commission which will ensure that the subscriber will receive maximum service from this Crown corporation?

The second trait that is inherent in human nature as it applies to a monopoly is that a monopoly tends to grow. With growth it tends to become inefficient. That is why I submit the amendment we are now debating is very intelligent and apropos to this Crown corporation.

I suggest the hon. member for Kootenay East-Revelstoke look at the experience of B.C. Hydro and see what has happened to that octopus over the past 20 years since it became a Crown corporation. He will see how much it has grown with seemingly very little checks against the kind of growth it has had. Would it not be circumspect in protecting the consumer that there be a built-in mechanism to ensure there are checks against unrestrained growth of this corporation? The board of directors should be limited as to the number of directors they can appoint. There should be no nepotism, no inflating of salaries. Limits should be set on salaries.

As the hon. member's party is so often willing to expound, people should go into the service in order to serve, not for what they can earn. If they want to serve on a Crown corporation which is serving the public, they should do so because they want to serve and not for the salary they are going to earn. Rest assured the vice-president and members of the board of directors of this Crown corporation will not be walking around with a tin cup. They will be adequately paid. However, there ought to be a limit and a check on growth in order to protect the consumer who would be forced into the monopolistic situation and, I submit, its inherent growth. I commend this amendment to the House and urge that members support it.

The Acting Speaker (Mr. Blaker): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Blaker): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Blaker): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Blaker): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Blaker): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Blaker): Pursuant to Standing Order 75(11) the recorded division on the proposed motion stands deferred.

We will now proceed to motion No. 4.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General) moved:

Motion No. 4

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in Clause 15 by striking out lines 45 and 46 at page 8 and substituting the following therefor:

"addressed letters weighing fifty grams;".

He said: Mr. Speaker, I must remind hon. members that when we studied this bill, and my hon. colleague opposite mentioned it in his remarks a while ago, we worked very quickly and very late into the night a few times and, unfortunately, an error was made. We forgot to delete the words "or less" in Clause 15(1)(*e*). I say simply to the hon. members that the purpose of motion No. 4 is to delete the words "or less" on page 8 of Bill C-42. This is a technical amendment; it is unimportant and of no consequence.

[*English*]

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I wonder if the minister would permit a question or two.

Mr. Ouellet: Yes.

Mr. Blenkarn: The minister is removing the words "or less". The concern has been expressed to me that we will end up with a postage system which does not have a charge for 50-grams exactly. That is unrealistic. As the minister knows, this charge was worked out in order to accommodate a charge for courier service delivery. It was intended that there be in effect an escalation, that as postal rates went up the minimum charge a courier could make would go up at the same rate as a 50-gram letter. Can the minister clarify that and give us an undertaking that at the 50-gram rate now, a courier could in effect deliver a piece of correspondence for around $1.20.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): By removing the words "au plus" in French and "or less" in English, the weight is specifically mentioned. The paragraph then reads as follows:

letters of an urgent nature that are transmitted by a messenger for a fee at least equal to an amount that is three times the regular rate of postage payable for delivery in Canada of similarly addressed letters weighing fifty grams;

The specific weight must be indicated. If we say "or less" it could be interpreted as meaning that a certain discretion can be used. Our purpose is precisely to set a fixed weight, that is, 50 grams in this case. Our schedule will set the cost for a 50-gram letter at so much, and those who want to use private couriers can do so despite the fact they will be charged three times the amount asked by the Post Office Department for a 50-gram letter.

In this instance, to answer the question of the hon. member for Mississauga South (Mr. Blenkarn), it would cost about 80 cents.

• (1640)

[*English*]

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, we argued this point out in committee. The courier service portions were areas of deep concern when we were in the committee. We lost our concerns there. This is a part of a housekeeping portion of the bill which we fought for very strongly in committee. We lost, in the committee, on the courier portions of it, and we accept this housekeeping change.

The Acting Speaker (Mr. Blaker): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Blaker): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe) moved:

Motion No. 5

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in Clause 17, by striking out lines 19 and 20 at page 10 and substituting the following therefor: 'sender or addressee thereof or at the request of the government of any country or any independent postal authority, or in the event of an industrial dispute, insurrection or war';

He said: Mr. Speaker, I indicated last night while speaking in support of motion No. 1 of my colleague, the hon. member for Mississauga South (Mr. Blenkarn), the particular bill with which we are dealing this afternoon and which would create a Crown corporation of the Post Office was referred to the Standing Committee on Regulations and Other Statutory Instruments at the same time as the subject matter of the bill was sent to the Standing Committee on Miscellaneous Estimates.

The Chair will remember that back in July the standing joint committee tabled report number four to the House of Commons in which we requested that as a matter of procedure in the future all bills at second reading stage should have their regulation-making authority referred to our committee for

expert study and for recommendation to the House, and to the policy committee which would study the bills with a view to making amendments.

I think the Postmaster General (Mr. Ouellet) will concur that the hon. members of the standing joint committee proceeded with great expedition to consider the regulation-making authority in the bill and make recommendations in our report to the House as quickly as possible, and that the exercise was useful and helped us to get a grip on the whole issue as to what was involved in the regulation-making authority the government was requesting.

What would be the implications of giving the government that authority? As the Chair is aware, and as the Postmaster General will be aware, the committee, in many instances, has brought to the attention of Parliament the fact that often bills are passed by Parliament which give the government regulation-making authority beyond that which is needed, and beyond that which has ever been justified to Parliament. We recognize it is a role for regulations to play, that the government must ask Parliament for authority to operate by regulation from time to time. However, we should recognize that whenever the government asks for that authority, it is asking for discretion to change law on the basis of delegated legislation, to change the law in a way which may affect the rights and privileges and incomes of Canadians.

What we find here is yet another clause where the Postmaster General is asking that the government be given the right to pass regulations. In this instance it would affect the ability of the Post Office to delay mail. The members of the standing joint committee recognize the fact that in some instances there is justification for withholding mail and not allowing it to go through. The Postmaster General was kind enough, when he was before the committee, to give explanations as to why he felt it was necessary that power be given to the Post Office to hold and not deliver mail in some instances. The committee considered the arguments of the Postmaster General and found them persuasive. It found that there was justification for holding and not delivering mail in some instances. However, it felt that the regulation-making authorities being asked for by the Postmaster General were far too broad, that he was asking for regulation-making authority which was not sufficiently justified to Parliament, and that all of the purposes for which he was asking authority to hold mail and not to deliver it could be accomplished by being more specific in the bill itself. Consequently, when the committee made its report to Parliament, paragraph 11 of that report dealt with this particular issue. It is a brief paragraph, and I think it would be useful to put it into the record. It reads as follows:

> Paragraph (m) of Clause 17(1) contains a very large and vague grant of enabling power permitting the making of regulations 'providing for the holding of mail by the Corporation at the request of the sender or addressee thereof—
>
> The following words are in italics in our report:
>
> —or in any other circumstances specified in the regulations'. The underlined words (the italicized words) carry with them the potential for the holding of mail for purposes not now envisaged. The reason for this inclusion was explained to your committee as being, first, to accommodate bulk mailers who mail in advance, which would seem to be a matter covered by the first part of the paragraph and, secondly, to cope with situations in which, because of strikes, insurrection or war, overseas mail is 'embargoed'. Your committee recommends that the underlined words be deleted and that some such words as the following be added:
>
> 'or at the request of the government of any country, or any independent postal authority in the event of industrial disputes, insurrection or war.'

If the minister agrees with the amendment our committee has proposed, it would cover all of those instances where the Postmaster General has indicated he has given any justification to Parliament or to our committee for a decision by the Post Office to not deliver mail.

As I indicated previously, the committee felt that in some instances, if, indeed, there was a war or insurrection or postal disruption in another country, and if that country would prefer, because of the chaos, that mail be held until order be restored, that it is appropriate. If bulk mailers were to deliver large quantities of mail to the post office and ask that it be held and not delivered until a certain day, that would be absolutely appropriate also. That is simply a matter of providing service to a customer and ensuring that the needs of customers are met.

The committee had no complaints about that whatsoever. Our concern came from the fact that the government was asking for the authority to make regulations which went well beyond the scope of any justification ever given to Parliament. What we have stressed in report after report is that where the government asks for the authority to make regulations and where Parliament is delegating that authority to the executive and to the government, the government has the responsibility to first justify to Parliament the need for that regulation-making authority. If it can justify it, so be it. If it can justify only a portion of that authority, and if it is possible to spell out, in the wording of an amendment or specific clause or paragraph of a bill, exactly what it is that the government needs the authority for, so be it.

We believe the regulation-making authority held by the government, which is given by Parliament and which is out of the hands of Parliament, by and large, after it is given to the government, should be as constrained as possible. It should have been first justified and explained to Parliament and the Canadian people. Only that power and that regulation-making authority which has previously been justified to Parliament should be granted to the government.

As the committee report pointed out, the amendment which we have proposed here today would cover all of those instances which the Postmaster General proposed to our committee as justification for the withholding of mail.

● (1650)

If the government had other concerns as well, and if the Postmaster General had raised other concerns which could have been justified, we would have been prepared to see them also written into the bill in an explicit way, but we have tried to cover all those areas mentioned by the Postmaster General as being appropriate areas for the government to have the authority not to deliver mail which has been put into the system.

As joint chairman of the standing joint committee I should mention the fact that it is very uncommon in our committee for votes to be taken. To the best of my knowledge only once during my tenure as joint chairman has a vote been taken, and over the course of the past six or seven years I have been able to check only on a handful of occasions have any votes been taken. The committee functions by consensus and by all-party agreement. As a result it functions well. It is not a partisan committee. It is one which functions on the basis of co-operation, consensus and agreement.

The recommendation which is being made here today is the verbatim recommendation which was made by the committee when it made its report to Parliament after its scrutiny. It is the unanimous recommendation of our committee, without dissent on either side of the House. I think, therefore, it would be appropriate for members on all sides of the House to accept the recommendation made by the standing joint committee.

The motion I have on the Order Paper today does not go beyond that. It attempts to address every one of the concerns which were expressed by the Postmaster General when he appeared before our committee. We believe the amendment proposed is reasonable, and I hope it will receive the support of the Postmaster General and hon. members from all sides of the House.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, in reply to the comments of the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) who was co-chairman of the Joint Committee on Regulations and other Statutory Instruments, I would like to remind him that the members of the Standing Committee on Miscellaneous Estimates which was considering Bill C-42 had on hand the report of the joint committee and were fully aware of its recommendations about Bill C-42. In fact, the committee accepted a number of recommendations from the joint committee. However, the Standing Committee on Miscellaneous Estimates did not accept that specific recommendation concerning section 17(1)(*m*) of Bill C-42.

The committee did not accept that recommendation for some very simple reasons and in trying to make that clause more specific, the hon. member for Wellington-Dufferin-Simcoe himself reveals the basic flaw in his argument against the general power to hold back the mail. There are circumstances other than those he points out where the mail must be kept back, especially when the identity of the owner of the mail is doubtful, when the recipient has just died or in the case of a litigation, when a letter is sent to a couple that is separated or divorced. Therefore we can see that it is impossible to anticipate all the cases in the regulations. Which fully demonstrates, in my opinion, that these words are absolutely necessary.

There is another reason why I cannot accept the amendment proposed by the hon. member for Wellington-Dufferin-Simcoe, and it is that there is no need to delete the words in question, for they provide in fact the necessary flexibility in the regulations, for these regulations will appear in advance in *The Canada Gazette* and will be there for the public to examine. Is this advance publication procedure not an adequate protection for this kind of situation? As a matter of fact, it is because of the usefulness of this procedure that it became one of the recommendations which the hon. member for Wellington-Dufferin-Simcoe had presented himself, to be among those recommendations of the Joint Committee on Regulations and Other Statutory Instruments which have been accepted by the Standing Committee on Miscellaneous Estimates and which we included in Bill C-42 when we amended it in the parliamentary committee.

I think this procedure is a guarantee and a protection, and that the text in its present form represents the ideal solution. Accordingly, I urge the House not to accept the motion of the hon. member for Wellington-Dufferin-Simcoe and I recommend that it be negatived.

[*English*]

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, we have before us another amendment moved by the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty). It also was not presented to the committee for its consideration. I would like to discuss the amendment for a moment. It says the following should be substituted:

"sender or addressee thereof or at the request of the government of any country or any independent postal authority, or in the event of—"

I want to emphasize this.

"—an industrial dispute, insurrection or war;"

Surely to goodness the Conservative party and the hon. member for Wellington-Dufferin-Simcoe do not want to lump the working people of the Post Office in with war or the possibility of war. Surely they do not want to lump an industrial dispute in with a war. Is that the kind of working relationship we want to bring about with postal workers? We are trying to bring about a change. We are trying to bring about a new Crown corporation in the desire that management and the workers will work together. Now hon. members bring in an amendment which refers to postal workers at the same time as it refers to these other eventualities. Surely to goodness that is not the intent of this amendment.

Mr. Beatty: Have you read it?

Mr. Parker: Yes, I have read it. The hon. member is asking that in the event there is an industrial dispute or war there will be certain changes. Surely to goodness we cannot put an industrial dispute in the same category as the possibility of war with another country.

There is legislation under which there can be mediation, negotiation, conciliation and so forth. This new Crown corporation will come under the jurisdiction of the Department of Labour, and the workers will be governed by the various provisions of the Canada Labour Code. I resent very much the

possibility of an amendment which deals with postal workers in that type of atmosphere.

Mr. Blenkarn: It doesn't.

Mr. Parker: We are talking about working relationships in the Post Office. We are trying to bring about co-operation among the various groups working within a framework which would give them the same protection under the Canada Labour Code as that enjoyed by any other worker in Canada. We cannot support this amendment as it presently stands.

I wish the hon. member had brought this amendment in during the committee stage so it could have been discussed openly in the committee. If some of these amendments had been brought forward at the committee stage, we could have used the mechanism of the committee stage to discuss them and finalize them in order to get the good service in the Post Office we are looking for. If that had been done, when the bill returned to the House we would have been able to deal with it, complete our deliberations and pass the bill instead of having to deal with these amendments at this time.

Mr. Beatty: Mr. Speaker, I wonder if my hysterical friend would permit a question so that his comments can be clarified.

The Acting Speaker (Mr. Ethier): Would the hon. member for Kootenay East-Revelstoke (Mr. Parker) permit a question?

Mr. Parker: Yes.

• (1700)

Mr. Beatty: Mr. Speaker, I wonder if I could ask my friend whether, first of all, he is aware of the fact that the procedure which was followed was that the standing and joint committee made its report while the matter was still before the Standing Committee on Miscellaneous Estimates with a view to ensuring that the miscellaneous estimates committee study the report. Second, could he indicate to the House whether he is aware of the fact that the hon. member for Burnaby (Mr. Robinson), a member of his party, was one of the members of our committee which unanimously made the recommendation he has just announced? Third, when he is complaining about lumping in postal workers with the matter of a civil war, is he aware of the fact that all the amendment said is that the Post Office would have the right not to deliver mail to another country if there was a civil war or an insurrection in that country or if there was a breakdown in the Post Office which would make it impossible for them to deliver mail, and that they would simply request Canada to hold the mail in Canada until they were able to get that straightened out? How does the hon. member feel that that is an affront to Canadian postal workers, and what does that conceivably have to do with the Canada Labour Code?

Mr. Parker: Mr. Speaker, I am aware of the fact that this was discussed in committee. The committee reported and, as the minister stated, it was taken into consideration at the committee meeting. I want to say also that that is not the intent of the hon. member's amendment. The amendment says "in the event of an industrial dispute". The corporation comes under the Canada Labour Code in such cases. That is the question with regard to the comment made by the hon. member for Burnaby (Mr. Robinson) who is not here to defend himself, and I cannot answer that question.

Mr. Blenkarn: Mr. Speaker, I was very amused by my colleague, the hon. member for Kootenay East-Revelstoke (Mr. Parker). I am afraid he does not realize that this is a debate with respect to an amendment concerning the power of the governor in council to make regulations as set out in Clause 17 of the bill. We are dealing with paragraph (h) which, the way it is written now, would give the governor in council the right to make any damn regulation it felt like making, such as refusing to deliver mail for any reason. All it has to do is to promulgate a regulation as a result of which mail would not be delivered.

I am amazed that a party which pretends to look after the freedom of the individual would countenance a clause in a bill allowing the governor in council, or the government, to decide at any moment that the Post Office could refuse to deliver somebody's mail. That is what he is arguing. It is not a question of an industrial dispute. The hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) wants to restrict the right of the governor in council to prevent the delivery of mail to the recipients, and he says that the regulations could apply only to a situation where a government of any country or an independent postal authority, in the event of an industrial dispute, an insurrection or a war, requests that mail be withheld. Those are the only grounds on which the governor in council will be able to direct that the Post Office not deliver mail. Surely the hon. member would not want the Post Office to have the right, under any circumstances whatsoever and at any time, to decide to prevent the delivery of mail to anybody through one of these regulations. That is what he says. The hon. member is in favour of that kind of provision. I am literally amazed to hear that from the Post Office critic for the NDP. Clearly he does not understand the bill. He hurled criticism at my friend, the hon. member for Wellington-Dufferin-Simcoe who, together with the colleague of the hon. member for Kootenay East-Revelstoke, the hon. member for Burnaby, and other members, was involved in the regulatory process of studying this very clause and made the recommendation in a unanimous report to ensure that the government's regulatory powers are restricted to what it actually needs.

The Postmaster General (Mr. Ouellet) spoke on this matter. I am sure he meant to acknowledge that he was before the committee and that the only conceivable reasons he would ever have as Postmaster General to restrict the delivery of mail were those set out in the amendment of my colleague, the hon. member for Wellington-Dufferin-Simcoe. The Postmaster General now comes to the House and says there might be a marital dispute, that somebody might be separated or divorced. I ask you, Mr. Speaker, will the Post Office be running around the country checking whether people are separated or divorced, checking on the addressees and making regulations with respect to whether any member here is mar-

ried, separated or divorced and whether the Postmaster General should have a specific regulation preventing delivery of mail to a divorced person or persons?

The Postmaster General must blush at the suggestion he made in the House that he should have the right to make regulations preventing the delivery of mail to people because they may be divorced or separated. Every time someone is divorced or separated and advises the Post Office of it, mail will be withheld. The governor in council will have to inquire into family relationships and promulgate special regulations respecting the stoppage of delivery of mail to such people. Surely the Postmaster General has come to the Standing Committee on Regulations and Other Statutory Instruments and has advised the committee of all the conceivable reasons he might want to have the right not to deliver mail. The members of that committee said, yes, they would accept that, but they want the Postmaster General's regulatory power limited to what he says he needs. The Postmaster General said to that: "Oh, but I cannot remember all the powers I might want. I might want the right to make regulations in any circumstance specified in the regulation". That is a carte blanche right to make regulations to refuse to deliver mail. What could be more improper? The Postmaster General went to the committee and explained why he wanted the right. So the committee gave him everything he wanted. But he wanted more, and he cannot tell us why he wants more except that there may be some divorced or separated person somewhere to which this could apply. That is his only reason.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I just want to raise one point because I am becoming somewhat aggravated over the suggestion or insinuation of the hon. member for Kootenay East-Revelstoke (Mr. Parker) that we should not bring out in the House what was discussed in the committee. Through the evolution of parliamentary procedures it has been recognized that relatively few members of the House are members of committees. There is provision for those who were not on the committee and those who were on the committee to make amendments, suggestions and changes in the proper order. If the hon. member refers to Standing Order 75(8), he will see that any amendment should be open to debate and amendment.

• (1710)

Let us not have any more of these suggestions that because it went through committee we are not supposed to discuss it or change it here. This is entirely different from Committee of the Whole. That provision is not provided for Committee of the Whole because all members are members of Committee of the Whole so, there is no report stage.

At report stage the hon. members who are presenting these amendments have every right to do so, and we have every right to debate them.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): The question is on motion No. 5 in the name of the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty).

All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Ethier): Pursuant to Standing Order 75(11), the recorded division on the proposed motion stands deferred.

If hon. members will permit me a moment, I would like to give them the benefit of the Chair's grouping for the remaining motions. Motions Nos. 3, 4, 5, 8, 9, 10 and 11 seem to be procedurally acceptable and could be debated and voted on separately.

Motions Nos. 6 and 7 are similar in part and should be debated together, with a vote on motion No. 6 disposing of motion No. 7.

Motion No. 12, standing in the name of the hon. member for Mississauga South (Mr. Blenkarn), the effect of which is to dissolve the corporation, based on Parliament sitting or not sitting in a particular year on a specific number of days, seems to be out of order on the ground that it goes beyond the scope of the bill.

The long title of the bill reads:

An act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other Acts.

I refer the hon. member to Citation 773(1) of Beauchesne's fifth edition which reads as follows:

An amendment is out of order if it is irrelevant to the bill, beyond its scope—

For that reason, regrettably I cannot accept the hon. member's motion.

Mr. Blenkarn: Mr. Speaker, I rise on a point of order. There has been some discussion with the Chair with respect to the order Your Honour made a moment ago. To a large extent, that grouping and ruling was given last evening.

In the interests of the proceeding of the House, I was wondering whether your order could deal with motions Nos. 6 and 7 and leave the question with respect to motion No. 12 outstanding for the time being.

The Acting Speaker (Mr. Ethier): Order, please. It was in error that I delivered this ruling at this time as it was delivered last night. I ask hon. members to excuse me for making this ruling a second time. This matter has been dealt with, and the House will now consider motion No. 6.

Canada Post Corporation Act

Hon. John A. Fraser (Vancouver South) moved:

Motion No. 6

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in Clause 20.

(a) by striking out line 42 at page 12 and substituting the following therefor:

"governor in council may"

(b) by adding immediately after line 18 at page 13 the following new subsection:

"(4) The minister shall cause every direction given to the corporation and an estimate of any increased costs or losses likely to be incurred by the corporation as a result of complying therewith to be laid before Parliament on any of the first fifteen days that either House of Parliament is sitting after the day the direction was so given."

He said: Mr. Speaker, perhaps I could say a word or two about the purpose of this amendment. Clause 20 (1) of the bill reads as follows:

In the exercise of its powers and the performance of its duties, the corporation shall comply with such directions as the governor in council or the minister may from time to time give to it.

The effect of Clause 20 is to allow the minister, the governor in council or the cabinet to give directions to the new Crown corporation in certain circumstances where, in the public interest, it is deemed by the minister or cabinet that a specific direction would be appropriate. However, there is nothing in the clause, as it now stands, which requires that the direction, once having been given, must be made public.

When Clause 20 was in front of the committee before Christmas, I argued strenuously that directions were legitimate but that they ought not to be kept secret. On the basis of that I moved an amendment in committee which would have required, after a direction is given, that it be then properly laid before Parliament where it could be examined by members of Parliament and the public.

At the time the hon. Postmaster General (Mr. Ouellet) was not disposed to accept that amendment and, as a consequence, it was defeated. Since then I have made it clear on a number of occasions in public statements that my party viewed the secret aspect of these directions very seriously and that we hoped, as soon as the government realized the degree of seriousness with which we view this particular problem, there might be some disposition on the part of the government to rethink its position taken in committee.

The Postmaster General knows I pointed out that the problem with secret directions is that management, as a consequence of a direction, may very well have to make a management decision which might be quite inexplicable, unless it was made clear that the decision was being made as a consequence of the direct intervention of the Government of Canada.

Those members of the House who concern themselves with the labour relations aspect of the Post Office ought to be very aware that unions negotiating with the management of the Post Office ought not to feel that somewhere behind the curtain secret directions are being given to management by government which could affect negotiations.

• (1720)

I want to emphasize that in no way am I opposed, or is my party opposed, to the government having the power to give a direction to the Post Office. I will not take the time of the House now to go into the ramifications of that or the need for that power to be in there in the event it has to be used in the public interest. But the point which I have made in the past, a point which the Postmaster General fully appreciates, is that if there are to be directions given, and if those directions are presumably in the public interest, as they ought to be, then there is nothing wrong with being sure they are made public subsequent to the direction being given so that everyone can tell exactly on what matters Post Office management or Post Office affairs are being directly influenced by the action of the government itself. When the matter was in committee I made it clear to the Postmaster General that I did not oppose the right of the Postmaster General, that is the minister in Section 20, or the governor in council from giving these directions.

I now want to turn to a procedural matter. I will raise it now and then wait for the Postmaster General to speak. In motion No. 6, Mr. Speaker, you will notice that paragraph (a) says:

(a) by striking out line 42 at page 12 and substituting the following therefor:

"governor in council may"

The effect of that would be to change Clause 20 so that only the governor in council could give a direction and not the minister. I had not noticed this before and it was only brought to my attention by the Postmaster General earlier today. That was not the intent of what I raised in committee, and it is not my intent now that a motion go forward which would mean that the direction could only come from the governor in council and not from the minister. I make the suggestion through you, Mr. Speaker, that this can be corrected. Motion No. 7 in the name of the hon. member for Mississauga South is identical to my motion No. 6, except for the fact that the hon. member for Mississauga South does not have the part in his motion referring to the elimination of the minister as having the power to make a direction.

I would therefore suggest that when this matter is considered perhaps I could be allowed to withdraw, by consent, motion No. 6 and that motion No. 7 proposed in the name of my hon. friend, the hon. member for Mississauga South, go forward. I suggest the House could dispose of this matter on that basis.

I now refer to the order of the Chair of last night, which Mr. Speaker just repeated in error. The order of the Chair last night said that motions Nos. 6 and 7 should be debated together and that motion No. 6 would be dealt with, thus disposing of motion No. 7 because the substance was the same. What I am suggesting now is that with the consent of the House I withdraw motion No. 6 and that motion No. 7 be the motion we now address ourselves to.

Mr. Blenkarn: Mr. Speaker, when these amendments were proposed my friend was tied up with another committee. We discussed these motions and you will notice they are identical. I respect my hon. friend's suggestion with respect to making

sure that the directives could come from the minister and not just the governor in council. I therefore accept the suggestion that motion No. 6 be withdrawn and we debate motion No. 7. The essence of the motion is to make sure—

[*Translation*]

Mr. Ouellet: In reply to the remarks made by the hon. member for Vancouver South (Mr. Fraser) and the hon. member for Mississauga South (Mr. Blenkarn), I should like now to inform hon. members that if there is the unanimous consent of the House to dispose forthwith of motion No. 6 and to proceed with consideration of motion No. 7, I should be quite willing to accept motion No. 7 as moved by the hon. member for Mississauga South.

[*English*]

Mr. Beatty: On a point of order, Mr. Speaker. I will, of course, accede to the request by my colleague the hon. member for Vancouver South (Mr. Fraser). At this point I think it would be useful to bring to the attention of the House the provisions in the Crown corporations bill which was introduced by the Clark government, Bill C-27. It contained two essential elements, one of which is covered in my colleague's motion No. 7, which the House will be proceeding with.

The other element would have restricted the government to directives issued by the governor in council and not by a single cabinet minister. The reason for that was that the Crown corporations task force and the government of the day felt that the concept of interfering in the day to day operations of a Crown corporation, by the issuance of a directive, was sufficiently serious as to warrant a decision being made by the cabinet as a whole and not by a single minister. Consequently, the decision was made at that time to require that it be the governor in council and not a single minister who would issue a directive. However, it was the motion in the name of the hon. member for Vancouver South, and is part of the agreement with the minister that motion No. 7, which would at least eliminate the secret nature of directives, go forward and that his be withdrawn. Consequently, I would give my consent to the withdrawal of my colleague's motion.

The Acting Speaker (Mr. Ethier): The House has heard the request of the hon. member for Vancouver South (Mr. Fraser) that motion No. 6 be withdrawn and that motion No. 7 be debated.

Some hon. Members: Agreed.

The Acting Speaker (Mr. Ethier): Agreed and so ordered.

Mr. Don Blenkarn (Mississauga South) moved:

Motion No. 7

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in Clause 20 by adding immediately after line 18 at page 13, the following new subsection:

"(4) The minister shall cause every directive given to the corporation and an estimate of any increased costs or losses likely to be incurred by the corporation as a result of complying therewith to be laid before Parliament on any of the first fifteen days that either House of Parliament is sitting after the day the directive was so given."

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Ethier): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-59, an act to provide supplementary borrowing authority, without amendment.

* * *

THE ROYAL ASSENT

The Acting Speaker (Mr. Ethier): I have the honour to inform the House that I have received the following communication:

Government House
Ottawa

April 8, 1981

Madam:

I have the honour to inform you that the Honourable Antonio Lamer, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate chamber today, the 8th day of April, at 5.45 p.m., for the purpose of giving royal assent to a bill.

I have the honour to be,
Sir,
Your obedient servant,
Edmond Joly de Lotbinière
Administrative Secretary
to the Governor General

* * *

● (1730)

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

The House resumed consideration of Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, as reported (with amendments) from the Standing Committee on Miscellaneous Estimates, and motion No. 7 (Mr. Blenkarn).

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, if I heard the minister correctly he indicated that he is prepared to accept this motion. I see he is nodding his head so there is no point in spending the time of the House to speak in favour of the motion. I think we have had enough discussion and, if the minister is prepared to accept the motion, we could perhaps put the question.

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, I should like to speak in favour of this motion also. The hon. member for Vancouver South (Mr. Fraser) and the hon. member for Mississauga South (Mr. Blenkarn) fought hard for it in committee. We supported them there and we support them here tonight.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General) moved:

Motion No. 8

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in clause 29 by striking out line 45 at page 15 and substituting the following therefor:

"the next estimates laid before Par-".

He said: Mr. Speaker, again this is a small technical amendment which was suggested to us by the legal adviser of the House of Commons. If we read Bill C-42, at page 15, we can see the words "in the next Appropriation Act laid before Parliament". The legal adviser of the House of Commons has suggested that we use instead the words "the next estimates laid before Parliament", and that is the amendment I propose.

[*English*]

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

Mr. Don Blenkarn (Mississauga South) moved:

Motion No. 9

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended by deleting clause 31 and substituting the following therefor:

"31. The accounts and financial transactions of the Corporation shall be audited annually by the Auditor General."

He said: Mr. Speaker, this is a long clause which provides that the corporation will have two auditors. A number of other clauses provide how they shall work. It is the position of this party that the Auditor General of Canada, who is developing a comprehensive system of auditing Crown corporations in order to protect the public interest and to make the disclosure that parliamentarians and the whole country require, should audit the corporation. We do not need companies such as Touche Ross or Coopers & Lybrand and the like to audit the postal corporation at government expense. This corporation is not in real competition with other private corporations. Its purpose, presumably is to facilitate the government's mandate to deliver the mail. This department of government is to become a corporation but it will not be a corporation like Air Canada or Canadian National Railways. By its very nature it is subject to directive by governor in council, to ministerial directive; indeed, almost everything it does, including setting postal rates, is subject to direction by the governor in council. That being the case it is essential that Parliament's auditor conduct the audit of the corporation. I could say a great deal about the cost of private auditing. Parliament's auditor should do the work in accordance with the kind of report required by the Standing Committee on Public Accounts. This corporation will be something like Statistics Canada or Canada Mortgage and Housing Corporation and it should be audited in the same fashion. To suggest that the Auditor General is not capable is to cast a slur on him; that just is not so.

This corporation must report to Parliament in the manner in which Parliament is accustomed to receiving reports. A comprehensive audit should be carried out and the auditing practices of the Auditor General of Canada should be followed year after year. The audit should not be farmed out to one auditing company or another. The way that the corporation operates, its profitability and the use of money Parliament from time to time may need to vote in the estimates to support its activities, should be part of Parliament's auditing practice. Indeed, the Comptroller General should be involved and the report of the Auditor General should come before the committees of Parliament.

We are not happy with the way the post office has operated in the past and so we are about to experiment with a new postal corporation. There are many ways of going about this and of doing audit. The hon. member for York-Peel (Mr. Stevens) pointed out an instance where an auditing company put a great qualification on the balance sheet of de Havilland aircraft. That was a private audit. But where a qualification is required we think that Auditor General of Canada should explain the matter. Members of Parliament cannot ask a private auditing company to explain the details of the financial requirements of the corporation if they are not empowered to do so by a committee of the House. How are they to find out where the money is being spent and how effective and efficient the corporation is? It is our position that the Auditor General of Canada should audit this corporation and that motion No. 9 should be adopted.

● (1740)

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, I should like to speak against the amendment and point out to the hon. member for Mississauga South (Mr. Blenkarn) that actually where the major Crown corporations in Canada are concerned, the Auditor General is not responsible for the auditing of their accounts. Corporations such as Air Canada, the Bank of

Canada, the Federal Business Development Bank, the Canadian National Railways, the Canadian Wheat Board, the Canada Mortgage and Housing Corporation and even the Cape Breton Development Corporation use the services of private firms of auditors.

It would therefore seem quite normal that a large organization such as the Canada Post Corporation be authorized to hire auditors from the private sector. In any event, I believe this question will be settled not as if it were a separate issue but in a general way since it will be covered in the omnibus bill soon to be introduced by my colleague the President of the Treasury Board (Mr. Johnston). Therefore I would much rather leave Bill C-42 as it is and settle that question later in the omnibus bill.

[*English*]

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, I would like to speak on this amendment. It came up in committee and it was discussed quite thoroughly. The minister said the same thing today he said in committee. I am pleased to see the Conservative Party recommending that the private sector not do the audit and the Auditor General do it instead. We agree with that procedure. We said so in committee and we say it here. We support this amendment.

Mr. Bill Clarke (Vancouver Quadra): Mr. Speaker, I want to comment on this amendment. I share the concern of the hon. member for Mississauga South (Mr. Blenkarn) that present Clause 31 will lead to some very undesirable situations. This is not only my opinion; I share the concern of the Canadian Institute of Chartered Accountants. I know this group has written to the Prime Minister (Mr. Trudeau) expressing its concerns, and I imagine the Postmaster General (Mr. Ouellet) has received a copy also. I will deal with those objections in a moment.

The amendment of my colleague, the hon. member for Mississauga South does a number of things. First, it eliminates a very long section and replaces it with a short and clear section. Any time we can shorten up legislation and get rid of any questions which might arise through wordiness is a good thing. We have a servant of Parliament here, the Auditor General, who reports annually to Parliament. Because his report is tabled in Parliament, the information therein is accessible to all Members of Parliament through the proper channels. For example, there is an automatic reference to the Standing Committee on Public Accounts.

If we leave the clause as it is, we find in Subsection 7 that we will have a report made by the auditors to the corporation under this section transmitted to the minister by the auditors at the same time as such report is transmitted to the corporation. That does not give access to parliamentarians or to Parliament itself, except when the minister decides that such a report should come before Parliament. We have seen examples over the years of ministers sitting on reports like this because there is something in them which the minister happens to think should not come before Parliament. Parliament relies heavily on the advice of the Auditor General, as does the Standing Committee on Public Accounts. If we have our servant of Parliament reporting to Parliament, then there will be no secrets. In other words, no information will be lost. If we have outside auditors reporting to the minister, then we have no idea what information will filter down to Parliament.

To be fair, in Section 33, which is the reporting section, we find that the corporation shall submit to the minister an annual report in such form as he may prescribe relating to the activities of the corporation. Further on in Section 33(1) we read:

—the minister shall lay the report before Parliament on any of the first fifteen days that either House of Parliament is sitting after the day he receives it.

We have also seen that annual reports of corporations, such as this, do not necessarily include the report of the auditor of that corporation. Therefore, if the Auditor General does not perform the audit of this corporation, Parliament will be laying itself wide open.

The minister has told us, and he has told me as well, that he wants to keep Section 31 as it is because he is going to rely on the proposed changes in the Crown Corporations Act, which the President of the Treasury Board (Mr. Johnston) indicates he is ready to introduce in the House as soon as he gets the approval required from other places.

The House has not seen that act. I do not know what it is going to say, of course. If it is going to say something other than what the amendment my colleague, the hon. member for Mississauga South, proposes, then I still think it will be a loss for Parliament in that we will not have that information available to us.

I think I should share with the House some of the concerns of the Institute of Chartered Accountants. As I said, the president of that body has written the Prime Minister. Having reviewed the bill, the institute found Section 30, the only section dealing with auditors and the audit report, deficient in several areas. The institute has outlined those areas, such as follows:

An audit committee: the duties of an audit committee; the auditor's right to attend the audit committee's meetings, or to call a meeting; and the duty of directors and officers to inform the audit committee of errors or misstatements in the financial statements.

Most Crown corporations have audit committees; whether it is the Auditor General or private auditors, it does not matter. Apparently, the post office corporation would not be required to have an audit committee. The situation when an auditor ceases to hold office, whether it be through death, resignation or the appointment of a successor, is not adequately covered. The bill does not provide for the right of an auditor to submit to a board of directors or the appropriate minister the reasons for his resignation or why he opposes the proposed actions. In the profession, a replacement auditor is required to seek out reasons from the previous auditor, but the retiring auditor should be required to give his reasons for resignation or, if he has been disposed of, before his expiry time. There are no provisions for the removal of an auditor or the right of an auditor to provide essential information. That is one of the things this Parliament has provided the Auditor General, that

is, the right of access to essential information. The bill does not provide for the qualified privilege of an auditor's report and statements.

Nor does it provide the use by the corporation of generally accepted accounting principles as set forth by the Canadian Institute of Chartered Accountants. For those of us who have been looking at Post Office reports over the years, I think we would like to be assured that the corporation will use generally accepted accounting principles. Furthermore, there is no provision for the annual attest audit of the corporation's financial statements or the auditors' report on them. The bill should contain provisions similar to the Canada Business Corporations Act, which calls for both the audit and the audit report.

The provisions in Clauses 30(1) and (2) for the governor in council to appoint joint auditors, each for a two-year term, is regarded by the Canadian Institute of Chartered Accountants as "an expensive and awkward procedure that offers few significant benefits." It is one which the CICA thinks should not be included.

The minister made a reference to a list of Crown corporations that have private auditors. I do not have the list with me, but there are dozens, if not hundreds of Crown corporations audited by the Auditor General. I think at the last count we found 436 Crown corporations. If some of them are audited by private corporations, then the rest obviously are done by the Auditor General. I believe the minister mentioned the Canadian National Railways and other Crown corporations which have private auditors.

● (1750)

As I said earlier, the access to information by Parliament from those corporations is not as good as it is from corporations which have the Auditor General as their auditor. We are now going through an experience of another Crown corporation which no longer wants the Auditor General as its auditor. It has taken steps which I have questioned in the House with the energy minister. That corporation is Eldorado Nuclear. It is in the process of getting rid of the Auditor General in order to turn its auditing over to the private sector. This will remove that corporation from the purview of Parliament. It may go some way toward destroying the right of parliamentarians to see that comprehensive audits are carried out where necessary.

I think I have covered all of my points. I hope the minister will see fit to reconsider the very sensible amendment of my friend from Mississauga South.

THE ROYAL ASSENT

[*Translation*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Mr. Speaker, the Honourable the Deputy Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Mr. Deputy Speaker with the House went up to the Senate chamber.

And being returned:

Mr. Deputy Speaker: I have the honour to inform the House that when the House went up to the Senate chamber, the Deputy Governor General had been pleased to give, in Her Majesty's name, the royal assent to the following bill:

Bill C-59, an act to provide supplementary borrowing authority.

* * *

● (1800)

[*English*]

BUSINESS OF THE HOUSE

Mr. Knowles: Can the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) tell us what the business of the House will be tomorrow now that we have a respite from you know what?

Mr. Collenette: Yes, Mr. Speaker, we shall continue with Bill C-42. Hopefully we shall be disposing of that bill tomorrow night; the amendments at report stage and also third reading. The business for Friday will be subject to discussion among the House leaders.

Mr. Deputy Speaker: It being six o'clock p.m., this House stands adjourned until tomorrow at two o'clock p.m. pursuant to Standing Order 2(1).

At 6.03 p.m. the House adjourned, without question put, pursuant Standing Order.

HOUSE OF COMMONS

Thursday, April 9, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

CANADIAN NATIONAL RAILWAYS

INVESTIGATION OF PLANS TO PURCHASE GULF CANADA LTD.—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of very urgent necessity. It appears now that the rumours projecting a takeover of Gulf Canada by the Canadian National Railways Pension Trust Fund are closer to the truth than ever thought before. To ensure that Canadian taxpayers are not ripped off, as they were in the Petrofina takeover, and to guarantee CNR pensioners get fair treatment, I move, seconded by the hon. member for Grey-Simcoe (Mr. Mitges):

That this House instructs the Minister of Transport to launch an immediate investigation into CNR's plans to purchase Gulf Canada Ltd. and also that he investigate the financial relationship between the CNR pension trust fund and CN's investment practices.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS

TIMETABLE FOR PREPARATION OF BRIEFS FOR SUBMISSION TO PARLIAMENTARY TASK FORCE—MOTION UNDER S.O. 43

Mr. Jim Hawkes (Calgary West): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that this closure-crazy, artificial-deadline-setting government is now giving the groups who represent disadvantaged people, health care, and post secondary education in this country 11 days, at most, of public notice to prepare and call the meetings necessary to decide whether they want to present a brief to the parliamentary task force on federal-provincial fiscal arrangements, I move, seconded by the hon. member for Kingston and the Islands (Miss MacDonald):

That this House direct the task force to have an early meeting with the chairmen of the Special Joint Committee on the Constitution, so that they can learn first hand of the difficulties which short, artificial deadlines pose for concerned and committed Canadians who have a contribution to make to our legislative process.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

AGRICULTURE

HERD MAINTENANCE PROGRAM—MOTION UNDER S.O. 43

Hon. John Wise (Elgin): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the government's failure to live up to the promise that the Herd Maintenance Program's appeal board would be given the authority to amend the rainfall and production criteria of the program, I move, seconded by the hon. member for Medicine Hat (Mr. Hargrave):

That the government extend the appropriate authority to the appeal board so that the inequities caused by the government's arbitrary rainfall and production criteria can be cleared up and so that the many western livestock producers who have not qualified for the assistance payments because of these unfair criteria can be treated with compassion and consideration by board members familiar with the problems caused by last year's drought.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL ENERGY PROGRAM

PROGRESS OF IMPLEMENTATION—MOTION UNDER S.O. 43

Mr. Ian Waddell (Vancouver-Kingsway): Madam Speaker, I rise on a matter of pressing and urgent necessity under Standing Order 43. Whereas I issued a first term report card last June which showed that the minister of energy had failed to keep the Liberal 1980 election promises, whereas the minister has introduced his National Energy Program which is clearly unworkable, and whereas it is now report card time in the country, I move, seconded by the hon. member for Prince Albert (Mr. Hovdebo), a teacher:

S.O. 43

That this House endorse the marks I have given the minister today in his second term report card, that is, incomplete for public ownership, a D for Canadianization, and F's in taxation, prices and co-operation.

I trust this will, of course, get unanimous consent of the House.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, a shock wave rolled across Canada today when Jim Munson, president of the Parliamentary Press Gallery, announced that the Prime Minister of Canada (Mr. Trudeau) refused to speak to the annual press gallery dinner. This breaks a tradition that has been in place since the first dinner which began just after the First World War. Since the Prime Minister enjoys breaking traditions and establishing new ones, and since the Leader of the NDP will now be reading the Prime Minister's speech, which has been the tradition of the past year, under Standing Order 43 I move, seconded by the hon. member for Prince George-Bulkley Valley (Mr. McCuish):

That this House express its concern that the Prime Minister is constantly breaking with tradition but understands that he cannot speak at the press gallery dinner on Saturday night because he doesn't have the constitution for it.

Madam Speaker: I know the importance we all accord to the press gallery dinner, but I fail to see that as urgent and pressing.

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● (1410)

EXTERNAL AFFAIRS

SUPPORT FOR INDEPENDENCE OF POLAND—MOTION UNDER S.O. 43

Mr. John Kushner (Calgary East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of critical importance to world peace and security. I move, seconded by the hon. member for Vegreville (Mr. Mazankowski):

That this House go on record as being in support of a peaceful resolution to the crisis in Poland and in opposition to outside military intervention and interference, and further, that this House go on record as commending the initiatives of individual Canadians sending food aid to Poland as a humanitarian gesture in a time of difficulty.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HAZARDOUS PRODUCTS

AUTOMOBILE SEAT BELT EDUCATION PROGRAMS FOR CHILDREN—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise under provisions of Standing Order 43 on a matter of urgent and pressing necessity.

In 1980 the task force on regulations under the Hazardous Product Act required that the road motor vehicle safety branch of Transport Canada develop standards in safety for vehicle child restraint systems and infant carrier restraints. I move, seconded by the hon. member for Oxford (Mr. Halliday):

That on the basis of this report this branch of Transport Canada should undertake public education programs to promote child passenger safety in vehicles and urge strongly the rest of the provinces to follow the example of Ontario, Quebec, Saskatchewan and British Columbia, in enacting seat belt legislation, and that all provinces take the initiative of Saskatchewan and include children under the age of five in this legislation.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENVIRONMENTAL AFFAIRS

FLIN FLON MINING PROJECT—MOTION UNDER S.O. 43

Mr. Rod Murphy (Churchill): Madam Speaker, in light of the fact that the Manitoba government has rescinded the Tory-appointed Clean Environment Commission's order which stipulated that the Hudson Bay Mining and Smelting Company should restrict ground level concentrations of sulphur dioxide at its Flin Flon mine; and since the Flin Flon installation emits 650 tons of sulphur dioxide into the atmosphere every day, to the extent that vegetation in the area is showing serious deterioration; and due to the mounting concern about the matter of acid rain, or, as is often the situation in this case, acid snow, I move, seconded by the hon. member for Brant (Mr. Blackburn):

That since the Flin Flon mining district comes under federal jurisdiction for most matters due to the fact that the mine crosses the Manitoba-Saskatchewan border, this House calls on the federal government to investigate this dangerous abdication of responsibility by the Manitoba minister of the environment.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

FISHERIES

CANCELLATION OF SPRING HERRING SEASON IN SOUTHERN GULF OF ST. LAWRENCE—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, the Minister of Fisheries and Oceans (Mr. LeBlanc) has abruptly announced the cancellation of the spring herring season in the southern Gulf of St. Lawrence just days before its opening. Weeks of work have been wasted on preparation for the season by fishermen, which now only compounds the financial hardships that they will experience due to the ineptness and the callous attitude of the minister toward the east coast fishery. I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That this House instruct the minister to develop a comprehensive program that will identify potential problems such as shortages in fish stocks in time, so that fishermen may realistically plan their future for something more tangible and rewarding than unemployment insurance.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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FARM CREDIT CORPORATION

INCREASE IN INTEREST RATES—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The increased interest rates announced by the Minister of Agriculture (Mr. Whelan) affecting the Farm Credit Act as of March 31, 1981, will place the farmers under additional financial pressure, considering the very high cost of production and the high interest rates, bringing many of them to the point of bankruptcy. I move, seconded by the hon. member for Elgin (Mr. Wise):

That the government reconsider its actions and call on the Bank of Canada to roll back the interest rates which have been announced and are having such a devastating effect on the farm economy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1415)

CONSUMER AFFAIRS

LEGISLATIVE PROTECTION FOR CONSUMERS IN BANKRUPTCY CASES—MOTION UNDER S.O. 43

Mr. Doug Anguish (The Battlefords-Meadow Lake): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Twenty-seven Saskatchewan farmers are being forced to pay twice for farm implements—the amount involved is approximately $240,000—because they made their cheques payable to a dealer who recently declared bankruptcy and not to the trust company which held a lien on the implements being sold by the dealer. Because the dealer declared bankruptcy without turning over the payments for the equipment to the trust company, the trust company is now able to demand payment in full from the farmers who have already paid for their equipment through the dealer.

I move, seconded by the hon. member for Humboldt-Lake Centre (Mr. Althouse):

That the government move to introduce retroactive legislation this session designed to protect consumers in financial matters resulting from bankruptcies.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENERGY

NEGOTIATIONS BETWEEN FEDERAL GOVERNMENT AND ALBERTA—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise on a matter which is extremely important at this time. The forthcoming meeting between the federal Minister of Energy, Mines and Resources (Mr. Lalonde) and the Alberta minister of energy on April 13 is vital to the well-being of the nation. As the Minister of Energy, Mines and Resources has cancelled his appearances before the Standing Committee on Natural Resources and Public Works today and tomorrow, and therefore will not be available for questioning on a new oil and gas pricing regime, in order to assist the minister to succeed in these negotiations I therefore move, seconded by the hon. member for Bow River (Mr. Taylor):

That these energy negotiations represent all parties in this House and that the minister invite one member from each party in this House as witnesses to the negotiations on April 13 between Ottawa and Alberta.

Madam Speaker: Is there unanimous agreement for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

FISHERIES

WEST COAST CHINOOK SALMON STOCKS—NEGOTIATIONS WITH UNITED STATES AUTHORITIES

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, my question is addressed to the Minister of Fisheries and Oceans, if he can take his place promptly.

The Minister of Fisheries and Oceans is well aware of the seriously devastated state of chinook salmon stocks on the west coast, and he is also aware that in the last year or two the United States commercial and native fishery have taken an increasing toll of Canadian waters-bound chinook salmon by interception at Point Roberts in the Puget Sound area. It is estimated that the U.S. fishermen are taking almost 20 per cent of the total returning chinook stocks and that they are intercepting some 200,000 chinook salmon, while the Fraser River gillnet fishermen last year caught only 20,000 chinook salmon.

I want to ask the minister what progress he has made, either privately or publicly, in obtaining some concessions from the Americans, and from his counterparts in Washington state in particular, to ensure that the U.S. fishery will back off from the Canadian chinook salmon resource.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I am quite happy to inform the House that the U.S. authorities have responded positively to our request. They have recognized our efforts to conserve chinook and have given a positive answer to our request.

CLOSURE OF UPPER PART OF FRASER RIVER

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, the Minister of Fisheries and Oceans has not addressed the basic discrepancy that the Fraser River gillnetters are taking less than one tenth of those Canadian stocks compared with what the U.S. fleet is taking. He has not told us what specific initiatives the Americans have consented to apply to conserve those chinook salmon.

Is the minister prepared to rescind the closure of the upper part of the Fraser River known as area 29 D and to allow the Fraser River gillnet fishermen, who have been making strong representations to him this week, at least one day's opening a week, bearing in mind that last year the Canadian fishermen had only nine days' fishing while their U.S. counterparts had at least 63 days' fishing on the same Canadian salmon stocks?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I fail to understand the hon. member. He asks me a first question, and I answer saying to him that the American authorities have responded positively to our approach to them. They will limit the effort of their seiner fleet off Point Roberts.

As to the second issue, there is a further meeting planned with the fishermen and representatives of my department. I believe it will be either on April 20 or April 22. Proposals have been made by both sides, and I am quite sure we can find an agreement. That is our intention, and that is our approach to this problem.

REQUEST FOR EARLY ACTION

Mr. Thomas Siddon (Richmond-South Delta): Madam Speaker, in the past several weeks the minister has failed to produce the breakdown of who is catching what share of that rapidly depleting Canadian resource known as the chinook salmon stock. He has failed to tell us again today what degree of concessions the Americans are prepared to make, bearing in mind that they are taking almost 20 per cent of that resource. The minister has failed once again to commit himself to allowing the Fraser River gillnet fishermen to continue to enjoy the livelihood they have enjoyed for many, many years by granting them at least a one-day per week opening in the area known as 29 D on the Fraser River. Is the minister not prepared to recognize that he will bankrupt and destroy the livelihood of many Canadian fishermen if he does not act, not later this month, but here today?

● (1420)

Some hon. Members: Hear, hear!

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I am sure the hon. member had three questions lined up and it did not matter what the answer was, he had to ask those three questions.

Some hon. Members: Hear, hear!

An hon. Member: How about one answer?

Mr. LeBlanc: The difficulty is that I gave him the answer he wanted to the first question, but he has insisted on continuing with two more.

Some hon. Members: Oh, oh!

An hon. Member: Obviously you have the one answer.

Mr. LeBlanc: I have been lobbied by exactly the same group with whom the hon. member has met. I had a session of an hour and 45 minutes, a useful, productive session with them yesterday. In fact they did not ask for a breakdown. I told them, as I told the hon. member, that the U.S. authorities have responded very positively. They have gone a long way to meet our objectives. I do not think I should make a decision here before consulting the group. We have agreed to meet on April 22. Surely if I did that, the hon. member would be the first to complain.

RESPONSE BY UNITED STATES AUTHORITIES TO REQUEST SEEKING REDUCED CATCHES—MINISTER'S RESPONSIBILITY

Mr. Benno Friesen (Surrey-White Rock-North Delta): Madam Speaker, my question is for the same minister. It is obvious the minister had three answers lined up and it did not matter what the questions were.

Some hon. Members: Hear, hear!

Mr. Friesen: The minister says he has received a positive response from the United States. I should like to know if that response was in writing, and to what extent will the United States correct the present imbalance?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, I suspect we would need cue cards to tell the hon. member when his turn comes up.

Some hon. Members: Oh, oh!

Mr. LeBlanc: This may be weak, but it was the suggestion from that side.

I said the U.S. authorities have responded very positively to our request. I do not have the exact arithmetic in front of me this afternoon. We are satisfied it goes a very long way toward meeting the objective which was to reduce the catch of Canadian chinook by American seiners. I am satisfied that this will go a long way to balance our efforts at conservation, that the sports fishermen, the commercial fishermen of Canada and the commercial fishermen of the United States make serious efforts to restrict the pressure on the depleted chinook stocks.

Mr. Friesen: It is obvious that cue cards would not help.

Some hon. Members: Oh, oh!

Mr. Friesen: In the past year during which the minister has been in his portfolio he has subjected the west coast fisheries by long distance negotiation to a series of changes in policy, management and regulation. During that time, I suppose because he is from the east coast, he has been to the east coast at least once, if not twice a month, but in that same period of time he has been to the west coast only once for one day, avoiding management and advisory boards, and not meeting with them. I should like to ask the minister if he sees himself as the fisheries minister for all of Canada or for just the east coast.

Mr. LeBlanc: I really do not understand the hon. member's question because the group I met yesterday was much more generous than the hon. member. They recognized that a minister who happens to come from the east coast nevertheless put into operation the most dramatic development program, called the salmonid enhancement program—

Some hon. Members: Hear, hear!

Mr. LeBlanc: —that this minister—as my colleague, the Minister of Agriculture sometimes refers to himself—put into effect the toughest habitat protection legislation, with the approval of all sides of the House, at the request of the west coast fishery. I might say to the hon. member that I had planned a fairly lengthy session on the west coast in March. Unhappily, the sort of filibustering we have been having has tied all of us down to this House.

Some hon. Members: Hear, hear!

* * *

• (1425)

INCOME TAX

RECOMMENDATION MADE BY NATIONAL COUNCIL OF WELFARE—REPLACEMENT OF CHILD TAX EXEMPTION WITH CHILD TAX CREDIT

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance. In a report released earlier in the week the National Council of Welfare confirmed the tragic facts that there are one million poor children in Canada and that three out of every ten single women are poor.

Is the minister now prepared to enact the chief recommendation of the National Council of Welfare report, that the child exemption contained in the income tax return be replaced by a much richer child tax credit? In asking that question I remind the minister that his colleague, the Minister of National Health and Welfare, made the same proposal but indicated that it was only her private opinion. What is the public opinion of the Minister of Finance with respect to the tragic inequality in our tax system and the need to replace it with a more progressive tax credit system?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I know the council issued a report. I asked to see the report yesterday or the day before, but up to the present time I have not had a chance to study it. Obviously the question the hon. member raised is a budgetary matter. That and other items will be considered as preparations are being made for the next budget.

Mr. Rae: Madam Speaker, the minister may regard it as simply a budgetary matter, but I think people filling out their income tax returns this month realize that it is a fundamental fact of fairness in our system.

Miss Bégin: Yes, and they love it.

* * *

BANKS AND BANKING

INCREASE IN PROFITS OF CHARTERED BANKS—PROTECTION FOR INDIVIDUALS AGAINST HIGH INTEREST RATES

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I would like to deal with another aspect of fairness in our system. It concerns the interest rates being charged by chartered banks and their effect on bank profits.

I would like to point out to the Minister of Finance that in another private opinion, in this nice-TALK tough-TALK routine in which the government is so expert, the Minister of Agriculture took a large swipe at the chartered banks and complained about the fact that they were charging such high rates.

In light of the fact that today the Bank of Canada announced another increase in the bank rate, which will have an effect upon interest rates throughout the system, and that chartered banks only pay taxation at a rate of somewhere between 15 per cent and 20 per cent, is the minister now prepared, in light of the recommendations of the Minister of Agriculture, to do something to see that average Canadians are not charged interest rates of upwards of 20 per cent and 25 per cent? Is he prepared to tax the banks on the excess profits which the Minister of Agriculture said they have been making over the past few years?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the question of the profitability of the banks was raised in the House on earlier occasions.

Mr. Epp: That is profound.

Mr. MacEachen: It is true, if one looks at the performance of the banks over the last quarter that there is an indication the profitability has improved for one quarter.

Mr. Rae: Improved? Do you call that an improvement?

Mr. MacEachen: If the hon. member looks back over the experience of quite a number of years he will find that there has been a rather firm or steady level of profitability, and in the quarters immediately preceding this good quarter I do not think even the hon. member would say that their profitability was out of line with former experience. I just do not think the experience of one quarter and a very volatile interest rate market are a good basis upon which to form long-term policy with respect to the banks. I promised the hon. member or other hon. members that, as time goes on, if this trend continues, then it will be appropriate to take a look at whether remedial action is required.

* * *

HOUSING

REQUEST FOR INTRODUCTION OF PROGRAM WITH REASONABLE INTEREST RATES

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my final supplementary question is directed to the Minister of Public Works who is responsible for housing. The government's high interest rate policy and its "do-nothing" housing policy now mean that 70 per cent of the loggers on the British Columbia coast face lay-offs or short work weeks. When will the minister announce a housing program with mortgages at reasonable rates so Canadians will have decent places to live and so that woodworkers will be back at their jobs?

● (1430)

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, any announcement or position vis-à-vis interest rates relating to the housing sector would, of course, invite comparison or experience in other sectors of the economy, and any movement of the government would have to be in accordance with an appreciation that it would affect all sectors. However, I might say that it is my appreciation, when I compare, for example, the actions in its budget, committed by the province of British Columbia toward housing, with other provinces in Canada, bearing in mind the pressure of housing needs in the province of British Columbia, I have indicated that I think there is room for that provincial government to adopt a response on a regional basis and to bring in add-on programs, to build, for example, on the MURBs, as the province of Ontario has done.

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PENSIONS

INDEXING PROVISIONS FOR SENIOR CITIZENS

Miss Pat Carney (Vancouver Centre): Madam Speaker, my question is directed to the Minister of Finance and deals with the need for a senior citizens price index to protect pensioners from the ravages of inflation. As I pointed out earlier, there are new studies which indicate there is a shortfall of about $50 million or $60 million a year between the present rate of inflation and the indexing system. The minister said that he would look into this matter further. I wonder if he has anything further to report on this matter to the House.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, I promised the hon. member that I would look at the question which she has raised, which I regard as a very important one, and would refer to the study to which she referred in her question showing a discrepancy between the cost of living index and a new established pension index. I believe, on re-examination, the hon. member would agree that the discrepancy between the current system and the one to which she referred was not of the order which she mentioned, but that if one accepted the study it would be a difference between 12.2 per cent and 12.7 per cent. I do not discount that at all.

However, I would remind the hon. member that other studies, such as the one conducted by the C. D. Howe Institute, and one by Statistics Canada, show somewhat different results. I believe one case showed that there really is no difference between an index constructed specially for old age pensioners and the CPI, and another which states that maybe in the eight years between 1971 to 1978 the pension index was lower than the CPI, so that if one adopted it, the pensioners would be worse off.

Miss MacDonald: They're worse off now, Allan.

Mr. MacEachen: I believe it is an important question, but the evidence is not clear that the pensioners are being materially affected by this division of opinion in any way. If it were established, then I think it would be a matter that one would want to look at and review.

REQUEST FOR SURVEY OF SENIOR CITIZENS' EXPENDITURES

Miss Pat Carney (Vancouver Centre): My supplementary question is also addressed to the Minister of Finance. I think the answer of the minister has highlighted the problem, which is that there is a lack of clarity with respect to the impact of inflation on senior citizens. Since the mail received by most Members of Parliament will indicate that this group is experiencing undue hardship at the moment, and since the cost of living index is based on a typical urban family, which tends to exclude pensioners, would the minister undertake to initiate a survey of senior citizens' expenditures to incorporate into the present indexing scheme full protection of pensioners from inflation, and clear this matter up?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, if I thought, and if any of the evidence showed that there was a significant disadvantage to the elderly, whom we all want to protect, then I would undertake a survey. However, at the present time there does not seem to be any evidence which would suggest that pensioners are not being fully protected.

Mr. Hnatyshyn: Shame on you!

Mr. MacEachen: Whatever evidence there is is contradictory. I believe that old age pensioners are very substantially protected against changes in the cost of living.

An hon. Member: How can you say that at your age?

Mr. MacEachen: I say it because I have more wisdom than you.

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SUPPLY AND SERVICES

REOPENING OF CONTRACT TO CONSTRUCT F-18 FIGHTER AIRCRAFT

Mr. John McDermid (Brampton-Georgetown): My question is directed to the Minister of Supply and Services. Over 1,000 McDonnell Douglas workers who celebrated the announcement of the F-18 contract by drinking champagne a little over a year ago, are today walking the streets, looking for work. Last summer, nearly a year ago, tenders were called, and McDonnell Douglas Canada submitted bids to construct the forward fuselage side panels and the pylons on the new aircraft. When the subcontract bids closed the first time, was the McDonnell Douglas Canada bid the only one for side panels and pylons from a Canadian source, and why did the government request McDonnell Douglas of St. Louis to reopen bids after the tender deadline?

Hon. J.-J. Blais (Minister of Supply and Services): Madam Speaker, the hon. gentleman is under a misapprehension. There was no request by the Government of Canada to reopen the bids. There was an announced proposal relating to some of the items in the structural package which came from Canadair and was submitted to McDonnell Douglas. As a result of that unsolicited proposal, McDonnell Douglas invited the other bidders to attempt to fix their bids and the whole process is now under a revision by McDonnell Douglas. An announcement is bound to be made soon.

Mr. Nielsen: Fixing bids, eh?

Mr. McDermid: By way of a supplementary question, and for some clarification, is the minister saying that the federal government did not formally or informally request a bid from Canadair on side panels or pylons or any other components, for that matter? Was that not a commitment which was made by the government so that McDonnell Douglas would get the contract, a commitment which the Quebec Liberal caucus insisted upon?

Mr. Blais: The hon. gentleman should consult with the hon. member for Victoria relating to the nature of the contract. The contract on the purchase of the F-18 requires that the bidding process be one between McDonnell Douglas and potential subtrades. It is the responsibility of McDonnell Douglas to award the contract to the subtrades in accordance with the terms of the main contract that it has with the Government of Canada.

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FISHERIES

REQUEST THAT FRASER RIVER BE OPENED ONCE A WEEK FOR GILLNET FISHERMEN

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I would like to address a further question to the Minister of Fisheries and Oceans. He has mentioned that his officials will be meeting again with the Fraser River fishermen on April 22. I honestly want to ask the minister if he believes that the Fraser River fishermen can wait until then before hearing definitively the answer that the minister should have given earlier today, namely, that the area 29-D will be open and there will be a minimum one-day a week fishing for the gillnetters.

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, it has been my impression that the fishermen of that area, including some who were present at the meeting I had with the union representatives yesterday, are not shy to express their views.

They did not discuss the date of the twenty-second at all. They all seemed to be agreed, and it was a date which was agreed at the meeting, I am told. So I do not understand why the hon. lady wants me to make a decision now before further consultation has taken place. I just do not understand her point.

Miss Jewett: The reason they had to come to Ottawa was because the minister would not go to the west coast.

Some hon. Members: Hear, hear!

Miss Jewett: The UFAWU do not spend $25,000 easily or lightly. They expend it in order to get an answer from the minister while they are here, and they are here until Friday. Will the minister give them an answer now?

Some hon. Members: Hear, hear!

Mr. LeBlanc: I think the hon. lady reflects rather negatively on a group of very responsible people.

Some hon. Members: Oh, oh!

Mr. LeBlanc: They have chosen to spend some four days in Ottawa. They will appear before the parliamentary committee—I believe it is tomorrow morning—yes. I had a very good and productive meeting with them. I do not understand what the hon. member means by my forcing them to spend $25,000.

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AGRICULTURE

HERD MAINTENANCE PROGRAM—EXPENDITURE OF FUNDS

Hon. John Wise (Elgin): Madam Speaker, in the absence of the Minister of Regional Economic Expansion, I will direct my question to the minister who expressed his dissatisfaction with his government's policy of high interest rates last evening. My question is with respect to the herd maintenance program. Is it the government's intention to spend all of the $60 million originally allocated for that program? If so, would the minister verify whether or not some $13.6 million remains in uncommitted funds?

• (1440)

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the hon. member makes certain mention of a comment that I made yesterday in Winnipeg. I said nothing condemning the government's program, I was condemning the banking institutions for not being more competitive and possibly lending money at a cheaper rate in light of the huge profits the banks are making.

With respect to the amount of money we are going to spend as far as herd maintenance is concerned, it is too early to tell whether we will have enough or whether we will have a surplus.

AUTHORITY OF APPEAL BOARD

Hon. John Wise (Elgin): Madam Speaker, I intended to ask who speaks for the government, but I know it is the Minister of Finance who speaks for the government on that question. However, the minister must recognize that the program, the way it is now, is impractical to apply and impossible to judge on fairness and equity. Would the Minister of Agriculture seriously consider granting the appeal board sufficient authority to make the final decisions? At the moment the board is simply an advisory body; it is not an appeal board. The appeal board is made up of local people on the scene, on the site, with a full understanding to make accurate judgments.

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I am fully aware of the makeup of the personnel on the appeal board. We appointed them. They are producers from northwestern Ontario, Manitoba, Saskatchewan and Alberta. They have to follow the criteria set down by the government. They screen the applications for assistance under the herd maintenance program. Out of 31,000 applications, if I understand the figures correctly, about 25,000 or 26,000 have been approved and total payments of over $40 million have been made to date. Possibly 2,500 applications are being questioned at the present time. We have been asked to take another look at those. We will be considering those requests and I hope to settle them in a proper fashion.

INCREASE IN NUMBER OF ELIGIBLE TOWNSHIPS

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, my supplementary question is to the Minister of Agriculture. Could the minister confirm that in the last four or five days there have been some 400 additional townships made eligible for the herd maintenance program, townships which were denied because of the impractical criteria established by the minister's government? Could the minister confirm or deny that?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the prairie farm rehabilitation officials use a computer system along with all of the scientific and technological equipment available to them to measure rainfall and snowfall. The other day one of the hon. member's colleagues said that snowfall is very important for run off, etc.

Mr. Hnatyshyn: Can you measure your run off?

Mr. Whelan: When the hon. member says that 470 townships were added to the group that had already been allocated under the former mapping program using rainfall as criteria, this was done by the officials of the PFRA, recognizing possibly that they had made a mistake earlier. I think it has been done in a very fair manner. Again, it is a new program which has been beneficial to thousands and thousands of farmers.

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AIRPORTS

PLANS TO CONSTRUCT THIRD TERMINAL AT TORONTO INTERNATIONAL AIRPORT

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, my question is for the Minister of Transport. According to an

article which appeared in *The Globe and Mail* this morning, CP Air of Vancouver has offered to build the third passenger terminal proposed for Toronto International Airport. Could the minister please tell this chamber whether a third terminal is being planned and, if so, who will be building it? Could he also share with this House whether, in the airport expansion plan, there is provision for a fourth runway?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, traffic at Malton is increasing steadily and the two terminals are reaching capacity. Therefore, the government had to develop a new master plan for the airport. This has been done. It will be unveiled on Tuesday next. The plan will then be submitted to public view and it will be revised according to the conclusions reached.

An hon. Member: Where, at Pickering?

Mr. Pepin: At Malton.

On the subject of the fourth runway, in order to avoid people getting overly nervous, I can advise that it is not in the master plan, which is an indirect way of saying that there is a third terminal in the master plan.

With respect to the funding of the third terminal, a decision has not yet been made but the government will be willing to contemplate the possibility of private sector funding.

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MUNICIPAL AFFAIRS

AGREEMENT WITH PRINCE EDWARD ISLAND ON COMMUNITY SERVICE PROGRAM

Mr. Doug Lewis (Simcoe North): Madam Speaker, my question is for the minister responsible for CMHC. The communities of Bunbury and Southport in Cardigan, Prince Edward Island, went ahead with a badly needed three-phase sewage disposal system as a result of a commitment from the federal government under the community services contribution program. Phase one has been completed, but the federal government has broken its agreement with the province. Will the federal government now live up to its responsibility and its commitments to these communities? If not, where does the minister expect the money to come from?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I have already responded to an identical question posed yesterday by the PC candidate in the by-election for that riding.

Some hon. Members: Hear, hear!

Miss MacDonald: The Liberal wasn't even asking.

Mr. Cosgrove: I indicated to that candidate that the government had not broken its agreement but that the municipalities were misinformed by the provincial government. In fact the recommendation for the termination of that program was first made in policy papers to the former Progressive Conservative government, together with recommendations for termination of a number of social programs upon which this government has not acted.

Mr. Lewis: Madam Speaker, my supplementary question is for the same minister. When the federal government, headed by the Liberal Party, entered that agreement, it was a three-phase program. Initially it called for three phases in the sewer program. How can the federal government lead these people down the garden path and then cancel the program?

Mr. Baker (Nepean-Carleton): It is easy for them.

Mr. Cosgrove: Madam Speaker, I invite the hon. gentleman, or anyone who is seriously interested in this subject, apart from partisan politics at this time of the year, to address the agreement by reading the actual agreement between the Government of Canada and the government of the province. They will discover for themselves that the hon. gentleman opposite who raised the question, together with those who would make political hay on it, are misinformed.

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FOREIGN INVESTMENT REVIEW AGENCY

POLICY RESPECTING OPERATION OF DUTY-FREE SHOPS

Mr. Joe Reid (St. Catharines): Madam Speaker, my question is for the Minister of National Revenue. It relates to the government's policy of Canadianization and of "buy Canadian." About a month ago it was indicated that two American firms had the inside track on the operation of duty-free shops in Canada. Just recently the Department of Revenue's publication release indicated that duty free shops are just around the corner. Will the minister now tell this House whether or not the government's policy is one of negotiating with foreign-controlled firms in the operation of duty-free shops located in Canada?

Hon. William Rompkey (Minister of National Revenue): The short answer is no, Madam Speaker. It is true that duty free shops are just around the corner.

Mr. Nielsen: Which corner?

Mr. Rompkey: I have appointed an advisory committee, chaired by my parliamentary secretary and the Parliamentary Secretary to the Minister of Industry, Trade and Commerce, to advise me on the guidelines for the issuing of licences for duty free shops. To put it simply, we want to maximize Canadian opportunity in those guidelines. However, I will have to wait for the report from the advisory committee before I answer further.

REQUEST THAT NO CONSIDERATION BE GIVEN TO UNITED STATES CORPORATIONS

Mr. Joe Reid (St. Catharines): Madam Speaker, my supplementary question is for the Minister of Industry, Trade and

Commerce. If, as the Minister of National Revenue says, the answer is no, why does the Minister of Industry, Trade and Commerce not direct FIRA to say that those American corporations would not be considered as the viable operators of Canadian duty-free shops?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, decisions under the Foreign Investment Review Act are not made by FIRA, they are made by the government. FIRA does not make decisions on the award of the right to operate duty-free shops, either at land points—which is a new program my colleague, the Minister of National Revenue, is instituting—or at airports, a program under the jurisdiction of my colleague, the Minister of Transport. The press report on which my hon. friend bases his question is, unfortunately, erroneous.

An hon. Member: What is the policy?

* * *

● (1450)

WESTERN DEVELOPMENT FUND

REQUEST FOR PUBLIC HEARINGS

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, my question is directed to the Minister of Employment and Immigration, the minister responsible for the western development fund. This concept has been dangled in front of western Canadians for well over a year. There is certainly a growing skepticism and cynicism about a government which would be collecting taxes from western Canadians, laundering those taxes in some way, and delivering them back in the form of projects. Also, they see it as a potential for probably the greatest pork-barrelling anywhere ever. In order to reduce these fears, will the minister hold public hearings throughout centres in western Canada? If not, why not? If he is going to hold meetings, when will they be held and where?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, the hon. member will recall that in the announcement of the program which the Minister of Finance made, there was a very clear commitment that discussions would be held with western Canadians concerning the application and use of the western development fund. I would point out to the hon. member that, contrary to the description that he provides, many westerners see this as an opportunity by which the federal government can play its rightful role in helping in the creative development of the economy in western Canada, to take advantage of the tremendous growth that is occurring in the west to the benefit of all Canadians. That is the purpose of the western fund, to ensure that the growth in that dynamic part of the country has a full share of the benefits.

PURPOSES OF FUND

Mr. Nelson A. Riis (Kamloops-Shuswap): Recognizing that the government is committed to consultation, we on this side hope that consultation will occur at other than the official and bureaucratic level through the use of public hearings throughout western Canada. Will the minister explain to this House, so that there is clarification across the country, what the terms of reference of the western development fund will be?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I would again refer the hon. member to the statements which have been made previously, particularly those by the Minister of Finance which indicated that the purpose of the western development fund was to provide for major investment in social and economic development in western Canada so that the benefits can be shared by everybody across the country. Those are the basic terms of reference, to take advantage of the substantial growth that is taking place in the resource areas and to make sure that there are industrial, social and economic diversifications of those benefits. The federal government has always played a major and traditional role in transportation, railway development and other major areas to make sure that the growth in western Canada is not simply confined to one province and one group of people, but is broadly shared.

* * *

HEALTH

ADOPTION OF WORLD-WIDE CODE GOVERNING BABY FOOD MARKETING

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, my question is directed to the Minister of National Health and Welfare. In May, 1981, the World Health Organization is proposing for adoption a marketing code on breast milk substitutes, which prohibits improper marketing of breast milk substitutes, to protect against infant death and to promote breast feeding, particularly in poverty stricken areas of the world where over dilution and bacterial contamination of the infant formula leads to malnutrition, disease and death. Is the Canadian government prepared to support adoption of such a code and consider accepting it as a regulation in this country?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, members of my department played an active role in the technical discussions leading up to that recommendation. I will have the pleasure of speaking on behalf of Canada at the World Health Organization annual meeting in early May at which time a vote will be taken. I am not sure just now in what form it will be recommended, or if it is called a regulation. I will have to find out the exact category that will be recommended to the annual meeting, and I will give that information to the hon. member.

AIRPORTS

MASTER PLAN FOR VANCOUVER INTERNATIONAL AIRPORT—REQUEST FOR PUBLIC HEARING

Hon. John A. Fraser (Vancouver South): Madam Speaker, my question is to the Minister of Transport. It concerns the draft master plan for the Vancouver airport. The other night in committee, on behalf of the minister one of the officials said that the decision on whether to have a public hearing on the draft master plan before it is accepted or rejected by the government would be a decision made here in Ottawa by departmental officials and the minister, after hearing recommendations from the departmental officials in British Columbia. Will the minister straighten out the confusion in British Columbia and guarantee that there will in fact be a public hearing on the draft master plan, and can he indicate how soon that public hearing will commence?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, the hearing has been going on for quite a period of time. As a matter of fact, the date for the end of the hearing has already passed. The situation is that a number of people claim, rightly I am sure, that they have not had time to make the full representations they wanted to make. De facto, we have extended the period of time to do that. We will wait until all contributions have been made before making the necessary adjustments to the master plan.

Mr. Fraser: I am sure the minister would not want to leave the impression that there has been a public hearing in response to the master plan which was published and turned out by the department in the autumn of 1980. There has not been any public hearing on this. There have been some discussions with some people and invitations for people to write or phone in, but there has not been a public hearing. Will the minister tell us now that there will in fact be a public hearing before this draft master plan becomes government policy?

Mr. Pepin: Madam Speaker, I was in Vancouver a few days ago and consulted with those who are running this hearing. They must know what they are doing. A number of people and associations have not been fully satisfied with the hearings that have been going on. I accept that. The department has extended the duration in order to accommodate them. I want to assure my hon. friend that no decision will be made until full consultation has taken place. That is what is going on.

* * *

COMMUNICATIONS

BELL CANADA DIRECTORIES USED IN PAY TELEPHONE BOOTHS

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, I have a question for the Minister of Communications. Does the minister intend to intercede with Bell Canada which has decided to discontinue putting the yellow pages in pay telephone booths?

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, I have regular conversations with Bell Canada.

Mr. Baker (Nepean-Carleton): By telephone?

Mr. Fox: If it is of use to the hon. member, I will raise this during the course of my next meeting with the president of Bell Canada.

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AIR TRANSPORT

PROVISION OF SERVICE TO MEMBERS OF PARLIAMENT AND GOVERNMENT OFFICIALS—POSSIBILITY OF CONSOLIDATION

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, my question is directed to the Minister of Transport. Both the Department of Transport and the Department of National Defence provide VIP air transport service for members and senior officials of government. During recent proceedings of the Standing Committee on External Affairs and National Defence, the Minister of National Defence said discussion on the consolidation of the service, under the control of one or other of the departments, was under active consideration at committee level in both departments. In light of the fact this issue has been under review for a number of years, and each time it reaches cabinet level for a decision the rivalry of the two departments for control of the service prevents a cost saving solution from being made, would the minister state the reasons why his department is insisting on providing part of the domestic service, given the fact the military is assigned the role in most other nations?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I cannot easily accept that a combination of the two fleets would be totally desirable. There are a number of people who believe that having a civilian arm of the government in this matter may not be a bad idea. In view of my very friendly relationship with the Minister of National Defence, I will have a conversation with him to see whether there are more arguments in favour of the suggestion.

Mr. Darling: Madam Speaker, it is my understanding that one of the reasons, often given, as to why the minister's department seeks to retain provision of part of the service is to maintain what is termed "currency" of the air carrier inspectors. Such currency, as I understand it, is to keep the inspectors up to date on the latest procedures involving such things as the crew and flight operations, as well as pilot proficiency. Could the minister tell this House, if such is the case, why inspectors from the Department of Transport could not fulfil those requirements flying aboard Department of National Defence aircraft?

● (1500)

Mr. Pepin: Madam Speaker, I do not want to analyse here the whole series of arguments in favour of or against each of

the options available. My hon. friend has mentioned one option. My department would have to keep these facilities anyway, in view of its responsibilities in the field of civil aviation; this is an argument in favour of maintaining the status quo. In any case, I will have a conversation with the Minister of National Defence.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Baker (Nepean-Carleton): Madam Speaker, I should like to put a question to the government House leader. Would he be able to tell us the business that he intends to bring forward today and tomorrow? Could he also look into the business for next week, if that is possible, and tell us whether he intends to allot an opposition day? If so, could he inform us when?

[*Translation*]

Mr. Pinard: Yes, Madam Speaker, but first I would like to draw the attention of the House to the following agreement reached by the parliamentary leaders which has to do with the adjournment of the House after the first stage of the final debate on the constitutional resolution. We have agreed to adjourn as follows:

That, when the House adjourns on Thursday, April 23, 1981, it shall stand adjourned until Tuesday, May 12, 1981, provided that at any time prior to that date, if it appears to the satisfaction of Madam Speaker after consultation with the government, that the public interest requires that the House should meet at an earlier time, Madam Speaker may give notice that she is so satisfied, and thereupon the House shall meet at the time stated in such notice, and shall transact its business as if it had been duly adjourned to that time; and

That, in the event of Madam Speaker's being unable to act owing to illness or other cause, the Deputy Speaker, the Deputy Chairman of Committees or the Assistant Deputy Chairman of Committees shall act in her stead for all the purposes of this order.

Madam Speaker, I move that motion, seconded by the hon. member for Nepean-Carleton and the hon. member for Winnipeg North Centre, and I think we will obtain the unanimous consent of the House for its immediate adoption.

Madam Speaker: Does the House unanimously agree to adopt the motion introduced by the hon. President of the Privy Council?

Some hon. Members: Agreed.

Madam Speaker: Agreed and so ordered.

Mr. Pinard: In answer to the question of the Progressive Conservative parliamentary leader concerning the business of the House for the next few days, I would say to him that today we expect to be able to complete the report stage and third reading of Bill C-42, the Canada Post Corporation Act. I think we can expect votes this afternoon at the report stage and that, with unanimous consent, we might complete third reading later today.

Three items will be studied tomorrow. First, we will go through all three stages of the bill on the Auditor General and adopt it. This bill does not appear on the Order Paper, but we will give notice tonight and my colleagues have agreed with me to give speedy passage to this non-controversial measure. Second, we will proceed with second reading of Bill S-17 concerning tax conventions between Canada and New Zealand and Canada and Australia. Third, Bill C-46 to regulate the importation into Canada of meat, whose study on second reading is expected to be completed tomorrow afternoon.

Next Monday will be an allotted day, and finally Tuesday and in the following days we will take up the report stage of Bill C-50 on the customs tariffs, and I hope we will be able to complete third reading as well.

[*English*]

Mr. Baker (Nepean-Carleton): There has been some discussion among members of the Standing Committee on Agriculture with respect to the reference to that committee of the annual report of the Wheat Board. That is desirable and it is certainly agreeable to us. In order to expedite the business, we would be prepared to have that done now, without debate.

* * *

CANADIAN WHEAT BOARD

REFERENCE OF ANNUAL REPORT TO STANDING COMMITTEE

Hon. Yvon Pinard (President of the Privy Council) moved that the annual report of the Canadian Wheat Board for the crop year ending July 31, 1980, tabled April 2, 1981, be referred to the Standing Committee on Agriculture.

Motion agreed to.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Knowles: Madam Speaker, with respect to the business of the House, we have noted the line-up suggested by the government House leader. The House as a whole must be impressed with the fact that for two days in a row we have reached unanimous agreement.

May I suggest another subject concerning which the minister would find unanimous agreement, and that is that we no longer delay bringing in legislation proposed by the Acting Minister of Veterans Affairs having to do with widows who last July were told they would have to wait several years for their pensions. I realize that the Acting Minister of Veterans Affairs is in Europe in his capacity of Minister of National Defence, but my hunch is that the legislation is ready. The department is keen on it. Would it not be possible to deal with

this in short order and to pass it quickly, even before we recess next week?

Mr. Pinard: Madam Speaker, I will check the hunch of my hon. colleague.

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PRIVILEGE

MR. HNATYSHYN—ALLEGED INTRUSION ON RIGHTS OF MEMBERS—RULING BY MADAM SPEAKER

Madam Speaker: There is a matter pending before the House and that is a ruling that I should like to make concerning the question of privilege raised by the hon. member for Saskatoon West (Mr. Hnatyshyn). I heard his argument and I think I am able to rule on that question of privilege now.

The hon. member was arguing a very hypothetical situation. The will of the House certainly had not been expressed; therefore it could not have been crossed. Consequently, I do not think he has a prima facie question of privilege.

Mr. Nielsen: Madam Speaker, I have a very brief point of order. I believe there is a question of privilege on which the Chair reserved its ruling because the Minister of Indian Affairs and Northern Development might want to refer to it. In view of the rapidity with which ministerial offices are being established in Yukon by the Secretary of State, the Minister of Energy, Mines and Resources, and perhaps next an embassy by the Secretary of State for External Affairs, I do not want to appear to be rushing the Chair but perhaps a ruling might prevent any further proliferation of this practice.

Madam Speaker: I have some rulings ready. One is on that particular matter and there is another question which has been raised. I will rule on them tomorrow. I have several rulings for the House but I thought I would not occupy the time of the House more than need be. I will probably rule tomorrow on those questions.

ROUTINE PROCEEDINGS

[*Translation*]

TRANSPORT

Fifth report of Standing Committee on Transport—Mr. Dionne (Northumberland-Miramichi):

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

Order Paper Questions

STATISTICS

TABLING OF LIST OF CENSUS COMMISSIONERS

Hon. J.-J. Blais (Minister of Supply and Services): Madam Speaker, I would like to table the list of commissioners for the census which will take place on June 3, 1981.

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JUSTICE

TABLING OF GUIDE CANADIEN DE RÉDACTION LÉGISLATIVE FRANÇAISE

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Madam Speaker, under the provisions of Standing Order 41(2), I have the pleasure to table the *Guide canadien de rédaction législative française.*

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,936, 2,021, 2,023, 2,068 to 2,070 inclusively, 2,145, 2,161, 2,241 and 2,265.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

[*Text*]

SPACE RESEARCH BUDGETS

Question No. 1,936—**Mr. Herbert:**

Which departments, corporations or agencies maintain space research programs and what is the budget of each for the current fiscal year?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): In so far as the Ministry of State for Science and Technology is concerned:

Space Research Budgets, FY 80-81

	Space Research (millions)	Space Budget (millions)
National Research Council	$20.958	$20.958
Communications	10.50	35.415
Environment	0.85	2.30
Energy, Mines and Resources	0.50	9.608
Transport	0.23	0.23
Fisheries and Oceans	0.50	0.50
National Defence	4.70	8.49
Industry, Trade and Commerce	3.70	3.70
NSERC	0.55	0.55
	$42.488	

In arriving at the above figures, the term "research" was interpreted, in its broadest sense, to include space science, conceptual studies, research and development, whether done in-house or outside (including contracts, contributions, grants, etc).

The entire space budget of certain departments (i.e. NRC, Transport, F&O and IT&C) falls within this definition. In the case of DOC, substantial amounts are spent on non-research items such as the extension to the David Florida Lab. and its operation ($6.5 Million) or incentives for the purchase in Canada of the Anik-C and Anik-D satellites ($10.4 Million). In the case of EMR and Environment, a strong component of their space budgets goes toward the cost of operating satellite data receiving, processing and distribution facilities, for resource management and weather prediction purposes.

TRANSFER OF SASKATCHEWAN LAND TO INDIAN BANDS

Question No. 2,021—**Mr. Blenkarn:**

1. Did the government transfer to Indian bands in the province of Saskatchewan, the land that it promised to transfer in the original treaties in the province of Saskatchewan that were signed in 1870 and, if so, how much land (a) was transferred (b) remains to be transferred and on what date will the government complete such transfers?

2. Does the government recognize the difference between a person who is a treaty Indian (a person with a direct blood relationship to a headman who signed on behalf of an Indian band a treaty) and a person who is a status Indian as a result of being declared a status Indian under the provisions of the Indian Act?

3. Does the government consider that there is no difference between a status Indian and a treaty Indian?

4. Does the government recognize the Queen Victoria Treaty Protective Association and, if not, will it do so?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development):

1. (a) Treaties 2, 4, 5, 6, 8 and 10 were signed with Indians in Saskatchewan between the years 1871 and 1906. Under these treaties, 68 Saskatchewan bands had approximately 1.7 million acres set aside for their use and benefit.

   (b) Validated claims submitted to the Department of Indian Affairs and Northern Development indicate that approximately 1 million acres more will be set aside as reserve land to satisfy the treaty entitlement of some 20 bands.

The completion of negotiations with Saskatchewan bands over their treaty entitlement will depend largely upon the timetable followed by the Federation of Saskatchewan Indians for the submission of any outstanding claims.

Under the 1930 transfer of natural resources agreements, Crown lands were turned over to the provinces subject to, among other things, Manitoba, Saskatchewan and Alberta, making sufficient Crown land available to Canada to fulfil the land provisions of treaties. Consequently, although the treaties are with the federal government, Canada must rely on the co-operation of the provinces to make these lands available when needed. Negotiations are under way in Saskatchewan and every effort is being made to ensure that treaty obligations will be met.

2. Status Indian is a term that is used synonymously with the term registered Indian. A registered Indian is a person who is entitled to be registered as an Indian in accordance with the Indian Act and who has been recorded as an Indian in the Indian Register.

A large number of status Indians are also treaty Indians. A treaty Indian is a person who is registered as a member of a band that was a signatory to a treaty with the Government of Canada. As a treaty Indian, a person is entitled to the same rights and benefits available to status Indians as weil as to such special benefits as were conferred by the particular treaty his band signed.

3. The government does consider that there is a difference between a status Indian and a treaty Indian. A status Indian is a person who is registered as an Indian in accordance with the Indian Act. A treaty Indian is a person who is registered as an Indian in accordance with the Indian Act and who is registered as a member of a band that was a signatory to a treaty with the Government of Canada.

4. The Department of Indian Affairs and Northern Development's relationship is with individual Indians and bands as defined under the terms of the Indian Act of 1951. The department, as a matter of policy, has specific contribution arrangements with associations of Indian bands to support consultation with Indians, on issues of policy, for program development and research.

The Queen Victoria Treaty Protective Association (or the Victorian Embassy) claims to represent Indian bands who already have direct access to government or are members of existing Indian associations. Furthermore, the protective association claims an interest in the "Treaty Trust Fund" of which this department has no record. Trust funds are maintained for individual Indian bands rather than on the basis of treaties.

CANADIAN GOVERNMENT ANNUITIES

Question No. 2,023—**Mr. Blenkarn:**

Will the government honour its 1976 commitment to increase interest paid on annuities to at least the present rate being paid on Canada Savings Bonds?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): The government acknowledges no such commitment.

When the Canadian Government Annuities Improvement Act was before Parliament in the autumn of 1975, the then minister of manpower and immigration (Mr. Andras) indicated that the rate of return would be "subject to periodic review depending on future fluctuations in interest rates", but there was no undertaking to keep such rates in line with Canada Savings Bond rates.

As indicated in this House on June 18, 1980, (*Hansard* at p. 2230), a review of the rate of return did take place in the early months of 1980, and it was decided that there should be no adjustments. Interest rates have fluctuated since the time of

the review, but not in a manner which leads the government to believe that a further review is now required.

ROYAL CANADIAN MINT FUNDS

Question No. 2,068—**Mr. Cossitt:**

With reference to the answer to question No. 1,594 which states in part, that the Royal Canadian Mint, under the direction of Mr. Yvon Gariépy, paid Le Cercle Universitaire d'Ottawa $14,822.41 and that this was not paid from public funds (a) what funds does the Royal Canadian Mint possess that would enable it to pay this account from other than public funds (b) were public funds reimbursed for the amount involved and, if so (i) what are all the details of the amounts and persons concerned (ii) what are the dates of reimbursement?

Hon. J.-J. Blais (Minister of Supply and Services): I am informed by the Royal Canadian Mint as follows:

(a) Section 2 of the Financial Administration Act defines "public money" and "public officer". Officers of the Royal Canadian Mint, including the chief executive officer, are not "public officers" and the funds managed by the Royal Canadian Mint are not "public money." The Royal Canadian Mint is financially autonomous and accountable to its board of directors for compliance with its approved budgets which are self financed and not subjected to parliamentary approval.

(b) n/a.

CADC—PRESIDENT'S TRIPS

Question No. 2,069—**Mr. Cossitt:**

With reference to the answer to question No. 1,252 which states in part, that "with respect to the President of Crown Assets Disposal Corporation, only such expenses relating to the corporation's business have been charged", did the government establish the business portions of the trips on (a) a statement by Madame Nadeau (b) an independent investigation by the government?

Hon. J.-J. Blais (Minister of Supply and Services): I am informed by Crown Assets Disposal Corporation as follows:

(a) The propriety of Crown Assets Disposal Corporation operations and the conduct of its officers are adequately assured by the supervision and direction of the board of directors and the Auditor General's audits of the corporation.

(b) Not applicable.

ROYAL CANADIAN MINT—MASTER'S TRIPS

Question No. 2,070—**Mr. Cossitt:**

With reference to the answer to question No. 1,252 which states in part, with reference to the Master of the Royal Canadian Mint, that "The president of the corporation charges only the portion of the trips that is applicable for the time he travels on business", did the government establish the business portions of the trips on (a) a statement by Mr. Gariépy (b) an independent investigation by the government?

Hon. J.-J. Blais (Minister of Supply and Services): I am informed by the Royal Canadian Mint as follows:

(a) The propriety of the Royal Canadian Mint operations and the conduct of its officers are adequately assured by the supervision and direction of the board of directors and the Auditor General's audits of the corporation.

(b) n/a.

COMMUNICATIONS RESEARCH CENTRE—SECURITY GUARDS

Question No. 2,145—**Mr. Baker (Nepean-Carleton):**

1. Were five GS-PRC-4 security guards dismissed from the Communications Research Centre at Shirleys Bay and, if so, what were the projected dollar savings per annum?

2. In determining the extent of the savings, have the full costs of contracting out been included, including those for the pre-planning phase, the selection process and the administration and evaluation phase?

3. Was the cost of finding alternative employment for the five employees considered?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): In so far as the Department of Communications is concerned, the reply to the above question is as follows:

1. Effective April 30, 1981, five GS-PRC-4 security guards were declared surplus. The projected dollar savings are $34,191 per annum.

2. Yes, costs were fully considered, including 2.5 per cent Department of Supply and Services contract fees. Pre-planning phase, selection process and the administration and evaluation phase were carried out within ongoing personnel services without additional costs.

3. Yes, costs were considered. Identifications of alternative employment were carried out within ongoing personnel services without additional costs.

MIGRATORY BIRDS CONVENTION ACT

Question No. 2,161—**Mr. Murphy:**

In (a) 1978 (b) 1979 (c) 1980, of the total number of cases registered under the Migratory Birds Convention Act, how many charges were against (i) treaty Indians (ii) non-status Indians or Métis (iii) non-natives?

Mr. Roger Simmons (Parliamentary Secretary to Minister of State for Science and Technology and Minister of the Environment): Racial origin is not recorded in cases registered under the Migratory Birds Convention Act.

CANADIAN MEDIA CORPORATION—CONTRACTS AWARDED

Question No. 2,241—**Mr. McKinnon:**

Does the Department of Supply and Services "Weekly Bulletin of Business Opportunities", Vol. 8, No. 5, indicate a contract or contracts to Canadian Media Corporation in the amount of $2,418,008 and, if so, what amount went to each listed department and for what purpose?

Hon. J.-J. Blais (Minister of Supply and Services): The amount of $2,418,008 is the total value of 13 contracts awarded as follows:

Order Paper Questions

	Customer Dept.	Program	Gross Value	Net Value
1.	Canada Employment and Immigration Commission	Women's Employment	$ 700,000.00	$ 595,000.00
2.	Health and Welfare	Nutrition	280,000.00	238,000.00
3.	Health and Welfare	Dialogue on Drinking	225,000.00	191,250.00
4.	Agriculture	National Apple Promotion	47,096.00	40,031.60
5.	Secretary of State	Support of the Activities	43,210.00	36,728.50
6.	Royal Canadian Mounted Police	Nov. 21, 1980 to April 1, 1981, RCMP Recruitment	18,552.00	15,769.20
7.	National Defence	Recruitment	220,000.00	187,000.00
8.	National Defence	1980-81—National English Recruitment	333,000.00	283,050.00
9.	National Defence	1980-81—National French Recruitment	358,400.00	304,640.00
10.	National Defence	1980-81—Atlantic Region Recruitment	46,800.00	39,780.00
11.	National Defence	1980-81—Quebec Region Recruitment	28,085.00	23,872.25
12.	National Defence	1980-81—Central Region Recruitment	55,481.00	47,158.85
13.	National Defence	1980-81—Western Region Recruitment	62,384.00	53,026.40
		Total	$2,418,008.00	$2,055,306.80

All contracts are for the placement of media space and time by Canadian Media Corporation, and are awarded on a basis of the gross value of the media plans. Payment to the media, however, will be made on the basis of the net value, (less the 15 per cent commission and less any prompt payment discounts) which represents the actual cost of the media and does not include any amount for overhead and/or profit to Canadian Media Corporation.

AFRICAN VISIT BY MINISTER OF STATE FOR SCIENCE AND TECHNOLOGY AND MINISTER OF THE ENVIRONMENT

Question No. 2,265—**Mr. Cossitt:**

1. Did the Minister of State for Science and Technology and Minister of the Environment recently visit Africa and, if so (a) what means of transportation was used to go and return and what was the cost to the taxpayer (b) how many persons accompanied the minister at any stage of the trip, for what purpose and at what cost?

2. Did the minister visit Serengeti National Park in Tanzania with a group of retired Canadian wildlife experts and, if so (a) for what purpose (b) in what way did it benefit the taxpayer?

3. Is the park known as a place for observing the migrating pattern of white elephants and, if so, is the government considering purchasing white elephants for Canada or does it consider that it owns enough already?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): 1. Yes.

(a) Commercial flights were used to go to Africa and to return. The minister's transportation cost was $3,993.

(b) Two. The purpose was related to duties normally associated with a ministerial trip outside Canada. Their costs totalled $7,567.68.

2. No.

(a) Not applicable.

(b) Not applicable.

3. No.

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

● (1510)

GOVERNMENT ORDERS

[*English*]

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

The House resumed, from Wednesday, April 8, consideration of Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, as reported (with amendments) from the Standing Committee on Miscellaneous Estimates, and motion No. 9—Mr. Blenkarn (p. 9094).

Mr. John Gamble (York North): Madam Speaker, my intervention in support of motion No. 9 to amend Bill C-42 is with respect to the changes of a rather slight nature that the hon. member for Mississauga South (Mr. Blenkarn) seeks to make to Clause 31 as it presently stands in the bill. Those changes are very brief, but my reason for supporting the proposed amendment goes beyond brevity.

The present provisions of Clause 31 provide for the appointment of dual auditors to act as auditors for the new postal corporation, and the purpose of the amendment is to insert in place of that dual appointment, with the other qualifications that are placed thereon in Clause 31, the Auditor General.

I had an opportunity earlier today to attend a meeting of the steering committee of the Standing Committee on Public Accounts to discuss with the Auditor General not only this matter but also other matters related to his appointment as auditor for certain Crown corporations. The Auditor General indicated to me and other members of that steering committee of the Standing Committee on Public Accounts that he has corresponded with the Postmaster General (Mr. Ouellet), drawing to the attention of the Postmaster General the unfortunate consequences, as he views them, that will follow his removal as auditor for the current Canada Post Office, upon the incorporation of the Canada Post Corporation, and the replacement of himself by independent auditors.

There has been a tendency of late—a regrettable one—of replacing the Auditor General with outside auditors. The most recent illustration of this development occurred in connection with the intended replacement at the annual meeting of Eldorado Nuclear, to be held on the twenty-eighth day of this month, of the Auditor General by independent auditors.

The newly appointed Auditor General, Mr. Kenneth Dye, is carrying on in the fine tradition, well known to this House, of Mr. J. J. Macdonell, as servant of the public who departed from a general tendency of former auditors general by establishing systems to avoid the calamitous results of bad business management in government departments.

We are all well aware of the comprehensive audit system which had been established by Mr. Macdonell and which, from every indication I can obtain, is to be continued under the office of the new Auditor General. The concept of the comprehensive audit is not something to be speedily overlooked. It is an extension beyond the attest audit carried out by auditors in the private sector so that Parliament may be advised whether the actions of government departments and Crown corporations audited by the Auditor General meet the tests of economy, efficiency and effectiveness in terms of expenditures.

With respect to Eldorado Nuclear, the Standing Committee on Public Accounts recommended, in fact, that that Crown corporation be subject to just such a comprehensive audit. It would be regrettable if the post corporation, which up until now has been reaching into the consolidated revenue fund on an annual basis for hundreds of millions of dollars in funding in order that it may carry on its activities, will now be replaced by a Crown corporation which, if we pay close attention to the budget of October 28 of last year, will result in a substantial increase in postal fees.

It has been my position that it does not matter whether the public is obliged to pay, through its taxes, for the sustaining of this monolithic monster which has been created or whether as a result of the laws passed by Parliament a corporation be given a monopoly to reach into the pockets of the general public and therefrom extract, through postage rates, the fees necessary for the Crown corporation to carry on its business. I submit that this Parliament has an obligation to the public, and that obligation is to see, through the work of the Auditor General, that public funds derived either, as in the past, by way of direct taxation or, as in the future, by way of obligatory charges for monopolistic services are spent while meeting the tests of economy, efficiency and effectiveness.

The comprehensive audit concept developed by the office of the Auditor General is not extensively known in the private sector, and my great fear is that that type of audit will never be undertaken with respect to this new Crown corporation. It is accordingly, I submit, of vital importance to this House that the Auditor General be retained as auditor for the successor of the Canada Post Office.

Mr. Dye did not depart from his observations in connection with Clause 31 after dealing with the need to reappoint his office but, rather, I understand, in corresponding with the Postmaster General, pointed out that it is not cost-effective to appoint joint auditors. Having recently come from private practice, I understand Mr. Dye has indicated to the Postmaster General—I mention this because although he has spoken on this clause the Postmaster General has not indicated that he is in receipt of the letter to which I made reference—that he recognizes the dangers of joint appointments. He suggested to the steering committee of the Standing Committee on Public Accounts this morning that two things could occur which are disadvantageous. There is the possibility of an audit gap when two separate firms are dealing with the same set of books, and surely no one wants something missing at the time an audit report is presented. In addition, it is more expensive to have two auditors undertake a task than one, and yet if we examine Clause 31 we find that in fact two auditors are to be appointed.

There is another problem to which the Auditor General has directed his attention, and that is that the short term referred to in Clause 31(1) is unattractive and creates additional cost and expense. That makes good sense. How many public auditing firms have audited the Post Office Department? Very few.

• (1520)

An hon. Member: One.

Mr. Gamble: There has only been one, and that is the office of the Auditor General. Does it make sense to pay for the education of a private auditing firm to determine how the Post Office Department will function when converted into a Crown corporation? Does it make any sense to pay for the education of two auditing firms? Of course not. But does it make any sense to perpetuate that educational program by replacing auditors, because of the short term of appointment, every two or three years? The term of appointment, as I have said, under subclause (1) of Clause 31 is for a period of two years only. The answer is that it makes no sense at all. Why would the government wish to incur additional costs to be borne by the users of this service of a kind that is not necessary? It is surely more appropriate, as recommended by the Auditor General, if he is not to be granted the task of supervising the affairs and undertaking the audit of this new Crown corporation, to appoint one outside auditing firm, not two, and let it have a reasonable term of service.

One can only speculate as to the reasons for the determination made by the government, and that is that the government has a number of firms which it would like to reward under a pork-barrel system on a regular rotating basis. That is not in the best interest of the public, nor is in the best interest of the users of the service. It is something that, I submit, Parliament should reject out of hand.

We have heard the comments made by the Postmaster General to the effect that we should be satisfied to await the new Crown corporation legislation which will deal with all the auditing needs and the action to be taken by Auditor General. I have not seen the legislation as it is not before the House, it is not something we can examine, and it is certainly not something we passed. How can we ever say: Let us leave this proposal in its objectionable form and wait for something to happen to clear it up. There is every indication in this House that the objectional form will continue, as is apparent from the fact that today, now that we are so close to this Crown corporation legislation, we are presented with Clause 31 which indicates the very opposite road that the government should be taking. I mentioned earlier with respect to Eldorado Nuclear

that under the guise of endeavouring to make changes, the minister responsible for that corporation has given his authority to remove the audit of Eldorado Nuclear from the Auditor General. Are we not in a position to determine what future action the government will probably take with respect to new Crown corporation legislation? I submit we are. The most recent indications are that they will continue a program of reducing the influence and effect of a most faithful servant of the House and of the public.

I should like to comment very briefly on some of the other observations which I understand the Auditor General has made his communiqué to the Postmaster General. He has indicated that, even as Clause 31 is drafted, it is weak when compared with the obvious requirements for audit-related processes under the Canada Business Corporations Act and under all or most provincial business corporation acts. Surely this large, publicly-owned corporation, in terms of its audit reports and the need for audit committee meetings, should at least meet the general requirements that the federal and provincial governments have insisted should be met by private enterprise, and yet that is not the case. Accordingly, I recommend to the House that motion No. 9 to amend this bill be adopted.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): All those in favour of the amendment will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion, the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Ethier): Pursuant to Standing Order 75(11), the recorded division on the proposed motion stands deferred.

We will move on to motion No. 10, standing in the name of the hon. member for Prince Edward-Hastings (Mr. Ellis).

Hon. John A. Fraser (for Mr. Ellis) moved:

Motion No. 10

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended in Clause 34 by striking out line 14 at page 18 and substituting the following therefor.

"to subsection (6), in any calendar year a".

He said: Mr. Speaker, this motion is moved in the name of my colleague, the hon. member for Prince Edward-Hastings (Mr. Ellis), who unfortunately is not able to be with us this afternoon. I am not absolutely sure of the procedural situation in which that may put us, but if it is appropriate and if Your Honour rules that I may move this motion in substitution for the hon. member for Prince Edward-Hastings, and if that is agreed to by the Postmaster General (Mr. Ouellet)—I see him nodding—then I shall proceed.

I will be brief, Mr. Speaker. As all hon. members know, provision is made whereby four householders a year during the fiscal year can be sent to each of our respective ridings. Under the legislation which makes that provision, those four householders have to be sent during the fiscal year. Consequently, hon. members tend to leave the fourth one to the last minute. I see you smiling, Mr. Speaker; I am sure we have all done that. The consequence of that is to create an enormous load for the printing presses and for those officials who assist us in getting our householders to our riding. It also creates a tremendous load on the Post Office facilities all at one time.

The amendment as suggested, which I would like the Postmaster General to consider, is that Clause 34 in the bill be amended to eliminate the words "fiscal year" and replace them with the words "calendar year". The effect of that amendment, it is hoped by my colleague and by the committee which made this recommendation, will be that members will be able to put out four householders during any calendar year, thereby avoiding bottlenecks and the sudden and tremendous increase of activity at the very end of the fiscal year. I think the point is simple; it is a short one. It ought not to be a matter of extended debate. I think I have described the situation succinctly.

• (1530)

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Mr. Speaker, with a view to saving a little bit of the time of the House I can say right now that we are prepared to accept this amendment. I have already indicated to the opposition parties that this is a very useful proposition which was discussed by the Commissioners of Internal Economy of the House of Commons, and I believe that Madam Speaker herself is in favour of this amendment. If the House agrees we might adopt it immediately.

[*English*]

Mr. Stan Darling (Parry Sound-Muskoka): Mr. Speaker, I should like to make one comment. The hon. member for Vancouver South (Mr. Fraser) mentioned the rush on the printing establishment. At the present time, as we understand it, there are two tremendous rushes: one at Christmastime and one prior to March 31. Now the printers will only have to worry about the Christmas rush. I appreciate the fact that the Postmaster General (Mr. Ouellet) is accepting this amendment.

Mr. Parker: Mr. Speaker, we have no objection to the amendment.

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to.

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General) moved:

Motion No. 11

That Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be amended by deleting Clause 68 and substituting the following therefor:

"68. (1) Notwithstanding section 145 of the Canada Labour Code,

(*a*) a collective agreement or arbitral award that applies to any employees in the Post Office Department and that is in force on the coming into force of this section continues in force until its term expires;

(*b*) a collective agreement that applies to any employees in the Post Office Department and that is in force on the coming into force of this section beyond the term of the agreement by virtue of an extension provided for in the agreement continues in force until the extension expires; and

(*c*) the Public Service Staff Relations Act and the Public Service Employment Act continue to apply in all respects to all matters arising prior to the coming into force of this section in relation to the interpretation and application of any agreement or award continued under paragraph (*a*) or (*b*), whether or not the agreement or award has expired.

(2) An agreement or award continued under subsection (1) in respect of employees of the Corporation is binding on the Corporation as if it were the employer referred to in the agreement or award, on the bargaining agent that is party thereto and on the employees of the Corporation in the bargaining unit in respect of which that bargaining agent has been certified, except that the employer referred to in the agreement or award shall continue to be the employer for the purposes of the conduct of any proceedings under Part IV of the Public Service Staff Relations Act in relation to the matters referred to in paragraph (1)(*c*).

(3) Notwithstanding subsection (1) and any agreement or award continued thereunder, Subsection 155(2) to (4), Sections 156 to 159 and Subsection 160(5) of the Canada Labour Code apply with respect to differences arising after the coming into force of this section between the parties to or employees of the Corporation bound by an agreement or award continued under subsection (1), concerning its interpretation, application, administration or alleged violation.

(4) For greater certainty, an agreement or award continued under Subsection (1) is deemed to be a collective agreement within the meaning of Section 147 of the Canada Labour Code and the provisions of Part V of the act, other than Section 171.1 apply with respect to the renewal or revision of the collective agreement or the entering into of a new collective agreement.

68.1 (1) Where, before the coming into force of this section, a collective agreement or arbitral award that applied to any employees in the Post Office Department has expired and has not been renewed, revised or replaced.

(*a*) the Public Service Staff Relations Act and the Public Service Employment Act continue to apply in all respects to all matters arising prior to the coming into force of this section in relation to the interpretation and application of the agreement or award or any of the terms and conditions of employment applicable pursuant to Section 51 of the Public Service Staff Relations Act to the employees of the Corporation represented by the bargaining agent bound by the agreement or award;

(*b*) subsections 155(2) to (4), sections 156 to 159 and subsection 160(5) of the Canada Labour Code apply in all respects to all matters arising after the coming into force of this section in relation to the interpretation and application of any term, condition, right or privilege continued under paragraph 148(*b*) of that act; and

(*c*) subject to this section, the provisions of Part V of the Canada Labour Code, other than section 171.1, apply with respect to the renewal or revision of the collective agreement or the entering into of a new collective agreement.

(2) The employer referred to in any collective agreement or arbitral award mentioned in subsection (1) shall continue to be the employer for the purposes of the conduct of any proceedings under Part IV of the Public Service Staff Relations Act in relation to the matters referred to in paragraph (1)(*a*).

(3) The Corporation is deemed to be the employer referred to in any collective agreement or arbitral award mentioned in Subsection (1) of the purposes of the conduct of any proceedings under Part V of the Canada Labour Code in relation to the matters referred to in paragraph (1)(*b*).

(4) Subject to subsection (5), for the purposes of paragraph (1)(*c*), a notice to bargain collectively is deemed to have been given under Part V of the Canada Labour Code on the day this section comes into force.

(5) For the purposes of paragraph (1)(*c*), any notice to bargain collectively given under section 49 of the Public Service Staff Relations Act in respect of the collective agreement or arbitral award is deemed to have been given under Part V of the Canada Labour Code on the day it was given under that section.

(6) Where, before the coming into force of this section, arbitration has been requested under section 63 of the Public Staff Relations Act in respect of a dispute arising in connection with the conclusion, renewal or revision of a collective agreement that applies to any employees in the Post Office Department and no arbitral award has been made, the arbitration shall be continued in accordance with that act.

(7) An abitral award or collective agreement referred to in subsection 67(2) of the Public Service Staff Relations Act made in consequence of arbitration continued under subsection (6) is binding on the Corporation as if it were the employer referred to in the award or agreement, on the bargaining agent that is party thereto and on the employees of the Corporation in the bargaining unit in respect of which that bargaining agent has been certified, and Subsections 68(3) and (4) apply, with such modifications as the circumstances require, in respect of the award or agreement as if it were an award or agreement referred to therein.

(8) Where, before the coming into force of this section, a conciliation board has been established under section 78 of the Public Service Staff Relations Act in respect of a dispute arising in connection with the conclusion, renewal or revision of a collective agreement that applies to any employees in the Post Office Department and the conciliation board has not made a report to the Chairman of the Public Service Staff Relations Board, the conciliation shall be continued in accordance with that act and, on the elapse of seven days after the receipt by the Chairman of the report of the conciliation board, the requirements of subsection 180(1) of the Canada Labour Code are deemed to have been met in respect of the employees of the Corporation represented by the bargaining agent that is party to the dispute.

(9) Where, before the coming into force of this section, a conciliation board has been established under Section 78 of the Public Service Staff Relations Act in respect of a dispute arising in connection with the conclusion, renewal or revision of a collective agreement that applies to any employees in the Post Office Department and the conciliation board has made a report to the Chairman of the Public Service Staff Relations Board, but seven days have not elapsed since the Chairman received the report, the requirements of Subsection 180(1) of the Canada Labour Code are deemed to have been met on the elapse of those seven days in respect of the employees of the Corporation represented by the bargaining agent that is party to the dispute.

(10) Where, before the coming into force of this section, the Chairman of the Public Service Staff Relations Board has, in respect of a dispute arising in connection with the conclusion, renewal or revision of a collective agreement that applies to any employees in the Post Office Department, notified the parties to the dispute pursuant to Section 78 of the Public Service Staff Relations Act of his intention not to establish a conciliation board and the agreement has not been renewed, revised or replaced, the notification is deemed to have been given under paragraph 164(1)(*d*) of the Canada Labour Code on the day it was given under that section.

Canada Post Corporation Act

(11) Where any employees in the Post Office Department are not, immediately before the coming into force of this section, prohibited by the Public Service Staff Relations Act from participating in a strike, the requirements of Subsection 180(1) of the Canada Labour Code are deemed to have been met in respect of those employees.

68.2 (1) Each employee organization that immediately before the coming into force of this section was certified under the Public Service Staff Relations Act as the bargaining agent for a bargaining unit consisting of or including employees in the Post Office Department is deemed to have been certified as the bargaining agent for the employees of the Corporation in that bargaining unit under Part V of the Canada Labour Code on the day this section comes into force.

(2) Notwithstanding any provision of Part V of the Canada Labour Code,

(a) no application for certification as the bargaining agent for any employees of the Corporation represented by a bargaining agent deemed to have been certified under subsection (1) may be made by a trade union, and

(b) no bargaining unit or part thereof consisting of employees of the Corporation represented by a bargaining agent deemed to have been certified under Subsection (1) may be reviewed, rescinded, amended, altered or varied otherwise than to include in the unit any employees who are not represented by a bargaining agent, before the commencement of the last three months of the first collective agreement entered into after the coming into force of this section that applies to those employees and that has resulted from a notice to bargain collectively given by or to the Corporation after the coming into force of this section.

(3) For greater certainty, no collective agreement resulting from a notice to bargain collectively deemed to have been given under Subsection 68.1(4) and no arbitral award or collective agreement referred to in Subsection 68.1(7) is a first collective agreement within the meaning and for the purposes of Subsection (2)."

He said: Mr. Speaker, when Bill C-42 was introduced for the first time, Clause 66 was then the first step toward the quiet and orderly transition of a collective bargaining process, that is to say instead of coming under the Public Service Staff Relations Act the collective bargaining process would come under the Canada Labour Code.

While discussions with spokesmen for the Canadian Labour Congress and the major unions of postal workers were continuing, Clause 66 of this first Bill C-42 set forth the basis of the transition by establishing, among other things, the continuation of existing collective agreements, the settlement of outstanding grievances, and the maintenance of the certification of bargaining agents previously certified under the Public Service Staff Relations Act.

I must say, Mr. Speaker, that as a result of those discussions which went on long after second reading and the proceedings of the Standing Committee on Miscellaneous Estimates which involved the Department of Labour, the Treasury Board, the Public Service Staff Relations Board, the representatives of the Canadian Labour Congress and of all Canadian postal unions, it was agreed to make further changes which have now been incorporated in the revised and longer version of the new Clause 68 of Bill C-42 which is now before the House.

In fact, Clause 68 contains three quite specific parts: Clause 68, Clause 68.1 and Clause 68.2 which actually govern first, collective agreements now in force, second, collective agreements which have expired, and third, the certification of bargaining agents. I must say that the main difference between Clause 66 of the original bill and the present Clause 68 resides in Clause 68.1. That part is long and complex, and that is why you were dispensed, Mr. Speaker, from reading it all.

It should be kept in mind that postal workers belong to no fewer than eight employees' organizations and are governed by 28 different collective agreements. So at some time, some of those agreements will expire, which will raise some doubt as to the status of the parties. Consequently, we have added a special clause governing collective agreements which will have expired when this legislation will be proclaimed, and it is Clause 68.1 now before you.

These steps are taken especially in cases where the parties are involved in bargaining, arbitration or conciliation, so as to ensure that all procedures in progress are conducted in an orderly fashion. For instance, when the parties are bargaining at the time Subclauses (1)(c), (4) and (5) of Clause 68.1 come into force, the bargaining notice is deemed to have been given; then, the parties agree that Part V of our Labour Code should apply so as to allow the bargaining to proceed without interruption.

In my opinion, it is important to allow this bargaining started in good faith by the representatives of both the employees and the employer to proceed. The bargaining should not have to start all over again from the beginning. The parties should be allowed to continue, which would not have been possible under the original bill. We propose such provisions to make it possible for the arbitration or conciliation in progress to proceed under the Public Service Staff Relations Act, which would not have been possible either under Clause 66 but is now possible under Subclauses (6), (7) and (8) of Clause 68.1.

Thus, Mr. Speaker, we think we can ensure continuity and stability in the early days of the corporation. I point out to you and to all members of the House that this amendment has been discussed with union representatives, with spokesmen for the opposition parties, and especially with the official critic of the New Democratic Party for postal matters, the hon. member for Kootenay East-Revelstoke (Mr. Parker), as well as my predecessor, the former postmaster general, the hon. member for Vancouver South (Mr. Fraser). And we all agree that this amendment which is what representatives of the unions, all the unions, want should be approved by the House.

● (1540)

[*English*]

Mr. John Gamble (York North): Mr. Speaker, the marvellous feature of this place is that, despite what the Postmaster General (Mr. Ouellet) has just said in terms of agreement by spokesmen for all parties with respect to the Post Office, as an individual Member of Parliament I am able to expres my substantial concern about what the motion presently before the House omits to include. I am particularly concerned about the provisions of Clause, as hopefully amended by the minister, 68.1(11) which provides:

Where any employees in the Post Office Department are not, immediately before the coming into force of this section, prohibited by the Public Service Staff Relations Act from participating in a strike, the requirements of subsection 180(1) of the Canada Labour Code are deemed to have been met in respect of those employees.

The one great omission in the bill, and now perpetuated by the intended amendment, is that there is no prohibition against strikes in what has become an essential service in Canada, whether that essential service be operated by a government department or this new Crown corporation. I have gone so far, as a consequence of consulting with my constituents, to draft Bill C-251, which would have the effect of prohibiting strikes where the convenience, mobility or economic well-being of the public is affected. As I indicated, I did that as a consequence of consulting with my constituents. Of 2,676 responses to the question "Should federal civil servants in essential services be allowed to strike?", 88.15 per cent responded "No".

In the event that this bill is passed, even if it is amended as recommended now by the minister, this essential service and any potential amendments to the Public Service Staff Relations Act will pass out of the control of this House. Parliament will be called back to legislate an end to labour disputes.

I know that the hopes and expectations of the minister and other persons of good will are that this bill will end disputes between management and labour in what is now the Canadian postal service. I do not share their enthusiasm for a Utopia to be developed as a consequence of the passage of this legislation. Rather than restrict the areas where conflict between management and labour will exist, we have expanded them. The area of potential conflict is greater with the passage of this legislation than it is now, because under the Canada Labour Code the employees of this new corporation will be able to take issue with the conditions of their employment.

Let me give a specific illustration as it affects my riding, where that kind of complaint will exist. The town of Markham, one of the three towns in York North, received normal service from the Canada Post Office up until November of 1980. At that time a decision was made to move postal sorters from what has been regarded as a small, quasi-rural postal station serving the public to Scarborough. As a result, while it previously took three or four days to receive mail, it now takes eight or nine.

The Postmaster General, as a consequence of the receipt of communications from myself and my constituents, is well aware of this fact. However, the essential problem which resulted from the transfer of these employees to Scarborough is that they have become dissatisfied with the transfer because the Scarborough plant is too noisy. The sorting equipment makes a great racket, and it has the effect, according to personnel at the Scarborough sorting station, of driving those postal sorters who were formerly from Markham away from their jobs. They have simply not reported for work.

Now, that is the situation under the Public Service Staff Relations Act. Under the Canada Labour Code, if they do not like the roar of the machines they will go on strike. That is the kind of practical illustration which I think is essential for this House to understand before it endorses this amendment and passes this legislation. However, the public demand that the postal service—whether it be carried on by a government department or by a Crown corporation—be carried on efficiently in order to serve them. That will not result from the pasage of this recommended amendment, and it will not result from the passage of the bill itself.

The government has shirked its responsibility, in dealing with an essential element of its required service to the public, of supervising the affairs of government departments and now of supervising the introduction of this piece of legislation. It is regrettable that the Postmaster General has so closed his mind to the practical implications of what happens when a strike occurs in Canada.

I wrote to the Postmaster General on March 13 with respect to a problem referred to me by the Markham Hydro Commission, which was concerned about the delivery of utility bills during a work stoppage. It was also concerned about the general practice which it had adopted of having its employees deliver those accounts to customers. I wrote to the Postmaster General and he wrote back to me by letter dated April 6, 1981, which I received in my office yesterday. Attached to his correspondence was a general reply which he had sent to Mr. D. G. Hugill, the president of the Ontario Municipal Electric Association. On page 2 of that letter to Mr. Hugill the Postmaster General said, in response to a question as to whether a utility's staff could deliver bills during a time of strike:

Neither can I support the inclusion of a provision which would permit contracted delivery during postal strikes. A major objective of the Bill is to establish a new foundation to improve labour relations in the Post Office. Legislating this kind of exemption would clearly undermine that objective.

Earlier in his letter he had said:

You believe there should be additional amendments to either completely exempt utility bills, or at least to exempt them during postal service disruptions. While I understand the arguments you have used in support of the suggested general exemption, I cannot lend my support to it for several reasons.

To be fair to the minister, I will read the reasons:

First of all, as you noted in your letter, utility bills fall within the letter monopoly. Making an exception in the case of your utility obviously would be neither fair to other utilities nor indeed to other major users of the postal service's letter stream.

Of probably even greater importance is that making such an exemption would ignore the fact that with respect to the postal service's letter monopoly, much more than the interests of any particular group of firms or any particular group of customers is involved.

● (1550)

Very clearly, the minister has said that it is impossible for the utilities to deliver their utility bills using their employees.

I believe the minister owes an explanation to this House regarding the comments he made on April 7, which are found in *Hansard* at page 9047. I have spoken to the minister about this and I am sure he will want to clarify the confusion, if any, that has developed in the minds of those who may have read his response to the question. We were dealing with utility bills and as reported at page 9040 of *Hansard*, in my address to the House, I said:

I have also received a letter from the Markham Hydro Commission drawing to my attention the fact that that commission is, or has been until now, in the regular habit of having its bills delivered by those who read hydro meters. That practice, in the event that this legislation is passed in unamended form, will have to come to an end. They were concerned, of course, as are most people carrying on an active business practice, about the effect upon their operation of a mail stoppage, a strike—

I concluded from an examination of the bill that the delivery of utility bills was the exclusive monopoly of the new corporation. I have so advised my constituent.

As reported at page 9047 of *Hansard*, the hon. member for Mississauga South (Mr. Blenkarn) said:

I appreciate that, Mr. Speaker, but I think we should try to straighten out this particular issue. Is it the intention of the minister to allow a utility company to employ its own employees to deliver its invoices?

In reply to that question, the minister said:

Mr. Speaker, I am not here to tell the utility companies what to do, nor am I in a position to tell them how to deliver their invoices. They could follow a number of routes. We have allowed them three specific routes under this legislation. The simplest route for them to take is to use the Post Office, and it is the cheapest and best way. If they want to use private couriers to do their deliveries they will have to pay a price for doing it this way. If they want to use their own employees, that is another way of doing it. I am not here to tell them which way they should take. I am just here to say that the easiest way is obviously to use the Post Office.

It is very clear to me that the minister has indicated that there are three ways authorized under Bill C-42 for the utilities to attend to the delivery of their accounts. One of them includes the delivery of those accounts by their own employees. I was about to despatch a copy of that page of *Hansard* to my constituent and say to him that, regardless of what my view of the law may be, after reading Bill C-42 the minister seems to have a different view. That was the case until yesterday, when I received a letter from the Postmaster General in which he says very clearly that you cannot, as a utility, have your employees deliver your bills, and you cannot do it even if there is a postal strike.

I think it is time the House paused and thought about what it is doing with this piece of legislation. Many people will wake up and discover they are breaking the law, a law that is passed, not by Parliament, but by the Crown corporation under the regulations which it is authorized to pass at its own whim. And in the event the governor in council does not, within 60 days, reject a regulation passed by the Crown corporation, that regulation will be part of the law of Canada. That regulation is the one which will define specifically the word "letter", which is left to the discretion of the Crown corporation. In this regard, I am referring to the provisions of Clause 17(1)(a) as affected by Clause 17(7) of the draft bill.

In my view, the suggested amendment of the Postmaster General does not deal with the essential issue that is faced by the public of Canada, namely, whether or not we will have dependable postal service upon which the public can rely at all times without fear of an interruption in that service by a strike. Then not only will the business of Canada be carried on, but also individuals who rely upon the postal service will be able to communicate with whomever they choose.

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, I have a few comments that I wish to make. However, I will not respond to some of the remarks made by the hon. member for York North (Mr. Gamble). I think he made his views very clear at committee stage and he has put them forward again here in the House. His views and mine differ very substantially but I will not comment on that.

I do want to comment on the amendment. I want to pay particular attention to the groups who came forward and helped assist in preparing this complicated amendment. There are some changes which had to be made in order to make legal changes in contracts which have already been signed and those which could possibly be coming up later on in the phasing out of programs.

Because of the co-operation of the various unions involved, of many of the Conservative members, of the Postmaster General (Mr. Ouellet) and his department, everyone was able to sit down and talk. The postal workers came to the committee not as a split group, but as one group under the chairmanship of Shirley Carr of the CLC. They presented their problems and their ideas. Many were accepted but also many were rejected. The Postmaster General in his role as minister listened to them. He presented the ideas and problems to his various groups and returned to the committee. When we were not able to complete the work during committee stage because it was so complicated, the Postmaster General said, "We know the intent of the proposals we are working on; let us iron them out. We will come back to you, and if they are satisfactory we will try to implement these programs." The Postmaster General has done that. He has done it not only to the satisfaction of our party but I believe also to the satisfaction of the critic of the Conservative Party, the CLC and the five unions involved. Now let us get on with the job of putting the amendment into place. We support this amendment and we congratulate everyone involved in bringing this amendment forward.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I will not hold forth very long. However, I want to say that I consider it essential that some definitive legislation be in place so there is not a sudden stoppage of all bargaining and negotiation. It is essential that a number of revisions be made to the act. I have been a union member all of my working life. I believe in the united action of people, particularly when employers are arrogant and will not reason. I come from a union family. For many years my brothers were strong supporters of the United Mine Workers.

• (1600)

As a boy and since, I have gone through a lot of strikes. I do not believe anyone gains from a strike. I remember when we were on strike in the coal mining industry hoping to get a raise. Sometimes we got it, sometimes not. But after everything is over, when you consider the money that has been lost as well as the markets, it is doubtful whether anyone has gained, workers, management or country.

I have spoken to a number of people in the Post Office who feel the same way. The government missed a wonderful oppor-

tunity to provide alternatives, not by force or by eliminating the right to strike because that is a right that was gained after many years of sweat and bloodshed, but through bargaining for the workers.

Many people in the Post Office abhor strikes. They feel they gain nothing and build up a mountain of ill-will. The country certainly does not gain from a strike. Some companies go bankrupt and many people are inconvenienced.

It does not appear that any effort has been made to talk to the Post Office about alternatives to striking. Several years ago the Edmonton city police appeared before a committee of which I was a member. They did not want to go on strike. They felt it would give a tremendous advantage to every criminal in the country. However, they needed some means whereby they could get proper treatment, wages and working conditions. They suggested compulsory arbitration.

That was approximately 30 years ago. When I compare their wages and working conditions with those who have gone on strike, I see little difference. If anything, the Edmonton city police are in a superior position. That is the way it should be. The city of Edmonton, representing all the people in Edmonton, should go out of its way to be fair to its employees.

This Crown corporation should set the example for the country by being fair to its employees. The employees should not have to strike for reasonable working conditions and the corporation should not accept conditions that are not fair and reasonable.

The government missed a tremendous opportunity by not going to management and the employees to inform them that it was turning the Post Office into a corporation and would be bringing forward a new act. It could have sought agreement to settle disputes. It might have discussed compulsory arbitration or a labour court, with judges who have a background in labour, who came up the hard way and know what it means to have no bread on their table and see their children go hungry. The workers of this country may be in a mood to come to some agreement, particularly when antagonisms between labour and management are resolved. It is during that phase that it is difficult to get a settlement that will be valuable throughout the years. The Post Office is now going to become a corporation. It is unfortunate that the department has not come up with a better way to settle disputes rather than have workers go on strike. At present, striking is their only weapon. If some alternative were provided, possibly we would see an end to postal strikes which have caused so much havoc in this country.

I want to make one other point before concluding. During a postal strike there should be some mechanism to prevent companies from going broke, people from suffering because their pay cheques do not arrive, troubles that arise when people do not receive insurance policies, for example, and so on. Having gone through three or four terrible postal strikes, we know what they mean. This legislation should be framed to avoid the agony and the difficulties which arise from strikes. Workers in the Post Office do not like the hatred that builds up during a strike. They have to live with it afterwards, and it is not pleasant. There could have been a tremendous advance in labour relations had there been a will and an attempt to do so. The government has fallen down badly in not providing a means of looking after essential services if and when, God forbid, there is a strike.

There have been many cases where utility bills have been delivered by a group we call the handicapped because they happen to be subnormal. This work gives them an opportunity to earn a living. The hon. member for Brampton-Georgetown (Mr. McDermid) last night talked about boy scouts doing this task. The gas co-operative is a consumers' organization; there is no big money behind it. It is not a giant corporation but gets its money from the pockets of the people. During a strike it has difficulty delivering bills. It is unfortunate that provision is not made to protect essential services.

Hon. John A. Fraser (Vancouver South): Mr. Speaker, I will be very brief. I want to make a couple of observations on the motion presented by the Postmaster General (Mr. Ouellet). I am in agreement with the amendment the Postmaster General has put forward. I know that this amendment is the consequence of long deliberations between the Postmaster General, management of the Post Office and union members who make up the Post Office family. As a consequence we have before us an amendment which incorporates, in as co-operative a form as possible, deliberations which commenced many months ago and which were brought to the forefront while the bill was in committee. As a consequence of further discussions, this amendment has been brought forward by the Postmaster General. It will be supported by my party.

● (1610)

My friend the hon. member for York North (Mr. Gamble) has expressed a point of view which he has also expressed on other occasions. His views about the consequences to the public of work stoppages in the Post Office are legitimate in so far as he and many members of the Canadian public are concerned.

I had a short experience as postmaster general but I have also had nearly four years as opposition critic on labour matters. I do not think we should move to the outright abolition of the right to strike. As the hon. member for Bow River (Mr. Taylor) said, in economic battles the right to strike is the final defence or weapon, if you like, of workers in any industrial enterprise. To a very real degree the Post Office is an industrial enterprise.

I join with others who search for a better way to settle matters than having strikes in certain areas visited upon the public. Our party had proposed the establishment of a public interest disputes commission with variations on the theme set out some years ago by the Woods Royal Commission which studied industrial disputes in Canada. This is not the time to go into that matter, however.

I want to assure the Postmaster General that he will have the support of this party. We respect the right of our colleague, the hon. member for York North, to answer the call of

his conscience and vote according to his convictions in this matter. I think the Parliament of Canada is a big enough place that it can put up with differences. While I think I have always been a good party team player, I have often stated publicly, and I state again, that the rigidity of party lines in this House has often done a lot more damage than good.

We will support the amendment. My good friend the hon. member for York North will vote according to his conscience. I think he will probably be representing the opinion of a number of Canadians, but that is his right and I for one respect it.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): The question is on motion No. 11 in the name of the Postmaster General. All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Ethier): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Ethier): In my opinion, the yeas have it.

Some hon. Members: On division.

Motion agreed to, on division.

The Acting Speaker (Mr. Ethier): In accordance with Standing Order 75, the House will now proceed to the taking of the deferred division on the bill.

Call in the members.

The House divided on motion No. 1 (Mr. Blenkarn), which was negatived on the following division:

● (1620)

(Division No. 53)

YEAS

Messrs.

Andre
Baker (Nepean-Carleton)
Beatty
Blenkarn
Bosley
Bradley
Cardiff
Carney (Miss)
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cooper
Corbett
Dantzer
Darling
Elzinga
Fraser
Fretz
Friesen
Gamble
Gass
Greenaway
Gurbin
Hamilton (Qu'Appelle-Moose Mountain)
Hargrave
Hawkes
Hnatyshyn
Howie
Jarvis
Kempling
King
Korchinski
Kushner
Lambert
Lawrence
Lewis
MacDonald (Miss)
Malone
Mayer
Mazankowski
McCain
McCuish
McDermid
McGrath
McKenzie
McKnight
Mitges
Munro (Esquimalt-Saanich)
Nickerson
Nielsen
Oberle
Paproski
Patterson
Reid (St. Catharines)
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Taylor
Thomson
Towers
Wise
Wright—63.

NAYS

Messrs.

Allmand
Althouse
Anguish
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Benjamin
Berger
Blackburn
Blaikie
Blais
Blaker
Bloomfield
Bockstael
Bossy
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Collenette
Corbin
Corriveau
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
Deans
De Bané
de Corneille
de Jong
Deniger
Desmarais
Dionne (Northumberland-Miramichi)
Dubois
Dupras
Duquet
Erola (Mrs.)
Ethier
Evans
Ferguson
Fleming
Flis
Foster
Fox
Francis
Frith
Garant
Gauthier
Gendron
Gimaiel
Gingras
Gourd
Gray
Guilbault
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hovdebo
Hudecki
Irwin
Isabelle
Ittinuar
Jewett (Miss)
Johnston
Joyal
Kaplan
Keeper
Kelly
Killens (Mrs.)
Knowles
Lachance
Lajoie
Lalonde
Landers
Lang
Laniel
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Lefebvre
Lonsdale
MacBain
MacEachen
MacLaren
Malépart
Manly
Massé
Masters
McCauley
McRae
Miller
Mitchell (Mrs.)
Murphy
Nicholson (Miss)
Ogle
Orlikow
Ostiguy
Ouellet
Parent
Parker
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Rae
Regan
Reid (Kenora-Rainy River)
Riis
Roberts
Robinson (Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Sargeant
Savard
Schroder
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Waddell
Weatherhead
Whelan
Young—136.

● (1640)

Madam Speaker: Therefore I declare the motion lost.

Motion No. 1 (Mr. Blenkarn) negatived.

Madam Speaker: The next question is on motion No. 3 in the name of the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty).

The House divided on motion No. 3 (Mr. Beatty) which was negatived on the following division:

● (1650)

(Division No. 54)

YEAS

Messrs.

Andre
Baker (Nepean-Carleton)
Beatty
Blenkarn
Bosley
Bradley
Cardiff
Carney (Miss)
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cooper
Corbett
Dantzer
Darling
Elzinga
Fraser
Fretz
Friesen
Gamble
Gass
Greenaway
Gurbin
Hamilton (Qu'Appelle-Moose Mountain)
Hargrave
Hawkes
Hnatyshyn
Howie
Jarvis
Kempling
King
Korchinski
Kushner
Lambert
Lawrence
Lewis
MacDonald (Miss)
Malone
Mayer
Mazankowski
McCain
McCuish
McDermid
McGrath
McKenzie
McKnight
Mitges
Munro (Esquimalt-Saanich)
Nickerson
Nielsen
Oberle
Paproski
Patterson
Reid (St. Catharines)
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Taylor
Thomson
Towers
Wise
Wright—63.

NAYS

Messrs.

Allmand
Althouse
Anguish
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Benjamin
Berger
Blackburn
Blaikie
Blais
Blaker
Bloomfield
Bockstael
Bossy
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Collenette
Corbin
Corriveau
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
Deans
De Bané
de Corneille
de Jong
Deniger
Desmarais
Dionne (Northumberland-Miramichi)
Dubois
Dupras
Duquet
Erola (Mrs.)
Ethier
Evans
Ferguson
Fleming
Flis
Foster
Fox
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hovdebo
Hudecki
Irwin
Isabelle
Ittinuar
Jewett (Miss)
Johnston
Joyal
Kaplan
Keeper
Kelly
Killens (Mrs.)
Knowles
Lachance
Lajoie
Lalonde
Landers
Lang
Laniel
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Lefebvre
Lonsdale
MacBain
MacEachen
MacLaren
Malépart
Manly
Massé
Masters
McCauley
McRae
Miller
Mitchell (Mrs.)
Munro (Hamilton East)
Murphy
Nicholson (Miss)
Ogle
Orlikow
Ostiguy
Ouellet
Parent
Parker
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Rae
Regan
Reid (Kenora-Rainy River)
Riis
Roberts
Robinson (Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Sargeant
Savard
Schroder
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Waddell
Watson
Whelan
Young—137.

Madam Speaker: I declare the motion lost.

Motion No. 3 (Mr. Beatty) negatived.

Madam Speaker: The next question is on motion No. 5 in the name of the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty).

The House divided on motion No. 5, (Mr. Beatty), which was negatived on the following division:

(Division No. 55)

YEAS

Messrs.

Andre
Baker (Nepean-Carleton)
Beatty
Blenkarn
Bosley
Bradley
Cardiff
Carney (Miss)
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cooper
Corbett
Dantzer
Darling
Elzinga
Fraser
Fretz
Friesen
Gamble
Gass
Greenaway
Gurbin
Hamilton (Qu'Appelle-Moose Mountain)
Hargrave
Hawkes
Hnatyshyn
Howie
Jarvis
Kempling
King
Korchinski
Kushner
Lambert
Lawrence
Lewis
MacDonald (Miss)
Malone
Mayer
Mazankowski
McCain
McCuish
McDermid
McGrath
McKenzie
McKnight
Mitges
Munro (Esquimalt-Saanich)
Nickerson
Nielsen
Oberle
Paproski
Patterson
Reid (St. Catharines)
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Taylor
Thomson
Towers
Wise
Wright—63.

NAYS

Messrs.

Allmand
Althouse
Anguish
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Benjamin
Berger
Blackburn
Blaikie
Blais
Blaker
Bloomfield
Bockstael
Bossy
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Collenette
Corbin
Corriveau
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
Deans
De Bané
de Corneille
de Jong
Deniger
Desmarais
Dionne (Northumberland-Miramichi)
Dubois
Dupras
Duquet
Erola (Mrs.)
Ethier
Evans
Ferguson
Fleming
Flis
Foster
Fox
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hovdebo
Hudecki
Irwin
Isabelle
Ittinuar
Jewett (Miss)
Johnston
Joyal
Kaplan
Keeper
Kelly

Messrs.

Killens (Mrs.)
Knowles
Lachance
Lajoie
Lalonde
Landers
Lang
Laniel
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Lefebvre
Lonsdale
MacBain
MacEachen
MacLaren
Malépart
Manly
Massé
Masters
McCauley
McRae
Miller
Mitchell (Mrs.)
Munro (Hamilton East)
Murphy
Nicholson (Miss)
Ogle
Orlikow
Ostiguy
Ouellet
Parent
Parker
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Rae
Regan
Reid (Kenora-Rainy River)
Riis
Roberts
Robinson (Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Sargeant
Savard
Schroder
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Waddell
Watson
Whelan
Young—137.

Madam Speaker: I declare the motion lost.

Motion No. 5 (Mr. Beatty) negatived.

Madam Speaker: The next question is on motion No. 9 in the name of the hon. member for Mississauga South (Mr. Blenkarn).

The House divided on motion No. 9 (Mr. Blenkarn), which was negatived on the following division:

● (1700)

(*Division No. 56*)

YEAS

Messrs.

Althouse
Andre
Anguish
Baker (Nepean-Carleton)
Beatty
Benjamin
Blackburn
Blaikie
Blenkarn
Bosley
Bradley
Cardiff
Carney (Miss)
Clark (Yellowhead)
Clarke (Vancouver Quadra)
Cooper
Corbett
Dantzer
Darling
Deans
de Jong
Elzinga
Forrestall
Fraser
Fretz
Friesen
Gamble
Gass
Greenaway
Gurbin
Hamilton (Qu'Appelle-Moose Mountain)
Hargrave
Hawkes
Hnatyshyn
Hovdebo
Howie
Ittinuar
Jarvis
Jewett (Miss)
Keeper
Kempling
King
Knowles
Korchinski
Kushner
Lambert
Lawrence
Lewis
MacDonald (Miss)
Malone
Manly
Mayer
Mazankowski
McCain
McCuish
McDermid
McGrath
McKenzie
McKnight
Miller
Mitchell (Mrs.)
Mitges
Munro (Esquimalt-Saanich)
Murphy
Nickerson
Nielsen
Oberle
Ogle
Orlikow
Paproski
Parker
Patterson
Rae
Reid (St. Catharines)
Riis
Sargeant
Schellenberger
Scott (Hamilton-Wentworth)
Scott (Victoria-Haliburton)
Shields
Siddon
Taylor
Thomson
Towers
Waddell
Wise
Wright
Young—88.

NAYS

Messrs.

Allmand
Appolloni (Mrs.)
Axworthy
Bachand
Baker (Gander-Twillingate)
Beauchamp-Niquet (Mrs.)
Bégin (Miss)
Berger
Blais
Blaker
Bloomfield
Bockstael
Bossy
Campbell (Miss) (South West Nova)
Campbell (LaSalle)
Collenette
Corbin
Corriveau
Cosgrove
Côté (Mrs.)
Cousineau
Cullen
Cyr
Daudlin
Dawson
De Bané
de Corneille
Deniger
Desmarais
Dionne (Northumberland-Miramichi)
Dubois
Dupras
Duquet
Erola (Mrs.)
Ethier
Evans
Ferguson
Fleming
Flis
Foster
Fox
Francis
Frith
Garant
Gauthier
Gendron
Gimaïel
Gingras
Gourd
Gray
Guilbault
Herbert
Hervieux-Payette (Mrs.)
Hopkins
Hudecki
Irwin
Isabelle
Johnston
Joyal
Kaplan
Kelly
Killens (Mrs.)
Lachance
Lajoie
Lalonde
Landers
Lang
Laniel
Lapointe (Charlevoix)
Lapointe (Beauce)
LeBlanc
Lefebvre
Lonsdale
MacBain
MacEachen
MacLaren
Malépart
Massé
Masters
McCauley
McRae
Munro (Hamilton East)
Nicholson (Miss)
Ostiguy
Ouellet
Parent
Penner
Pepin
Peterson
Pinard
Portelance
Prud'homme
Regan
Reid (Kenora-Rainy River)
Roberts
Robinson (Etobicoke-Lakeshore)
Rompkey
Rooney
Rossi
Roy
Savard
Schroder
Smith
Stollery
Tardif
Tessier
Tobin
Tousignant
Trudeau
Turner
Veillette
Watson
Whelan—113.

Madam Speaker: I declare the motion lost.

Motion No. 9 (Mr. Blenkarn) negatived.

● (1710)

[*Translation*]

Right Hon. P. E. Trudeau (Prime Minister) moved that the bill be concurred in.

Motion agreed to.

Madam Speaker: When will the bill be read the third time?

Some hon. Members: Now.

[*English*]

Mr. Knowles: Madam Speaker, I thought there were discussions in which we had agreed to take third reading tonight. Is that not true?

Mr. Fraser: Madam Speaker, there is an understanding, and I think the members of the New Democratic Party concur, that we will proceed to third reading. I gave the undertaking to the Postmaster General (Mr. Ouellet) yesterday that we would agree to that. If it is the will of the House, that would mean we would proceed to third reading at eight o'clock.

[*Translation*]

Madam Speaker: With the unanimous consent of the House, shall we now proceed with third reading?

Some hon. Members: Tonight at eight o'clock.

Madam Speaker: We shall then proceed with the third reading of the bill tonight at eight o'clock, by unanimous consent.

[*English*]

Mr. Fraser: Madam Speaker, I thought it might have been the will of the House to proceed with the third reading debate commencing at eight o'clock. I think there is agreement on that.

Madam Speaker: I understand that will be at eight o'clock.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Madam Speaker: It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Surrey-White Rock-North Delta (Mr. Friesen)—Fisheries—West coast chinook salmon stocks—Response by United States authorities to request seeking reduced catches—Minister's responsibility; the hon. member for Parkdale-High Park (Mr. Flis)—Immigration—Lack of education and health services for children of illegal immigrants.

It being 5 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper, namely private bills and notices of motions. Since there is no private bill under this item, the House will proceed to the consideration of notices of motions

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PRIVATE MEMBERS' MOTIONS

[*English*]

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, there have been consultations among the parties. It is agreeable that the House move with unanimous consent to motions for the hour until six o'clock. We will be taking up debate on motion No. 31 in the name of the hon. member for Darmouth-Halifax East (Mr. Forrestall) and motion No. 36 in the name of the hon. member for Témiscamingue (Mr. Tousignant). We shall dispose of those two motions and send them to committee by six o'clock.

Madam Speaker: Is there unanimous consent?

Some hon. Members: Agreed.

* * *

THE COMMONWEALTH

PROMOTION OF CLOSER COMMERCIAL AND CULTURAL RELATIONS WITH CARIBBEAN COUNTRIES

Mr. J. M. Forrestall (Dartmouth-Halifax East) moved:

That, in the opinion of this House, the government should consider the advisability of promoting closer commercial and cultural relations between Canada and the communities of the Commonwealth Caribbean and, in particular, that steps be taken to provide for

(*a*) subsidization of sea-borne transport between this country and the Commonwealth Caribbean area;

(*b*) assistance in the upgrading of the sea ports of Atlantic Canada;

(*c*) such tariff changes as might facilitate the exchange of commodities between the two areas;

(*d*) greater exchange of students between the two areas; and

(*e*) assistance to encourage meetings of political, business and educational leaders of the two regions with a view to stimulating a North-South exchange of goods, people, services and technology in a mutually advantageous manner.

[*Translation*]

Mr. Henri Tousignant (Témiscamingue) moved:

That a Special Joint Committee of the Senate and the House of Commons be appointed to consider the advisability of taking an initiative in seeking to promote closer relations with the former British possessions in the West Indies, such as the Turks and Caicos Islands, which have not yet attained independence, and further that if the residents of any of these islands so desire it, economic and political union of these islands with Canada be negotiated at an early date at the proper constitutional levels.

[*English*]

Mr. Forrestall: Mr. Speaker, I want at the outset to express my appreciation to those on the other side of the chamber who after many years have seen fit to pay that tribute to the Caribbean islands and nations which they so richly deserve.

When I first introduced a motion of this nature a few years ago, the nations of central Latin America and parts of South America were not in the turmoil they are in today. Even today few North Americans recognize the great potential the Caribbean and its people have for us in terms of trade and the value of its cultural history.

Today there are about a quarter of a million people from the Caribbean in and around the city of Toronto. Canadian investment in that part of the world is some $400 million. There is in excess of $200 million in trade with that part of the world.

It is an area which stretches from the Panama Canal northeast to the Bahamas, up to Bermuda, south to Trinidad and even further into Guyana and Belize in Latin America. We are talking about ten independent countries. Antigua within the year will become the eleventh. We are talking about the associated states of St. Kitts and Nevis. In addition there are five dependent territories.

This whole area is of tremendous importance to Canadians and to me as an Atlantic Canadian. Our history with the Commonwealth Caribbean nations predates their becoming members of the Commonwealth. Long before Canada was a confederation we traded the usual basic staples from our part of the world, such as fish and lumber, for sugar, molasses and beautiful rum, among other things. However, that was a long time ago.

I mentioned the value of trade with these nations and the value of Canadian investment. That trade and investment is rapidly developing. My concern and that of my distinguished friend and former colleague, Senator Macquarrie, is that in the midst of the turmoil that has developed in that part of the world in recent years, North Americans have, to a degree that I find not acceptable, tended to turn their backs on them. From time to time we disagree with the philosophies of their governments and, indeed, it is fitting that we should. When countries fail to consult their people in the usual way through elections, of course we should express concern, but we should not turn that into a rejection of the people themselves. It is the people for whom we must continue to show concern.

● (1720)

The presence of Cuba, which as we all know is under the influence of Russia, is being felt more and more each day in this troubled area. It is only when nations such as Canada demonstrate that there is another and better way that we can provide the option that the people in these islands need if they are not to fall under the influence of the eastern orbit.

My interest in this matter is somewhat historical, Mr. Speaker. Atlantic Canadians have always had an attachment to that part of the world. There are some concrete things that we should do which have been evident to people from Canada who travel to these islands. Many people go for rest and recreation and usually see only the better or nicer islands. They do not see the privation, the poverty and extreme difficulties that affect many of the people but, they do notice that there is a tangible need for trade and for the facilities to support it.

The motion that I have put before the House calls, in part, for better ports and for the creation of a Canadian merchant marine to facilitate in the further development of trade between our country and these nations. We should not only upgrade our own seaports for this purpose but also those of the receiving countries. It would not be a large undertaking and it is one that would pay enormous dividends to a nation such as ours.

We also need to do more in the areas of health and education. Barbados is one of the key, stable areas of the Commonwealth Caribbean, yet it has only two practising public psychiatrists. I learned recently that there are about 100 psychiatrists in Manitoba, yet that province feels there is a shortage. I am speaking now of a population of between one and two million people which shares two or three psychiatrists. It is an area in which with a little bit of will, Canadians could make a tremendous contribution to the mental well-being of a lot of people.

There are also other areas that we must consider. Those set forth in my motion barely scratch the surface of the work that must be done. One of the areas in which we could do much more than we are at present—and I have included it because it grows in importance year after year—is in the promotion of the exchange of business people, political leaders, doctors, lawyers, engineers and other technicians. Much could be gained from this. Seminars have been held on progress with respect to program management in the construction industry and these have been very successful. The cost is not great and there should be eight or ten such programs going on in this area.

I recently visited a new school in one of the Commonwealth Caribbean nations. It had a beautiful library but no books. There was a good home economics classroom with two good gas stoves, but there was no money to buy the tanks of gas needed to start the stoves in order to teach the students to cook. That is the kind of aid that we offer. We frequently put something in place, then say we have done all we can and leave it at that. We can find dozens of instances of our good intentions throughout the Caribbean where we have commenced projects but never really got them off the ground. There is a cocoa replantation project in Granada which was approved almost seven years ago. Not a tree has been planted yet although the program has been approved. It takes 75 years for a cocoa tree to mature, but it will be 75 years before we put the first one in the ground at the rate we are going.

Much of this is the fault of CIDA, although some of it can be overcome, Mr. Speaker. It is hoped that within the next few months, and even beyond that, through the work of the special subcommittee of the Standing Committee on External Affairs and National Defence an impetus will be provided for this work and that we will have a constant reminder that we must do more.

The Commonwealth Caribbean has always been important to us and it always will be. It is incumbent upon us to recognize the urgency of the problems that face the people in the Caribbean basin and in Latin and South America.

I appreciate the government's agreement to allow the subject matter of this and one other private motion to go to the Standing Committee on External Affairs and National Defence. After taking into consideration the ideas and thoughts presented by members from all sides of this House, I hope that the subcommittee will be able to present to us a full and detailed report on the present status of the relationship between Canada and that part of the world. I hope these motions do not die on the Order Paper, like other subject matters of private members' motions, before the government takes some action on the recommendations which I know will be forthcoming.

● (1730)

[*Translation*]

Mr. Tousignant: Mr. Speaker, the motion before the House reads as follows:

That a Special Joint Committee of the Senate and the House of Commons be appointed to consider the advisability of taking an initiative in seeking to promote closer relations with the former British possessions in the West Indies, such as the Turks and Caicos Islands, which have not yet attained independence, and further that if the residents of any of these islands so desire it, economic and political union of these islands with Canada be negotiated at an early date at the proper constitutional levels.

This motion stems from a request made a number of years ago already by the authorities of those islands, according to which they apparently had the intention once of proposing that they become a Canadian protectorate or territory. In the few minutes at my disposal, Mr. Speaker, I will comment briefly on the major aspects of the motion. First, I will talk about the geographical location of those islands. The Turks and Caicos Islands are British possessions located southeast of the Bahamas. Although they are not politically affiliated with the Bahamas they are physically part of those islands. They cover about 175 square miles and have a population of roughly 7,800 inhabitants, mostly blacks.

Several motions were introduced in the House over the years by the opposition parties, mainly the New Democratic Party, with the support of the Progressive Conservatives. On every occasion those motions were rejected by the government on the grounds that they might lead to an upset of the balance in the standard of living between those islands, not to mention complications in immigration procedures, something over which Canada might find it difficult to exercise control. As well, the then external affairs secretary of state equated that possibility with some form of colonialism. I believe the situation has changed appreciably since then, and that is why I suggest there would be major advantages in making an in-depth review of the feasibility and the possibility of a rapprochement between the Turks and Caicos Islands and annexation with either a province of Canada or Canada itself.

Now as far as advantages and disadvantages are concerned, Mr. Speaker we could discuss them at length. However, I expect and hope that the motion will be referred to the Standing Committee on External Affairs and National Defence and we would then have the opportunity to deal with them in depth. In the few minutes left to me, Mr. Speaker, I would like to point out that I am convinced that those who get acquainted with that motion will realize the mutual advantages of such a rapprochement. If we solely consider the tourist industry, Mr. Speaker, our adverse trade balance, I refer now to the *Economic Review, a Perspective on the Decade*, April 1980, Department of Finance and on page 104 I read the following: This deficit and I quote:

—reached a high of $1.7 billion in 1978.

And the trade deficit for the tourist industry

—$0.9 billion of which was with the United States.

It means, Mr. Speaker, that in the tourism sector alone, it would be advisable for Canada to at least assess a prospective union with those islands.

From the standpoint of trade, this would lead, of course, to a fairly spectacular development, involving a considerable amount of supplies coming from Canada, a considerable work force from all areas of the building and catering industries. We know we have a lot of know-how in those areas in Canada. Now, I feel that taking into account, for instance, the number of Canadians who go south during the winter months, besides some of our retired people, if it were possible to spend winter holidays in Canada, in a Canadian province, with the same currency, there is good reason for the Standing Committee on External Affairs and National Defence to have a close look at the very least, at the possibility of developing closer ties with those islands. I have barely touched upon some of the advantages—I am sure some will say some disadvantages could also be mentioned—but times have changed since those motions on closer ties were brought foward in the House and I think that with regard, for example, to immigration, there should be no problems of any consequence in view of the efficiency of the controls implemented today. As for the imbalance it might create with the other islands, there again I doubt that the argument is valid. As far as colonialism is concerned, which was brought up at the time, once again, if we come to an agreement that is mutually satisfactory, I fail to see how that could be interpreted as colonialism. Both sides would, I think, derive considerable advantages from such an agreement and that is why I have great hope that this House will agree, at least, to referring this motion to the standing committee.

In closing, Mr. Speaker, I say—which I am sure is no news to you—that Canada is the greatest country in the world in every regard. It could actually be a true Garden of Eden but for one thing: a place we can call home, where we can visit and rest, basking in a tropical clime. For all those reasons, I hope the House will accept my motion.

● (1740)

[*English*]

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I should like to offer my congratulations to the hon. member for Dartmouth-Halifax East (Mr. Forrestall) and the hon. member for Témiscamingue (Mr. Tousignant) on the two resolutions they have placed before the House today. I should also like to congratulate the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette) for making the necessary arrangements so that we can discuss both of these resolutions at the same time. I hope I am not jumping the gun if I also thank him for the motion which he will probably make a little later that the subject matter of the two resolutions be referred to the appropriate committee for study.

The subject matter of these motions has long been the interest of quite a few people in the Canadian Parliament and I think it is time we gave very close study to the possibility of developing closer relations with the peoples of the Caribbean nations.

I have mentioned the two members who have placed the motions before us today. I think we should also recall the efforts, especially regarding the Turks and Caicos Islands, which were made session after session by a former colleague of mine, Mr. Max Saltsman, who came here as the member for Waterloo South, which was later called Waterloo-Cambridge. I am also conscious of the keen interest in the Caribbean of the former member for Hillsborough, now Senator Heath Macquarrie. We do have these interests as part of the record, and I hope we will build thereon and give serious study to ways in which we might make our relations closer.

Many of us in this House have had the pleasure of visting the Caribbean. The two islands I have had the pleasure of visiting are Jamaica and Trinidad. I know the name of the country is Trinidad and Tobago but my visit was on the island of Trinidad. In mentioning that country, I think we might express in this House our regret at the recent untimely death of Dr. Eric Williams, the prime minister of Trinidad and Tobago, who did such a good job of achieving stability in a part of the world where there is a fair amount of instability.

Those of us who have been down there know that the feeling there toward Canada and Canadians is very warm, and I think it would be good for them and good for us if we had closer relations.

I have mentioned—I know it is a bit personal but it is in my mind—visiting both Jamaica and Trinidad. I can say that persons from these two islands have rendered me and my family a much appreciated service in my own home in Winnipeg, and I am happy to say that a number of these people, all black or brown, call me Grandpa which I like very much.

So I am grateful to the parliamentary secretary for the motion which I believe he will move, and I trust the House will approve it so there can be further study of this important and very human subject.

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I would like to thank the hon. member for Dartmouth-Halifax East (Mr. Forrestall) and the hon. member for Témiscamingue (Mr. Tousignant) for bringing these two motions to the House for study, and I am particularly grateful for the co-operation I received from the hon. member for Dartmouth-Halifax East who rushed back from his official visit to Italy and immediately after touching down before five o'clock came down here. I am sure he is quite exhausted, but certainly, with dedication such as this, I think the House would do him justice in seeing that the subject matter of the motion is referred to the Standing Committee on External Affairs and National Defence.

My colleague, the hon. member for Témiscamingue, put a particularly good motion before us, one that was the subject of comment. It is a motion which has been put before the House by the former member for Waterloo-Cambridge, Mr. Saltsman of the NDP, and which was debated for many years. I am speaking now as a private member, not in my capacity as parliamentary secretary, when I say that I could not understand why the government did not pursue the motion more fully by exploring links with the Turks and Caicos Islands. I think one of the particular problems may have been, as I discovered, having talked with representatives of the Turks and Caicos Islands at some conferences of the parliamentary association, that if there were ever to be such a union with Canada they would want some kind of special status and perhaps would not be willing to join on the same basis as did other provinces such as Newfoundland, when it came into confederation, or Alberta and Saskatchewan in 1905. Perhaps that may be the sticking point. However, it is an idea which should be pursued and I hope this is the first step in the pursuit of that idea.

The other reason I am particularly glad to be representing the Secretary of State for External Affairs (Mr. MacGuigan) here this evening is that in my constituency I have many people from the West Indies. Our Commonwealth Caribbean friends have made a distinct contribution, not only to my constituency but to the life of metropolitan Toronto. Indeed, some of my greatest friends are people who originally came from the West Indies. The hon. member for Winnipeg North Centre (Mr. Knowles) reminisced about his personal visits to the West Indies. I think there are very few Canadians who have not visited at least one Caribbean island.

A couple of years ago I went to the conference of the Commonwealth parliamentary association held in Port of Spain, Trinidad, and I also visited Barbados on a holiday a few years ago. I concur in the sentiments expressed by the hon. member for Winnipeg North Centre about the affection and closeness with which people from those islands regard Canada and the distinct and unique bond between us which makes it even more appropriate that we discuss the subject here this evening.

I should say in delivering some official remarks on behalf of the Secretary of State for External Affairs that I will be proposing a motion that the subject matter of these two motions be referred to the Standing Committee on External Affairs and National Defence. Hon. members may ask why we are not referring the motions themselves, and perhaps I could take a minute to explain that. This is said with no disrespect to the two members proposing the motions.

There are five areas listed in the motion of the hon. member for Dartmouth-Halifax East, one being subsidization of seaborne transport between Canada and the Commonwealth Caribbean area, another being the assistance in the upgrading of the seaports of Atlantic Canada, and three others. They are something on which the government does not necessarily wish to commit itself at this stage, and I would even venture to say that had the motion stopped after the words "Commonwealth Caribbean", we would probably be approving this motion unanimously. However, I think it bears further study, both by the government and the committee, as to whether or not the

areas listed in the motion of the hon. member for Dartmouth-Halifax East are areas which should be emphasized.

Motion No. 36 in the name of the hon. member for Témiscamingue is also, I believe, a worthy one, but the reason we are only referring the subject matter to the committee is again that the motion itself goes into a few specifics on which the government is not prepared to commit itself. It may be that after discussion in committee, a report will come back on these two subjects and there may be concurrence in the House. We will then have achieved something of some substance for the two hon. members who have brought the motions before us.

● (1750)

The Secretary of State for External Affairs has asked me to present some general remarks on the subject. In particular, he wants me to acknowledge the fact that the Standing Committee on External Affairs and National Defence has already received a reference to examine Canada's relationship with Latin America and the Caribbean. The committee's current investigations and both of these motions reflect, in the government's view, the continuing and growing interest of the government and people of Canada in our relations with our neighbours in the western hemisphere, in particular with the Commonwealth Caribbean.

As Mr. Speaker knows from his travels with various Commonwealth Parliamentary Association delegations, the Canadian government has been an active participant in the economic development of the Commonwealth Caribbean for a quarter of a century. I see the hon. member for Algoma (Mr. Foster) is present in the House. He is the past president of the Canadian branch of the Commonwealth Parliamentary Association; I know of his great interest and work in this particular area.

In the autumn of 1956, when the notion of a federation of English-speaking island states of the region was in the air, the then Canadian Secretary of State for External Affairs, Lester Pearson, convened a conference of Caribbean leaders in Ottawa, during which the first significant pledge of Canadian official assistance was made to the then embryonic University of the West Indies. This university was to formulate the beginning of the Caribbean Broadcasting Corporation.

A decade later, in 1966, the Hon. Paul Martin, another distinguished former Secretary of State for External Affairs, a former High Commissioner and senator, chaired a second Commonwealth Caribbean conference in Ottawa, during the course of which Canada renewed its pledge to assist the states of the Commonwealth Caribbean on a continuing basis.

Over the 15 years since the second Ottawa conference on the Caribbean, the Canadian Development Assistance Program to the region—bilateral, multilateral, non-government organizational, industrial co-operation, grant and loan, direct and indirect—has been put in place to quicken economic growth in the Caribbean, leading naturally and inevitably to a redefinition of the Canada-Commonwealth Caribbean relationship.

Canada-Caribbean Relations

Two years ago in Kingston, Jamaica, the then Secretary of State for External Affairs, the Hon. Don Jamieson, was proud to sign for Canada the agreement with CARICOM, otherwise known as the Caribbean Community and Common Market, on trade and economic co-operation. It was the first formal meeting at ministerial level between CARICOM and Canada. Initial progress in providing substance to the trade, technical, financial and industrial co-operation provisions of the 1979 agreement has been modest, but solid and real.

Essentially our first contacts were exploratory in nature. They were followed by useful work by officials at the November, 1979, Joint Trade and Economic Committee meeting in Ottawa and in the subsequent meeting of the ad hoc committee on industrial co-operation in the Barbados.

There is commitment to a new and dynamic thrust to the CARICOM relationship. In the past year, a comprehensive review of Canada's relations with the Commonwealth Caribbean has been commissioned, completed, considered and approved by cabinet. This review included an examination of Canada-Commonwealth Caribbean trade and investment, Canada-Commonwealth Caribbean people-to-people links, Canada's development co-operation relationship with the Caribbean, and Canada's political links with the Caribbean.

The review took eight months of preparation involving extensive consultations in Ottawa and the full and active participation of the Canadian High Commissioners in the field. The review confirmed, as official policy, that the Commonwealth Caribbean is and will continue to be a region of major interest to Canada.

In fact, the government went beyond the mere provision of an assessment; cabinet approved an action plan for a regional policy approach which directed that the Commonwealth Caribbean should be accorded priority.

The review concluded that Canada should intensify and deepen its economic and political relationships with the states of the Commonwealth Caribbean. The government wants this partnership to assist those states to cope with rapid changes and economic difficulties which beset the region. The regional policy approach which the Canadian government is prepared to implement focuses primarily on economic co-operation, both bilateral and multilateral, but also calls for strengthening of political and social ties.

The present Secretary of State for External Affairs launched the policy in January when he visited the eastern Caribbean and Jamaica and met with Commonwealth Caribbean ministers to seek their views on this regional policy approach.

The second motion reflecting the idea of closer association between Canada and the Turks and Caicos Islands has been the subject of public interest and parliamentary debate for some years. The Turks and Caicos Islands are an economically underdeveloped British colony with minimal but good relations with Canada. The government's position, which was enunciated in 1974, has been that it did not favour discriminating in favour of one state in the region. It was concluded that

association would result in Canadians dominating the economy of the islands, raising the possibility of social tensions and accusations of neo-colonialism. This subject remains of interest to Parliament and the people of Canada. Therefore, its examination by the committee is in the minister's view both useful and timely.

In closing, I should like to echo the sentiments of the hon. member for Winnipeg North Centre who paid tribute to the late Dr. Eric Williams, the prime minister of Trinidad and Tobago for 21 years. He was an individual who contributed to the adolescence of the Caribbean community. I am not referring to just his own island; he presided over a great surge in economic growth in his country of Trinidad and Tobago. He was a respected elder statesman in the Caribbean community. We all mourn his passing last week. We hope the Caribbean community, as a whole, will look toward the leadership he has given over the years and perhaps emulate his policies and deep commitment to the people of the Caribbean as part of the model for future action and development.

At this time just before the supper hour, I would like to move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That motions Nos. 31 and 36, standing in the names of the hon. member for Dartmouth-Halifax East and the hon. member for Témiscamingue, respectively, be withdrawn and that the subject matters thereof be referred to the Standing Committee on External Affairs and National Defence.

I hope this motion will be acceptable to hon. members of the House.

The Acting Speaker (Mr. Blaker): The House has heard the terms of the motion of the hon. Parliamentary Secretary to President of the Privy Council (Mr. Collenette). Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mr. Blaker): Accordingly, the motions are withdrawn and the subject matters thereof are referred to the Standing Committee on External Affairs and National Defence.

Motions Nos. 31 and 36 withdrawn.

The Acting Speaker (Mr. Blaker): May I call it six o'clock?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): It being six o'clock, I do now leave the chair until eight o'clock this evening.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

[*Translation*]

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General) moved that Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be read the third time and do pass.

[*English*]

Mr. Nielsen: On a point of order, Mr. Speaker. This is third reading. If the minister speaks now he normally would close the debate. I think there are members on this—

Mr. Deputy Speaker: No. I believe the hon. member should consult the rule book. This is third reading.

[*Translation*]

Mr. Ouellet: Mr. Speaker, I would like to ask the unanimous consent of the House to table at this time, in accordance with an agreement entered upon when the bill was discussed in committee, the revised French version of Bill C-42, and as a result, I would also ask leave to make two small amendments to the English version so that the two texts will agree. It would involve a word change in line 33 on page 17, and also at lines 37 and 38 on page 30.

[*English*]

Mr. Deputy Speaker: Is there unanimous consent for the hon. minister to table the item?

Some hon. Members: Agreed.

[*Translation*]

Mr. Ouellet: Mr. Speaker, when I introduced this bill last October, I emphasized that it was the fruit of comprehensive studies and intensive consultations with the public, the unions and all employee associations involved. I also stated that I was looking forward to a detailed examination of the bill in committee, where it would be possible to hear the views of the groups concerned and to study carefully the various aspects of the bill so that the interests of the public, of the postal service and of the employees would be protected.

In the weeks that followed, some constructive suggestions were made and certain doubts were expressed concerning the bill. Special interest groups both from the business community and the Canadian public also made certain suggestions. Many of them made submissions to the committee. The hon. members will also recall that the House decided to ask the Joint Committee on Regulations and Other Statutory Instruments to look at certain key clauses so that we would be able to take into account the recommendations and the conclusions of this committee during the detailed study of the bill.

The concerns expressed in connection with the original bill were related mostly to the proposed monopoly to be exercised by the corporation. Some people thought that this monopoly could be a threat for other communications enterprises, especially in the field of telecommunications. Others were concerned about the rate-fixing mechanism, mail safety, the definition of mail matter and the survival of our traditional postal service. Certain employee groups were also interested in the amendments concerning personnel transfers and the negotiating process during the change-over from a Department to a Crown corporation. Mr. Speaker, I am happy to say that all these points were carefully considered during the detailed study in committee last November and December.

• (2010)

The same holds true with the suggestions and recommendations made by the joint committee, by Mr. Justice Marin particularly, the Canadian Labour Congress, the Public Service Commission, as well as those submitted in writing to our committee. About the Canadian Labour Congress, Mr. Speaker, I should like to take this opportunity to thank Mrs. Shirley Carr and Mr. Ronald Lang who, through their advice and precious co-operation, have made of this act the best legislation possible.

In fact, when the committee meetings ended on December 19 of last year, the committee members had considered more than 60 amendments and recommended that a great many of them be added to Bill C-42. During our committee proceedings, Mr. Speaker, my predecessor, the hon. member for Vancouver South (Mr. Fraser), whom I want to thank publicly for his co-operation and understanding during consideration of this bill, talked about the need to revitalize the postal service. I must admit that I was very much impressed by this, as well as by the desire of all committee members of whatever political affiliation to achieve this objective. Our committee members have demonstrated much flexibility and willingness to co-operate. They have come up with constructive ideas and have agreed to sensible arrangements. If one compares the wording of Bill C-42 which was read the first time on July 17 of last year to the amended version of December 19, one realizes that responsible work has been done, and I acknowledge that thanks to that co-operation the original bill has been considerably improved.

Mr. Speaker, I do not intend tonight to explain each and every change made to the bill, but I will confine myself to the main points. First of all, we have improved the wording in order to stress the importance of a consistent service from coast to coast, and as recommended by Mr. Justice René Marin, we have added a paragraph to insist on mail security. The number of board directors has been increased. The board of directors will consist of the chairman, the president of the corporation and nine other directors. So, the number of board directors has been increased from seven to nine at the request of the Conservative members on our committee.

This amendment will allow a broader representation without impeding in any way the operation of the board. As to the regulations, that part of the bill has been considerably amended in committee so as to include a series of recommendations submitted by the Joint Committee on Regulations and Other Statutory Instruments. Some subparagraphs have been added because it seemed in the public interest to provide that certain matters be settled by regulations in order to allow for input by the public and the cabinet. Other subparagraphs, in view of their importance and at the suggestion of some of my colleagues, have been withdrawn from the clause dealing with regulations and became separate clauses in the bill; more important still, a series of subparagraphs have been added so that the public might be made aware of what regulations are being proposed through their publication in *The Canada Gazette* and give their opinion before they are approved by the governor in council.

Since postal rates will be subject to that procedure, the public will know what rate hikes are planned for all classes of mail, not only for letters and, of course, being aware of what is being proposed, they can then express their views. That procedure, in my opinon, is a good solution for it will save us the great expense or a reference, as was initially proposed, to a rate review board like the Canadian Transport Commission.

In addition, Mr. Speaker, the clause dealing with the corporation's exclusive privilege with regard to letters has been substantially amended during consideration in committee. In all the discussions in committee, the members constantly agreed that the monopoly the Post Office has enjoyed over a 100 years, and which the Canada Post Corporation must retain, serves a purpose of prime importance, that of providing an income basis which makes it possible to give Canadians in all parts of this country comparable mail delivery services at a reasonable cost. The private sector, Mr. Speaker, cannot in any way meet those two criteria. Without a monopoly on letters, inevitably high rates, increased subsidies, a substandard service or a combination of all those would result. Obviously, the social impact on Canadians would be unacceptable. That is why Canada, like all large advanced countries, must continue to enjoy a monopoly on letters. However, I recognize that Canadians, in certain circumstances, should be able to resort to other mail delivery services. The present Post Office Act allows courier services to deliver all types of mail except letters. Bill C-42 as amended will also allow those businesses to deliver letters, but on certain conditions. This, I believe, meets to a large extent the concerns expressed by various groups without, however, reducing the monopoly to the extent of making it meaningless. So urgent messages will be delivered by messengers if the sender is prepared to pay extra for that service.

One of the major points of contention of the present Post Office Act is that some companies hire contractors to deliver their mail. For this reason, we have clearly indicated in this bill that companies can entrust their own employees with the task of delivering mail between different offices of their company; if, on the other hand, these companies gave contractors or their own employees the exclusive right to deliver mail to a third party, then they would go against the exclusive privilege.

For example, if an employee of an oil company delivers fuel to a home and at the same time hands the bill to the customer, we do not consider this to be an infringement of the law. But if, on the other hand, this same company give its employees or a contractor the exclusive right to deliver bills to its customers, this would be considered a breach of the law. This is the third option I mentioned on Tuesday, April 7, and to which the hon. member for York North (Mr. Gamble) referred. It is in that context that my statement, as reported on page 9047 of *Hansard* for April 7, 1981, should be understood, when in answer to a question put by the hon. member for Mississauga South (Mr. Blenkarn), I indicated, and I quote:

They could follow a number of routes.

In fact, there are three options. About the third option, whereby companies choose to assign their own personnel to this task, I said:

That is their privilege.

It is in that context that I mentioned the third option. So I do not want my remarks to be misunderstood and the answer I gave to the hon. member for Mississauga South on April 7 last to be misinterpreted.

● (2020)

Mr. Speaker, another important exception to the monopoly concerns electronic or optical mail. Hon. members will recall that the media and certain business groups expressed concern that the Post Office may try to take over the telecommunication industry. The exception clearly expressed in the bill should be enough to dispell that concern. The corporation is going to consider the most recent developments in the area of telecommunications.

The government want through the bill to enable that new corporation to be in the forefront of new techniques in telecommunications and to apply them to its operations if needed. However, it is obvious that the corporation does not intend to take over common carriers in telecommunications. On the contrary, the new services will follow the path of co-operation which is already open with the present firms, as we did with such services as telepost and intelpost.

Mr. Speaker, I think it is worthwhile to repeat that turning a whole department into a Crown corporation is unprecedented. It is therefore not surprising that sections concerning labour relations are complex and very detailed. There are several sections in the bill which are designed to make the transition smooth for postal workers who will come under the jurisdiction of the Canada Labour Code instead of the Public Service Staff Relations Act and the Public Service Employment Act. The sections on labour relations in the original Bill C-42, as well as the amendments agreed upon in committee and the rewriting of Clause 68 are the result of an exhaustive study and successful consultation with unions. I am particularly proud of that result.

I am convinced that those sections cover everything that can be written in legislation in this area. Of course, there are some points left out that can be dealt with only through major policies. So that these points may be fully understood, I would like to explain them briefly in closing my remarks. The first concern deals with job classification. The present classification system will continue until a revised one is introduced, after consultation with the appropriate unions. New classification systems will be initiated and developed as soon as possible, and there should be no problem in maintaining the present system as long as necessary.

The present internal review system of job classification will be preserved for the time being. Any employee who disagrees with the final decision concerning his or her classification will have the opportunity to appeal, air his or her grievances and later on refer the matter to arbitration if necessary. The second point during the period of transition refers to staffing procedures. Except in two cases, appointments on the staff of the new Canada Post Corporation will be made in keeping with the procedures established in the Public Service Employment Act. However, the Crown corporation will retain decision-making authority in staffing matters. Also, corporation employees will have access to an internal appeal system in cases where they disagree with staffing decisions. There is also the issue of the grievance procedure during the transition period. As members are aware, the grievance procedure for all employees is defined in the applicable collective agreement.

At the outset, the new corporation will administer 29 such collective agreements providing various grievance procedures for one thing or another. The changes to be made in the internal grievance procedure for each collective agreement will be discussed in future negotiations. Therefore, until such time as a bargaining unit signs its first collective agreement with the new corporation, the grievance procedure applicable to the unit will remain the same with small changes resulting from the making of the Post Office into a Crown corporation. Consequently, in certain cases, the last level of appeal will no longer be the assistant deputy Postmaster General, but the president of the corporation.

Finally, there are clauses dealing with the release of employees for incompetence or incapacity during the transition period. After the proclamation of the new legislation, the release of employees for these reasons will follow the basic procedure stipulated in the Public Service Employment Act, with the following exceptions: first, the recommendations for release will be addressed to the person who occupies a position equivalent to that of a regional director general or of an assistant deputy Postmaster General, under their new titles. That person will have the authority to approve the dismissal, however, and this is very important, the employee will have the right to appeal the decision. Second, should the employee find the corporation's final decision unacceptable, he may file a grievance, and if necessary, in the last instance, refer to arbitration.

Mr. Speaker, this is a piece of legislation whose time has come. This third reading stage is the result of many years of

preparation, negotiations and compromise. I urge Parliament to pass this bill in order to allow this Crown corporation to begin its mandate and provide Canadians with the revitalized postal service they need.

When the Prime Minister handed me the Postmaster General portfolio for the first time, back in 1972, I took over these responsibilities with a great deal of enthusiasm. So it was, I must say, with a certain regret that I left this post upon my transfer to another department. I was therefore particularly pleased last year when the Prime Minister entrusted me again with this department because it seldom happens in politics that you can bring a job to a successful end. I am very pleased to now be able to say, "Mission accomplished".

I would like to take this opportunity to extend my special appreciation to the DM of the Post Office Department, Mr. Jim Corkery, who helped me and supported me throughout the last few months in this process of converting this department into a Crown corporation. I am the last Postmaster-General ever to address this House. I am grateful to the Prime Minister for allowing me to experience this historic moment: with the coming into being of this corporation there will no longer be a Postmaster-General. I think one can say that this is the end of an era. The end of an era, but also the beginning of a new one. The establishment of this corporation I am absolutely convinced, Mr. Speaker, will enable its employees to function in an environment and a climate they have looked forward to for a long time. The Canadian public will be getting a better service and, above all, management will have a chance to give the full measure of their ability knowing that they are in complete control of the situation and that they do not depend on decisions made in other departments in order to provide an efficient management of the Canadian postal service. To conclude my remarks, let me say, "Long live the new Canada Post Corporation!"

● (2030)

[*English*]

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I was pleased to hear the remarks of the Postmaster General (Mr. Ouellet). I hesitate to say that while a minister of the Crown may not be called Postmaster General in the future, there certainly will be a minister of the Crown responsible for the post office. I do not know whether the fact that he will not be called Postmaster General but minister responsible for the post office will make him feel any happier, because the way this bill is organized, it makes the government continually responsible for every single thing in the post office, including postal rates.

As the minister pointed out in his remarks, the cumbersome procedure set out in Bill C-42, as it was presented to this House, was significantly changed in committee in many ways. I appreciate the minister congratulating the Conservative Party for its efforts in committee. The minister appreciates, as do other members, that we spent a great deal of time on this bill, although perhaps not as much as we should have. I will come to that later in my remarks. Unfortunately, there was an effort to push the bill through committee quickly. I have a motion to present at the end of my remarks respecting that problem.

The Post Office as we know it is probably the most visible activity of government in our country. As I said on second reading, almost every day a member of the Post Office walks down my street representing the Government of Canada. When he delivers mail, he represents the Government of Canada. When that mail is slow, damaged or destroyed, he represents the Government of Canada. Unfortunately, the representation of the Government of Canada on the streets and byways of this country has not been too good in the past. That representation has soiled the name of Canada.

We have great hopes for this postal corporation, but I do not believe any member of this House really believes in his heart of hearts that all the problems of the post office will be solved by this Crown corporation bill creating the post office corporation. Just to be sure that some of these concerns are brought to the attention of the minister and whoever will be running the new corporation, should this bill pass this House and the Senate, I want to put on record some of the concerns which members have received from their constituents with regard to how the post office has acted and is acting today. I quote from a letter from J. V. Gordon:

> Over the past months I, like many other Canadians I'm sure, have become increasingly frustrated and angered at the deterioration in the mail delivery service—
>
> The letter was posted on the evening of January 17, postmarked January 18 and received January 27—10 days to travel 16 miles! I flew to England, did a week's work and was home on January 24, 3 days before the letter was delivered.

The minister replied:

> Normally, Canada Post moves its mail with a high degree of efficiency in the 95 per cent range or better . . . However, if one per cent of these items are late, this represents 250,000 delays per day.

When we talk about late and talk about average delivery, most of us are brought to the realization that seven days' delay between posting and delivering is average. I mentioned in report stage that I had approached the Postmaster General to bring to his attention a letter I received from Bill Kennett, Inspector General of Banks on March 26. I quote:

> As requested in your letter of March 12, 1981, which we received on Friday, March 20, please find enclosed a copy of the Proposed Regulations published on December 20, 1980.

This is the kind of service we are getting. Bill Kennett's address is Place Bell Canada here in Ottawa. I quote from my letter to the minister:

> Do you deem it necessary for members of various government departments communicating with Parliament and vice versa to use parliamentary messengers to make sure that mail is delivered so that it is received the next day, or will that be an abuse of the courier provisions contained in the bill.

It has not been good, it has not been satisfactory, it does not stand up. It is not as good today as it was 20, 50 or 75 years ago. That is the state of the Post Office. As I said, I intend to move a motion later tonight. That will be one of my prime reasons for doing it.

While the minister may say it is 95 per cent satisfactory, his definition of satisfactory and my definition and that of my

constituents is not. My constituents expect the same kind of mail service their parents and grandparents received. They do not expect a mail delivery system which does not work, is not on time and is not efficient and dependable. The service which has been available to this country is neither on time nor dependable.

An hon. Member: Get rid of the machines.

Mr. Blenkarn: My friend says get rid of the machines. I intend to talk about that tonight.

When this bill was first presented, a number of people said to the members that a post office corporation will not work. They said it was a method by which the minister was going to try to bury the problems behind the idea of a Crown corporation. In committee we were able to insist that amendments be made. Indeed, amendments were made at report stage to make a ministry or the government more responsible for the corporation, probably as responsible as the present Postmaster General. I do not know whether that will help service because, with the Postmaster General responsible, it has not been very good.

I want to assure the Canadian public that we on this side have ensured that the Postmaster General has accepted the responsibility and that the governor in council, the cabinet, will continue to be responsible for the appointment of the people to the executive, the directors and vice-presidents of the post office. All directives, even those that are now secret, will be made public so that the post office will be above board. That is good. We expect this corporation to work. We expect an improvement in postal service so that Canadians receive the same service our parents received, the service we were receiving 10, 15 and 20 years ago.

People expect better postal service every year. Instead, it has been getting worse and worse each year. In fact, I do not believe it can get worse. It has to go back to the kind of service that people expected when statutes were passed which said you were deemed to receive something three days or seven days after it was mailed. That was a reasonable assumption and registered mail delivery was almost a certainty. Today no one can claim that if something was mailed to you that you must have received it. Indeed, a favourite excuse of anyone who has not paid a bill today is that the cheque is in the mail. How can you not accept that explanation if someone claims they put it in the mail, because in all probability it got lost? There is at least as much probability of that as there is that they were just spinning you a line about the payment.

● (2040)

The Post Office has been beset with a number of problems. Some of my constituents refer to these as labour problems. But I say to you, sir, they are management problems. I do not know of a single business which has strikes, lockouts, and labour disputes that are not reflective of the people who manage the organization. Most of the people who work in the Post Office in our country are good, solid, hard-working men and women. They want to do a day's work and they expect to be directed, organized and motivated by the people who are put in management positions.

Management is leadership, Mr. Speaker. The leadership in the Post Office is abominable. The corporation must hire effective leadership and good, new, management people. I mean good people right down to the lower levels of management. Some of the incumbents must be replaced with others who can get the system organized. If that is not done, then this corporation has as much chance of success as a snowball has of surviving on a hot July day in the middle of Rideau Street.

Some people have spoken about grievances. Tonight the Postmaster General, in speaking to Clause 68 of the bill, spoke of grievance procedures that are available. We should not be talking about grievances. The fact that there are 65,000 labour grievances is an indictment of incompetent, inept, incapable management. He should not be worrying about grievances, he should be worrying about motivating people to provide a service with the skills and competence that at one time distinguished the Post Office. Instead, today we have problems.

Someone mentioned machinery a moment ago. I live in Mississauga where the great white elephant called a machine that sorts parcels, is located. That machine manages to destroy almost as many parcels as it sorts. My secretary calls it an elephant. When I send stationery from my office here on Parliament Hill to my constituency office it invariably arrives crunched and destroyed. It does not matter how well it is wrapped, they manage to break it up. Indeed, we take it to the Post Office in this building and ask them to package it carefully for us. They do, and they ship it through their machine. It does a fine job—it crunches it.

Mr. Beatty: They bought the machine from Air Canada.

Mr. Blenkarn: My friend says they bought it from Air Canada. They probably did. In any event, they make sure it goes off the rollers or gets stomped on. An employee at the Gateway post office says that apparently it drops straight down nine feet and if it is marked fragile, they jump on it again.

There have also been complaints about theft in the Post Office. Again, an employee at the Gateway post office told me there is not as much theft as one would think. He says there is the odd person who is a bit of a thief. He says that most of the missing mail is not stolen but that the Post Office says it is because it cannot apologize any other way to the people whose packages are destroyed. The fact is that those Christmas presents, wedding presents or birthday presents, go through the machine and get all crunched up. They cannot tell people that they have been destroyed, so they say they must have been stolen or lost in the mail. That is what happens and they have a special crew to sweep up the mess! The machine and the system at the Gateway post office continues to operate despite complaints because the management is so inept, incompetent and incapable, and because the leadership from the government has been incompetent and incapable. It has not got down to brass tacks and dealt with the situation to make sure it is changed.

Just the other day the Post Office had the unmitigated gall to place an advertisement in the *Toronto Star* and *The Toronto Sun* claiming it would deliver a five-pound package for $1.40. I thought the hon. member for Peterborough (Mr. Domm) might be annoyed because the weight was not given in metric. Maybe they are learning something. Anyway, it will send a five pound package from Toronto to Sudbury, or Sarnia or Montreal or wherever you want it to go, for $1.40.

One of my constituents, Mrs. Claire Kohlmeier sent a bunch of parcels to British Columbia for Christmas. Of course, they never got there. The Postmaster General wrote to her about the problem and the letter states, in part:

> However, we are aware of deficiencies in the service, particularly with the late delivery of mail in the Vancouver and surrounding area over the past few months.

That is the Postmaster General's excuse for the fact that Mrs. Kohlmeier's parcels were junked up. Yet the advertisement promises to deliver a five pound parcel for $1.40. It is no wonder that people use courier services. If you want your mail to get to its destination, you would use them too, or the bus service or Air Canada or someone who is prepared to take decent care of your mail.

That practice must cease under this corporation, Mr. Speaker. If it does not cease, then the corporation's existence must terminate and we must find another way of handling the mail. There is no excuse for this kind of thing and it should not be allowed to continue. There should be a time limit—I would suggest no more than five years—in which the corporation must demonstrate that it can do the job because, if it cannot, somebody else can.

I expect the minister or whoever takes over the corporation to do something about the management problems. At the moment, the payroll system is run by the Department of Supply and Services. It was designed for office help who are paid the same amount every month on a monthly basis.

● (2050)

However, the Post Office is not an office. The Post Office is more like a manufacturing organization where people are paid by the hour. If they work overtime, they expect to get their overtime pay.

Last fall there was a dispute in the Post Office with respect to clerks. They are not in the same union as the regular postal people, they are in the clerks' union. A number of sorters in the Post Office had to work overtime. Grievance after grievance after grievance was filed in connection with their overtime pay. It was not until February that my constituents who worked overtime in October were finally paid, notwithstanding the fact that their union officers and management people allegedly telephoned Ottawa and even the office of the Postmaster General. The red tape went on and on. They finally got their money.

How can we keep labour happy if we do not want to pay them? If we ask a person to work overtime and we do not want to pay him for it, what can we expect? I can tell this House what we can expect. We can expect the kinds of stupid grievances we find in the CUPW bulletin I have in my hand. We find people asking for entitlement to 20 weeks' paid maternity leave. They want January 2 and May Day off. They want double time for over time. If they work nights, they want a weeks' holiday for every two months' work. They want pay and employment conditions far in advance of what any private sector employee could begin to think about demanding. This is because they are so darned mad at the idiots who have been running the Post Office that finally in frustration they make union demands which they know, or ought to know, are absolutely ridiculous. Instead of organizing people, directing them and making them feel they are part of the organization and part of the team, the management does not do that. It treats them as slobs. It treats them scurrilously. It is no wonder these people get their backs up. Sure, they make demands. Sure, they file grievances. I do not blame them. If there is not a change in the operation and management of this Post Office in this new corporation, then it will not work.

The Postmaster General made some fine claims about Clause 68. I did not speak about that clause tonight because I do not know everything about labour problems other than how to keep most of the people who have ever worked for me pretty happy with me. I have never been involved in a strike, and I do not expect to be. Normally people do not strike. We work things out in Canada. We work things out in business. That is how to make a profit in business, but we must retain the right to discharge people on certain grounds. There must be management which is prepared to get tough when people are behaving absolutely wrongly. Management must be tough when there is uncontradicted evidence. When management personnel know that people sleep on the job behind piles of mail sacks, when management personnel know that people are beaten up because they do not consent to homosexual activity or when management people know that there are active dope peddlers involved in an organization, then the management people ought not to be worried about firing people and putting them out. When a group of people like that is in an establishment, then it is time management was capable of showing leadership, purpose and honesty.

It is time we had a management system prepared to give direction in the Post Office and prepared to give incentives. All people are not worth the same money per hour. Some people work harder than others. Some people show ability and initiative. Some people can produce better than others, and we have to show that in the pay packet. We could do much in this country if we gave people who walk the streets and pound the pavement for the postal corporation incentive pay packages. We could do something to improve productivity because that is where it is all at in this country. It is not what we pay a man per hour that counts; it is what he produces per hour. The management of this corporation had better organize itself to make sure it is prepared to reward people for productivity because that is what is important. We must look at productivity in everything we do, particularly in the Post Office, where in some parts productivity is as low as it ever could be. We must develop incentives so that people will produce more

during the time they are at work. We must improve the productivity of the Post Office so that the Post Office can be a viable Crown corporation. Without improvements in productivity, we will have to review this corporation and find other methods by which to deliver our mail.

Indeed, technology is moving ahead, and unless the Post Office improves its productivity, the Post Office will not be necessary. People will send their cheques and pay their bills by means of electronic transfer of funds. People will communicate—me to you, Sir—electronically. We will not need people to walk the streets, drive trucks and deliver mail by hand.

I have great hope for the corporation. I hope the corporation will get its act together and do things to improve service. I hope the corporation will be an active competitor with present courier services, and I hope the corporation's reputation in terms of delivery of mail will improve.

I have with me tonight an envelope from the Department of Insurance. It says, "Département des Assurances, Ottawa, Canada K1A 0H2". I do not know why the postal code is on this envelope because this department does not use the Post Office. It uses a courier service, the insurance courier service. Indeed, everything going from the Department of Insurance to insurance agents across Canada where there are courier services does not go through the Post Office. It goes by courier. It does so because the Department of Insurance wants to get it there. The courier service is dependable. If ever there was an indictment of the way the Post Office Department has been handling mail, it is when other departments of government refuse to use its service.

I was disappointed with the minister at report stage when he did not accept two of my amendments and two amendments of my colleague, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty). I presented the minister an amendment with respect to the Auditor General. We are paying the Auditor General anyway; why should we pay two private auditing firms—not one but two—to audit this corporation? That is completely beyond me. I would have thought the Postmaster General would try to make the corporation more efficient and to cut its costs by using the present government service, but he did not.

Even more importantly, I would have thought the Postmaster General would look at the first amendment I proposed, which deals particularly with invoices or bills from public utilities. I want to read into the record of this debate a letter I received on February 25 last from A. E. Bradley, Chairman of the Mississauga hydroelectric power commission. Part of the letter reads as follows:

> We have, in the past when there has been postal interruptions, utilized private couriers to deliver our mails. This work has been done not only efficiently but economically compared to current postal rates. As a utility, therefore, we would like to have the flexibility of delivering our bills through private couriers.

What are bills but invoices? The amendment which was before this House deliberately said that invoices are not letters. The Postmaster General said that invoices are letters. I am going to suggest to my constituent that invoices are not letters, and let the Postmaster General take it to court. Nothing in the bill says invoices are letters. Mr. Bradley says he can deliver his hydro bills cheaper through private courier. He suggests there should be some discount for utility bills going through the mail.

● (2100)

It is a question of competition, a question of whether it can be done better. The other night my colleague, the hon. member for Brampton-Georgetown (Mr. McDermid), suggested that perhaps the boy scouts should be able to deliver flyers, and my colleague, the hon. member for Erie (Mr. Fretz), made the suggestion that perhaps disabled people might deliver utility bills. I suggest these people should be allowed to deliver that kind of mail, and the Postmaster General should have allowed that amendment, but he did not.

Some hon. Members: Hear, hear!

Mr. Blenkarn: I am disturbed about that, as are my colleagues and so is anyone who receives gas bills, hydro bills and other bills. They are not letters. Whoever thought a bill was a letter? When my wife gets a bill, she does not want to open it, she leaves it for me. Bills are not treated as letters. She treats them as bills. You can smell the things. They are not letters, they are bills, and I say to the Postmaster General that they should be completely exempt in the act. The act does not say they are letters; it does not say anything about invoices. I say to the people who send invoices in that way that they might well challenge this act in the courts. I suggest that very few people, I am sure none on this side of the House and certainly none in this party, would want to say to their wives, "I have a letter for you, dear". You know what would happen. She would say, "that's a bill, it's not a letter". I tell you, sir, our amendment would clarify the situation. The Postmaster General has not clarified it. I say to utility companies: deliver them because they are not letters.

Now let me come to our major argument with this bill in connection with the corporation itself. We rushed this bill through committee and we were hoping to make further amendments at the report stage. One thing that we as a caucus think should happen with the corporation is that, like other corporations and businesses; like the banks, for example, this corporation should be subject to a sunset law provision. It should be required to come back to Parliament every five years or ten years—we suggest five years—to justify its existence, its *raison d'être*. It has to be able to show that it is fulfilling its mandate, doing what the Postmaster General said it should do and doing what our constituents say it should do. It should justify its monopoly. Perhaps it should have its monopoly extended, perhaps it should have it contracted, but it should come back before the House periodically as do other Crown corporations to justify why it is there. Do we need this service today that we needed five years ago or ten years ago? Do we in justice need the Canada Mortgage and Housing Corporation the way we needed it 25 years ago? Do we really need the Canadian Broadcasting Corporation the way we needed it 35 or 40 years, and should its mandate be changed or should it stay the same and be allowed to grow and grow?

I say to you, Sir, it is important that we as parliamentarians realize we are in a changing world where services needed today may not be needed tomorrow and where services today are obsolete tomorrow. What we think is necessary now will not be necessary tomorrow, and tomorrow we will have other things that are necessary. A new direction should be given, a change should be made. Therefore, we say, sir, all these bills should have a sunset provision incorporated into them, a provision which would provide that Parliament have the ability to review what has been going on, the ability to say, we want to look at it again as we do with the banks.

Every ten years we bring the banking legislation before us. This time we waited 13 years before doing so. We look at those organizations deliberately, we review their powers. We may change them, we may contract or expand them, but we call them to account. Similarly, this corporation should be called to account in a specified period of time.

Therefore, I move, seconded by the hon. member for Parry Sound-Muskoka (Mr. Darling):

That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

"Bill C-42, an Act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be not now read a third time but be referred back to the Standing Committee On Miscellaneous Estimates to enable the committee to consider further Clause 24 of the bill."

Mr. Lalonde: Shame on you, Stan.

Mr. Stan Darling (Parry Sound-Muskoka): Mr. Speaker, I am delighted to see the Minister of Energy, Mines and Resources (Mr. Lalonde) here. I was really worried earlier this evening when I did not see him in his place. I must admit he attends this House faithfully because I have had the privilege of speaking on two occasions in the last month or so, one on the Constitution and another time earlier this week, when I had two and a half minutes to speak, half of which time was taken up by the minister, usurping my time. Needless to say, I will be very disappointed if he does not intervene some time during my remarks.

Mr. Lalonde: I will try, Stan.

Mr. Darling: I welcome the opportunity to speak to the House on Bill C-42 and to present my views, those of my constituents and a great many others on the proposed creation of the Canada Post Corporation. As almost anyone old enough to lick a stamp knows, Canada's postal service is in drastic need of change. There have been continual management-labour disputes, the mail service in unrealiable, and the department is going deeper and deeper into debt. There is not one member of Parliament here who cannot tell us horror stories on delayed mail, damaged parcels, and so on. I recall Christmas time a few years ago when, I believe, the Minister of Supply and Services (Mr. Blais) was postmaster general. I received a cake by mail which arrived completely squashed. I brought it in here and made a present of it to him. I wanted to get it back for evidence but he would not give it back to me.

An hon. Member: He ate it.

Mr. Darling: Perhaps he ate it, but I never got it back.

There have been continual management-labour disputes, as I said, and this, in my view, has been one of the serious problems with the postal department. I do not think machinery and equipment is the reason behind it. This is a people dispute between management and labour. Until we can get both management and labour working together, the Crown corporation will not experience much of an improvement.

• (2110)

It has long been recognized that the fundamental part of the problem can be directly attributed to the fact that the post office, as a government department, is obliged to deal with many other departments. The responsibility for hiring new employees rests with the Public Service Commission; Treasury Board negotiates the contracts; The Department of Public Works is responsible for plant maintenance; purchasing is conducted through the Department of Supply and Services.

When appearing before the Standing Committee on Miscellaneous Estimates recently, the Postmaster General (Mr. Ouellet) commented in frustration by saying:

Too many people are trying to run this operation.

This is so true. Perhaps as a Crown corporation the post office may improve. I use the words "may improve" advisedly because this bill, as presented, still leaves grave doubts as to the predicted efficiency and financial stability of the operation. Certainly we are in favour of the bill. We hope it will be a step in the right direction. Hon. members on this side of the House have contributed with amendments and changes, some of which were adopted. I believe this could be stated for all sides of the House.

As I mentioned, these doubts with respect to the new postal corporation begin right at the top. I am speaking of the board of directors and senior management. It has been proposed that the board consist of a chairman, president, and nine other directors. These 11 men and women will be appointed by the governor in council, which of course means cabinet. The board, with the approval of cabinet, will also be given the right to appoint and fix the salaries of any number of vice-presidents it considers necessary.

Although the minister stated in committee that the composition of the board would include representation from all segments of Canadian society, I would feel more comfortable if such assurances were incorporated directly into the act. There will be an obvious need on the board for input from labour, business and the consumer. The Post Office services the requirements of these groups, and their views are of paramount importance.

The nebulous circumstances surrounding the appointment of the vice-presidents is also cause for some concern. The naming of these people and the ability to set their salaries provides a distinct opportunity for the government of the day to play the role of the tooth fairy. A defeated politician may wake up one morning to discover that the remuneration for his loss is a vice-presidency with the Canada Post Corporation. It sure

beats a quarter stuck under his or her pillow. Such an approach has been taken in the past by the government. We must not allow the creation of such positions under circumstances which would permit the government to continue its nocturnal visits.

Moving down through the proposed new system, let us examine the problem of labour. There are now 28 different unions which represent all inside and outside postal workers. As I understand it, under the bill all unions would be guaranteed the right to negotiate the first collective agreement. Then, in the final three months of that agreement, the unions would have to approach the Canadian Labour Relations Board for new accreditation. At this time other unions would also have the right to petititon to represent the workers. Can one imagine the wrangling which would take place and the disruption this would cause? The minister said that he is almost certain this process would result in fewer than 28 unions. "Almost certain" is not good enough.

The creation of a Crown corporation would seem to be the perfect opportunity to reduce the bargaining units to one and to provide the opportunity for sector bargaining in its purest form. The delivery of mail is an essential service in the nation, the disruption of that service creates significant hardships at all levels. Surely the government recognizes this fact and would want to take steps to eliminate the potential for strike in one area which affects all others.

A few weeks ago I had occasion to speak on the private member's bill introduced by the hon. member for Halton (Mr. Jelinek) which recommended sector bargaining. This meant that all workers in one industry would bargain at the same time. Certainly we have been fortunate, and I touch wood, as far as strikes in the post office are concerned in recent times, but it is no guarantee as to what may happen in the future. If we have 28 different unions or even 15 different ones bargaining at different times, there will be labour turmoil. The private member's bill which I supported suggested that in the post office, whether or not there are different unions, each union would have a certain period of time in which to negotiate. For example, if the contracts ran for a three-year period, we may only be worrying about strikes every three years.

In the post office and in any essential service there should be compulsory arbitration. I have stated this, and I will state it again. I realize we are not at that stage yet, but I have suggested that the Postmaster General and the union heads, such as Mr. Parrot, should be immediately locked in a room with bread and water if they were asked to reach a settlement. I am quite sure before too many days went by, one of them would capitulate and come out with an agreement which had been hammered out, an agreement which certainly would be fair and would make the people of Canada very happy because they would not be confronted with a strike in the postal service.

Mr. Beatty: It would be a waste of good bread and water.

Mr. Darling: I do not know about that, but I hope the new postal corporation can work this out.

Another area of the proposed act which is causing a great deal of concern to Canadians is the delivery of time-sensitive mail. The bill before us gives the proposed corporation the sole and exclusive privilege of collecting, transmitting and delivering letters within Canada. I suggested in committee that the Postmaster General should consider its severe and detrimental effect upon the use of courier services which are so vital to consumers and business. The Postmaster General replied that couriers would merely be "tolerated" in the future. He drew attention to the clause 15(1) in the bill which reads as follows:

(*e*) letters of an urgent nature that are transmitted by a messenger for a fee at least equal to an amount that is three times the regular rate of postage payable for delivery in Canada of similarly addressed letters weighing fifty grams or less;

In effect, this means that Canadians will have to pay to other sources three times as much as the Post Office charges for a service which it cannot even provide. By including this clause in the proposed bill, the government is admitting that the new Crown corporation will be unable to provide such service. If the post office will not be able to handle time-sensitive mail, why should the consumer be punished financially?

The minister counters with the argument that the post office is being punished when people use courier services. He maintains that couriers are skimming the cream and depriving the post office of a lucrative source of income. May I remind him that the cream always rises to the top; if outside sources are obtaining the cream then there is obviously a vacancy of service at the top. By proposing to charge these exorbitant rates for the use of courier services the government is saying to Canadians: "We cannot do the job, but you will have to pay through the nose to have others do it." I certainly take exception to this attitude of the government to thousands of Canadians who depend on quick service for the delivery of sensitive documents such as insurance policies, real estate transactions, legal and financial matters, whether they be of a business or personal nature.

● (2120)

In committee the Postmaster General said that under the new legislation the couriers would have a place in the system. He said that such services may now be illegal. Whether they are operating illegally or not, the point is they are certainly doing a job. If they are operating illegally then why has the government not taken some action against them? I suggest it is because the government knows how vital such services are. The government knows the hue and cry which would be raised if such services were terminated.

The government is now proposing to make the couriers "street legal", to use the vernacular, and Canadians will pay heavily for such legitimacy. Couriers have been, and I feel still are, a very great necessity. I urge the government to abandon this proposed rate structure for courier usage and allow Canadians the right to such service without penalty. To merely tolerate couriers is to merely tolerate the expressed wishes of the people of this country.

I speak from experience on this matter, Mr. Speaker, because I was an insurance agent and a real estate broker for a

number of years. When I started in the insurance business I can recall getting my letters ready to go to Toronto from my home village of Burks Falls and I would take them down to the train station. I would be out working all day trying to make a living and I would do my book work at night. Of course, this was when the passenger trains were running. It provided an excellent service and as there was a mail car on the train I could post my letters as late as 12.50 in the morning and I knew that those letters would be delivered some time that morning to the various companies. I also knew that if I phoned for an insurance policy which had to be in the mail that day it would arrive in my home town the next.

Today that is an absolute impossibility, or at least highly improbable. The same kind of thing applies to real estate deals. Any real estate broker knows, as do lawyers, that there are certain clauses in real estate transactions which stipulate that time is of the essence, the offer must be delivered or accepted on a certain date. If it happens that the documents are not received on that date then the contract is null and void. The real estate broker would be out a sizeable commission.

In my particular business we cannot trust the mail. The salesmen will drive to Toronto, or London, or wherever the offer must be delivered. He insures that the vendor signs it and then he comes back to his home base. If it is not convenient for him to travel that distance then time and again the buses are used. The buses have an excellent record when it comes to giving service. The new postal corporation certainly will not be able to give that kind of service. I see no reason in the world why the couriers should not be continued.

Last week I made a point of checking the letters which were to be picked up by a courier service from the family business which my sons now operate. They are picked up around five o'clock in the afternoon and each one has the price marked on it. It costs more than 17 cents for the smallest letter but a larger envelope containing five or six different policies will actually go cheaper than first class mail. I certainly feel that businesses like insurance should not be discriminated against when the new postal corporation comes into effect.

The present estimates for the year 1981-82 in the Post Office have increased by about $200 million, I believe, to a total of $1.7 billion. That is a great deal of money. Even with the increase the Post Office will still end up in the red to the tune of $557 million. This sum will be borne by the taxpayers. The government is proposing staff changes, eliminating 461 positions but adding 200 others. I understand the cutbacks will be in the areas of marketing, administration and mail processing. The additional workers will be hired for mail collection and delivery. We are well aware of certain areas where the population is booming, for example, Vancouver, Calgary and Edmonton. In these cities the people are crying for mail delivery but the postal budget at present makes no provision for the mail carriers who are so necessary. I strongly suspect that the planned changes in personnel will not result in better mail service, but perhaps the contrary. Some 200 of the jobs being eliminated will be in the mail processing segment of the Post Office. These are positions held by people inside the Post Office who sort mail by hand and by machine. A great deal of this work is done by hand because the machines which were supposed to speed service cannot handle certain sizes of mail. I think Members of Parliament are well aware of this since we have all been notified that there will be a different sized envelope used by Members of Parliament in order that these letters may be sorted by machine without being rejected or damaged. If those 200 positions were designated as letter carriers the mail would still be bogged down inside buildings. These 200 people, who will be used in the entire national system, will hardly make an impact on the service. I know that I will not be holding my breath in expectation of any great improvement in service, and I am sure not too many others will be, either.

The Postmaster General has accepted the fact that there are fundamental problems with the postal service in this country. He seems to think all our problems will be solved once the Post Office is turned into a Crown corporation. In committee he predicted that the service would improve three years after this happens. I hope that there will be some improvement before that, but it could be 33 years, or even more, before we see the type of service that the Canadian people feel they deserve.

The government's proposed bill to create this corporation will not solve all the old problems. It certainly may very well create new ones. If mail service in Canada is to improve the Postmaster General has suggested that the new corporation will have to meet with its employees to establish an acceptable new strategy. "Acceptable" is the key word. Acceptable to whom and at what cost? The minister has suggested that the establishment of this Crown corporation would lead to greater advancement for workers. This is an admirable and understandable, business practice but only when based on undeniable merit and requirements. If the proposed amendments are simply for the purpose of creating more chiefs in the system, then I would suggest to the government that there are plenty of chiefs now and we could do with a whole lot more Indians.

• (2130)

The Postmaster General also spoke of greater productivity and mentions the possibility of bonuses and incentives for workers. This, too, is an admirable ideal, but again one wonders about reality of such thoughts. The stated goal of the proposed Crown corporation is revenue self-sufficiency. Even someone with the most rudimentary knowledge of mathematical expertise would be able to calculate the postal rate increases necessary to cover the costs involved in attaining that goal. I do not think any of us would want to have to pay what the cost of stamps would be to make the Post Office self-sustained. We are well aware that it is a service, and even with the Crown corporation it must be within the means of the great majority of Canadians. Unless postal rates are allowed to soar to unspeakable heights, the corporation will have to rely on government funding assistance for quite some time. Thus, these proposed bonuses and incentives which cannot apply under the structure of a government department will either be paid for in an indirect manner by the taxpayers or delayed, perhaps forever.

There are other equally serious deficiencies in the proposed plans to create the Canada postal corporation. I would suggest to the House that before the bill is passed we might give Canadians an opportunity for further input.

It has been my privilege to serve on a committee of our party, for the Post Office, for some six or seven years, and I have been very interested in it. I have received letters not only from my own riding, but from all over the country because people have known I have served on that committee. I can tell you there have been letters which would really curl your hair, letters which show absolute outrage because, as have been mentioned by other speakers, there is no department of government which involves more Canadians. Everyone, young, old, rich and poor, has something to do with the Post Office, even if it is only getting a birthday card or a Christmas card.

It was my privilege, along with the hon. member for Brandon-Souris (Mr. Dinsdale), who was the critic for our party for some years, to travel to other countries and look into how the Post Office was working there and how the delivery was.

We were in Great Britain and we were informed of the fast mail service there compared to Canada. I am well aware that there is a slight difference in geography. Despite taking that into consideration, I was amazed that mail in Great Britain is delivered a great deal faster. In fact, there is a different grade of mail there. There is a first-class mail for letters, and also a second grade, which does not get delivered so quickly. We were told that quite often these letters at the cheaper rate are delivered faster. We were talking to some of the people in the union, and this one fellow, whatever his title was, I am not sure whether it was a delayer or not, but it was his job to see that not too many of these second-class letters got delivered too quickly, or it would cut down on the revenue from the first-class mail.

We were also in West Germany and were amazed. That is a fair-sized country of some 60 million people. The mail there—I forget, but high in the 90 per cent—was delivered within 24 hours. Germany has mail cars. They use the trains, and I believe this is one of the reasons for its success. When we were there, the people told us they were holding meetings continually to try to improve upon the delivery. I said to the officials in charge, "How can you improve on 24-hour delivery?" Again, they stated that this was a thing which they were going to do.

We are well aware that before too many years down the way the electronic processing will be in. The government itself may be one of the organizations or one of the institutions which will greatly cut down on mail service, and I presume the day is not too far away when cheques for old age security or veterans' pensions, and so on, cheques will just automatically go into everyone's bank account and this will cut down a great deal. I am not too sure, at the present time. I believe there are some six billion pieces of mail which are handled by the Post Office. I am well aware that some—well up in the 90 per cent is delivered within reasonable time. However, even that small percentage, four 4 or 5 per cent, is an astronomical number of pieces of mail which are not delivered in time. That is the reason that Canadian people are so unhappy with their Post Office. That is the reason that they are hoping and we are hoping that this new postal Crown corporation will be a success and will be a step towards an improved Post Office. Again, let me repeat that it will depend on the relations between managers and the employees, because they are all human beings and the idea of simply treating each other—and there is certainly fault on both sides. Employees, time and again, will probably not give the managers a break. We hear about the tens of thousands of grievances which are piling up. I happen to be well aware that three or four thousand of those grievances which are piled up and charged against the Post Office are probably one or two grievances multiplied ten thousand times. Of course, the unions will not explain that too fully, but the public on hearing this say, "Well, what is wrong with the management?" Again, let me commend the Postmaster General. Certainly, with some of its shortcomings, I will be supporting this Crown corporation bill. I will be hoping that the bill will go through, and that under the new system we can look forward to a faster and better mail delivery service.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Pierre Gimaïel (Lac-Saint-Jean): Mr. Speaker, once again it is a pleasure and an honour for me to speak in this House this evening. That does require some effort on my part however because I do have a sore throat. Nevertheless, it is important, I think, that certain things be said. I will only take a few minutes but it is with true equanimity and seriousness that I do.

We are now debating an amendment which seeks to refer again to committee this bill to establish a Crown corporation. Why refer it to committee? For the simple reason that the hon. member for Mississauga South (Mr. Blenkarn) would, instead of having the Corporation established now once and for all, prefer coming back again five years from now for another try at establishing the Corporation or to confirm its mandate. I cannot respond in any positive way to such an amendment or request. To begin with, for many years now everybody in this country, the government of Canada, or rather the various governments we have had, the postal workers, and Post Office management have been in agreement over the fact that we need a Crown corporation to manage the postal service in Canada, and that we should take action as quickly as possible. So why bring in this type of amendment? What could be the actual reason? Should we be back here in five years and question whether things are or are not going well, whether the Crown Corporation should revert to the status of a department or remain a Crown corporation? Any responsible politician know that you do not invest five years in an organisation, that you do not promote it for years only to tear it down right after you get it going.

Hence I am asking myself some very serious questions, and the more I think about it, the more I have the impression that this is another trick of the Progressive Conservative Party to

delay the democratic process in the House and put a spoke in our wheel. I would like to point out, Mr. Speaker, that the Union of Postal Workers recently sent each Member of Parliament a paper asking them to create this Crown corporation as soon as possible, get to the final vote and carry out the proposed postal service of the future in Canada.

Although this bill has been before the House since last July and discussed at length, and although the hon. member for Mississauga South had the opportunity to speak on the bill on five occasions, the hon. members opposite would not co-operate and allow the bill to progress, making it very hard to understand the reasoning which could bring them to say: Well, at the last minute, before everything is finalized, we shall delay a few more weeks to anger the postal employees a bit more, to irritate Canadians once again, and then we shall refer this to the committee to have a little chat on Section 24. Once this is done, the bill will come back to the House for the final vote and we may perhaps suggest another minor amendment. This reminds me of what occurred during the constitutional debate until we were able to reach an agreement!

Frankly, I am beginning to have serious reservations about the real intentions of Progressive Conservative members. Canadians are waiting for this bill. The post office needs to be reorganized. Some contracts for postal carriers have almost exired. These contracts will have to be renewed with a Crown corporation or a department or be temporarily extended until the Crown corporation is established. We are now in the process of creating a new Crown corporation. We can't keep tripping over trivialities as those suggested in the amendment of the hon. member for Mississauga South.

Before we began this process, we knew that the post office was a department. We now know that it will no longer be a department in a short while, and while we are engaged in this process, various decisions are simply being delayed until the new structure of this Crown corporation can be determined and definitely established.

Once again, Mr. Speaker, I would like to ask members of the opposition to understand the wishes of Canadians. They want this country to make progress. They want our institutions to develop. They want us to work for the welfare of the population as a whole. It is certainly not by dealing with trivia that we can achieve progress.

After hearing all this debate, and seeing all the work done by the committee on this bill, I was hoping we would be ready this evening to settle the matter once and for all and to tell democratically to every Canadian exactly what is on our minds, but once again, the same party is resorting to the same old subterfuge and saying: No, no, not this evening. Tonight we will discuss the possibility of referring Section 24 to the committee. Why? I cannot tell you Mr. Speaker just how many hours the member for Mississauga-South was allotted in committee to debate this bill. If he had any goodwill, what he should have done at that time was to introduce his Section 24 before the committee. He could have discussed the matter then. Once again we are simply faced with a dilatory trick—

• (2140)

[*English*]

Mr. Fraser: Mr. Speaker, I rise on a point of order. Could I ask the hon. member a very brief question? I know he would not accuse me of interrupting the full flow of his address but is the hon. member aware that the point at issue in the amendment, which was moved tonight to send Section 24 back to committee, concerns the question of whether there can be a sunset provision? In other words, whether or not Parliament in five years can take a second look at the post office corporation. I wonder if the hon. member is aware that was ruled out of order at report stage. As a consequence, this is the only means by which, under the rules, it is possible for us to put the matter back into this forum. I am sure the hon. member would not want to leave other members or the viewing public in any state of confusion about that.

[*Translation*]

Mr. Gimaïel: Mr. Speaker, I thank you as well as the hon. member. I can confirm to the member that indeed I knew that Section 24, namely the amendment that is amended to refer Section 24 to the committee deals with the wish of the member for Mississauga South to have us deal again with that subject five years from now, so that the member may then review the matter of the actual creation of this Crown Corporation and ascertain if all is in keeping with our expressed intents and purposes and should so be maintained.

But what I was pointing out before the member took the floor earlier, is that it is in my view a delusion to think that after five years of efforts following the creation and development of such a corporation, we could honestly wonder if such a corporation should continue to exist. I suggest it would be foolish to think so; secondly if the member for Mississauga South really intends to evaluate the results in five years time let us then raise that issue at that time. There are various ways of dealing with Crown Corporations. All parliamentarians also have various means of putting forward their views, and it is quite out of the question for us to question the existence of some 400 Canadian Crown corporations every time a problem arises. It will especially be out of the question to consider whether the Post Office should be restored; it would take another five-year period. No, I think that if the member for Mississauga South had been serious, he would have moved his amendment in committee instead of delaying the proceedings of the House, and I continue to say so and to maintain it, and if the hon. member for Mississauga South disagrees, he will surely have the opportunity to speak.

I still maintain that if the member had been serious, he would have moved his amendment in committee because that is the place where we, as members, have more time to state and define our views; that is the place where we have more time to move amendments to all those bills. What I dislike

most in the attitude of the Progressive Conservative Party is that they would have the Canadian people believe that any amendment to a bill should necessarily be introduced in this House. The standing committees of the House have precisely been set up to allow members to have more input in every bill. That is how we work in this House so as to allow the largest possible number of members to speak and to make a worthwhile contribution to the discussion on the various bills introduced by the government or by others.

No, I think that during the months devoted to this debate in which many members from both sides of the House have made useful contributions to the proceedings regarding the setting up of that new Crown corporation, we all had the opportunity to state or put forward our views and the ideas of our constituents. I agree that there is some risk involved in turning a department into a Crown corporation, but I must also admit that my constituents are fed up with the operation of the Post Office during the past 10 or 15 years due to numerous labour relations problems and also to the inertia of the superstructure of another department which was supposed to make investments, which caused many problems. The unions and our constituents told us about it. The employees, and even the official critic of the opposition agreed with this principle. When it was the government, the party opposite expressed its support for the creation of a new Crown corporation. Mr. Speaker, I think that all this input clearly justifies our going ahead and adopting this bill as soon as possible, so that the machinery for the creation of this Crown corporation may be set in motion. As you know, all we have before us are good wishes and papers. Those papers must be turned into concrete measures and develop into a Crown corporation, and it is our duty, as Canadians, to build it. This will be a difficult and long term endeavour. The sooner we begin, the better.

As to the point which the hon. member made earlier, it is a fact that it will not be perfect after five years, for nothing is in this world. Should changes be required, the hon. member is well aware that he will be here, together with me and the other members, to bring them about. I think that that is our job, and that is why we are here. I, for one, have my mind made up, and I wish opposition members would realize that Canadians need that Crown corporation, especially postal employees and the people involved in the postal service. They want it, they pressed us into taking steps to have it, again recently, everyone wants it, the sooner the better. In that context, I ask hon. members opposite to act like Canadians and do so seriously, without resorting to dilatory measures but by saying simply: Do we agree, yes or no? We have the right to vote; we shall use that right and tell Canadians whether or not we want that Crown corporation. But let us do so as quickly as possible.

• (2150)

[*English*]

Mr. Sid Parker (Kootenay East-Revelstoke): Mr. Speaker, it is with a great sense of pride and relief that I rise to speak on this bill. We have been waiting an awfully long time for this opportunity. We are delighted that it has finally arrived because the New Democratic Party was the first political party in Canada to support the idea of a Crown corporation for the post office. This is one NDP policy we are proud to share with the other groups in the House.

Mr. Baker (Nepean-Carleton): You borrowed it from us.

Mr. Parker: We are convinced beyond a shadow of a doubt that this is the best possible solution to the postal problems in Canada today. We are not under any illusions. We know this will not cure all the ills in the Post Office overnight. However, we know this bill will provide an atmosphere which will result in a better Post Office. It will give the Post Office management the opportunity to determine its own priorities without reference to Treasury Board policies which make no sense. The bill will provide the Post Office workers with a much better opportunity to negotiate those aspects of their working conditions which most directly affect them. If the problems in our Post Office can be solved, this is the bill that will provide the catalyst that will allow these solutions.

I want to briefly turn to a few personal comments. I congratulate and express my appreciation to the New Democratic Party and its members for allowing me to sit in on the committee stages and work on this bill. Also, I commend the hon. member for Winnipeg North (Mr. Orlikow) for his efforts in the work on this bill, and also my researcher, David Gort who spent many, many hours researching and helping in the background.

Mr. Kaplan: This sounds like the Academy Awards.

Mr. Baker (Nepean-Carleton): How about your official agent?

Mr. Parker: In the nine months that this bill has been before the House, a lot of nasty words have passed under the bridge from all sides. I just want to take this opportunity to say that despite all these words I have a great deal of respect for two men with whom I have worked on this bill. I want to say with respect to the Postmaster General that if all other members of cabinet were able to exhibit his qualities of patience, tolerance, and flexibility his government might not be so unpopular where I come from. The minister was willing to listen. He was willing to negotiate, and he was willing to be fair. These qualities ensure that he has quite a future ahead of him. It is only too bad he is in the wrong party.

The other member of this House to whom I would like to pay tribute is the hon. member for Vancouver South (Mr. Fraser), the former postmaster general. The hon. member had one of the most difficult roles to play in this debate, and I was honestly astonished at how successfully he was able to play that role. While the committee was sitting the hon. member was also a member of the constitutional committee, which also had a very heavy schedule.

Within his own caucus there exists a rump group of extremely conservative men who do not support the hon.

member with respect to his position on this bill and who, quite frankly, have taken great pains to keep this bill from ever getting through the House. The hon. member for Vancouver South was able to keep these men in line most of the time. He was able to balance his activities on both committees, and he was able to develop strong friendships that cross party lines. He deserves a great deal of tribute from all sides of this House.

I want now to turn very briefly to just a few aspects of this bill in which we are particularly interested. I would like to talk about three amendments which we were able to push through the committee, and about one amendment which we were not able to. The amendments we are particularly proud of we feel will make a big difference to the operation of the corporation. Our amendment to Section 5(2) provides for a guarantee that the corporation will provide similar service to communities of a comparable size, wherever they may be located.

I cannot stress highly enough the importance of this amendment to my own region of western Canada. Over the past five years the post office has been under the hiring freeze of Treasury Board. In that period the provinces of Alberta and British Columbia have suffered tremendous growth rates, yet they have received no additional postal workers.

This has meant that cities like Calgary, Edmonton and Vancouver have postal service which is leaps and bounds worse than comparable service in eastern Canada. The minister points out that service in eastern Canada is bad too, and he is right. But he cannot seriously stand up in this House and suggest to us that the city of Calgary has comparable postal service with the city of Hamilton, a city approximately the same size, if not a little smaller.

Our amendment to Section 5 will guarantee the same level of postal service across Canada. No longer will the provinces of Alberta and British Columbia have to suffer second class postal service. I only hope that those residents of Calgary who are going without postal service take note of the fact that while their own Tory MPs were taking pains to destroy the entire system, to stall this bill, and to replace Canadian letter carriers with American couriers, it was us, the NDP, who were fighting to get this clause into the bill.

The hon. member for Mississauga South (Mr. Blenkarn) talked about courier service. He stated they do not use the postal system. When a representative of the courier service appeared before the committee, I asked whether it was correct that courier services in Toronto were gathering bundles, taking them to the Post Office, mailing them and having their courier service trucks in Montreal meet the Post Office truck and then make the deliveries. Do the people of Canada know that is going on in the Post Office? The hon. member said they were not using the Post Office. I say to him that they are using the postal services. It was admitted in committee.

There are other NDP amendments which I would like to dwell on just briefly. First, I would like to mention that we persuaded the minister to include a section in the bill which provides for the gazetting of any closure of a postal facility and any closure of a postal route. This amendment will give rural residents across the country some protection in the event that their postal service is threatened by cutbacks. Before these cutbacks go into effect the residents will have the option of appealing to government, and hopefully these pleas will not fall on deaf ears.

Finally, we are proud that the government accepted our strong amendment regarding mail opening. We are frankly concerned, however, that the government may reverse itself on this commitment once the McDonald commission tables its report. As the minister knows, such a change will require an amendment to this bill, and I can assure him that such an amendment will not come easily.

We do have two concerns with this bill and I would like to quickly enumerate them. We are very concerned that the government rejected our amendment respecting the rights of contract employees. We felt that small contract employees who wanted to become part of a trade union should have the right to join. The minister rejected that. This bill takes away the right of these employees to bargain collectively. We find that unfortunate, to say the least. As the minister knows, the Canada Labour Code provides for collective bargaining rights for contract employees in the private sector. For the government to provide such rights to other workers and deny them to their own workers is hypocritical and unfair.

• (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

FISHERIES—WEST COAST CHINOOK SALMON STOCKS—RESPONSE BY UNITED STATES AUTHORITIES TO REQUEST SEEKING REDUCED CATCHES—MINISTER'S RESPONSIBILITY

Mr. Benno Friesen (Surrey-White Rock-North Delta): Mr. Speaker, I rose in the House this afternoon to ask the Minister of Fisheries and Oceans (Mr. LeBlanc) some questions that are important to the fishermen along the Fraser River and the coast of British Columbia. I had just heard the hon. member for Richmond-South Delta (Mr. Siddon) try to get some kind of answer from the minister about his disposition toward the negotiations with the U.S. and the Chinook salmon run in the Fraser River. All the minister could say was that he had had a very positive answer from the U.S. officials. That is really not good enough. We have heard that from the minister and his officials for the past ten years. It did not matter what was being negotiated in terms of the fisheries agreement on the west coast, it always sounded good before it happened.

The fishermen have long memories of the negotiations that have been going on, of the promises that were made during those negotiations and what they got at the end. I asked the minister if he had that kind of positive agreement in writing

and if there was going to be any kind of balance or equity in the agreement he was going to sign with the U.S.

I am afraid the minister gave me the same kind of run-around he gave the hon. member for Richmond-South Delta. I can understand why the minister is so anxious to have the fishermen use the barbless hook. He has long practice in getting off the hook. Regardless of how important a question is, he always manages to get off the hook by talking around the question.

The situation along the Fraser is catastrophic. The U.S. fishermen around Point Roberts are catching, in a ratio of nine to one, the Chinook salmon that ought to be coming into the Fraser River and that ought to be the rightful catch of the Canadian fishermen.

I cannot understand the contradictory position taken by the Canadian government when the minister's own officials go to the Law of the Sea Conference and agree to a treaty—it has not been signed yet—whereby anadromous fish like salmon belong to the country in which they originate. That is the agreement of the Law of the Sea Conference. But when it comes to the west coast fishery, then the minister wants to agree to a 50-50 package with the U.S. fishermen. That is an incredible contradiction.

Why does the minister insist on being a long-distance minister for the fishermen on the west coast? I can understand that he would go quite frequently to New Brunswick where his home is. In the past year, however, he has been in British Columbia once. He spent one day there and even then did not meet with the fishermen. I am asking him whether he is content to be the minister of east coast fisheries or whether he plans to be the minister for west coast and inland fisheries as well?

The fact is, that as far as his responsibilities are concerned, he has written off the west coast. He gave me a high-flown answer about what he and his department and his officials have done for the west coast with the salmon enhancement program. Mr. Speaker, that was funded something like seven years ago, at $150 million. That was 1975 or 1976 dollars.

• (2205)

That is not worth $80 million or $90 million. When the Secretary of State (Mr. Fox) looks for funding for the CBC, it is always in current dollars. This minister did not have the fortitude to work for the fishermen in such a way that that salmon enhancement program would be funded with current dollars, yet he had the audacity to boast about it in the House today.

I received a letter today from the Liberal Party of Canada. I received it in my office. It was a request for funds. The only truthful thing in the letter was that the Liberal Party is hard-pressed for money. Mr. McLeod had the audacity to say that the Liberal Party is a grassroots party. If it is so grassroots, why was there a delegation of 22 fishermen here today and yesterday knocking on the doors of the Department of Fisheries and Oceans? If the Liberal Party and this Liberal government are so grassroots, why does the minister not go to British Columbia and meet the fishermen there? I challenge him to go to the next fisheries convention and spend two days at that convention. Dollars to doughnuts, he will not take the fishermen up on that. If he spends one day there, they will be happy. If he spends two days there, he would need a leave of absence from the House of Commons.

Mr. Baker (Nepean-Carleton): I received a letter from them too.

Mr. Friesen: The hon. member for Nepean-Carleton (Mr. Baker) says he received a letter from the Liberal Party too. That is terrific. We can tell they are hard-pressed, but this minister, who wants to be part of a grassroots government, will not have the courtesy and sense of commitment and responsibility to go out and meet with the fishermen there.

Last Sunday there was an audacious situation. The fishermen were meeting in a hall with one set of government officials who were telling the fishermen one thing; another set of officials were meeting with the sports fishermen and telling them another thing; and the minister was somewhere else. The minister makes long distance regulations. He is not meeting with his advisory board; he is going among them. Officials out on the west coast apparently have no contact with the industry or the fishermen involved, and they are making regulations which are totally out of touch with the needs of the community.

Mr. Deputy Speaker: I regret to interrupt the hon. member, but the time allotted to him has expired.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, as you know, Canada and the United States have had several rounds of discussions centring on interception fisheries. The next round of talks is scheduled for April 26 to May 5. In addition, we have also been discussing with the State of Washington the immediate need for co-operative Chinook conservation measures, particularly as they relate to U.S. fisheries in the Point Roberts-San Juan Islands area—Washington commercial areas 7 and 7A—where a large number of Fraser run Chinooks are taken in the U.S. seine and gillnet fisheries.

The State of Washington formally advised us in writing on April 2, 1981 that unless there are significant changes in the problem from mid-April through late October the State of Washington is prepared to close the commercial net fisheries directed at Chinook salmon and, during any commercial net fisheries for other salmon species, require purse seines and reef nets to release chinook and a 5⅞ inch maximum mesh size for gillnets.

In addition, the northwest Indian councils have agreed to the restrictions and will be formally advising the Department of Fisheries and Oceans accordingly in writing.

The above arrangement should result in savings of up to 45,000 Chinook from purse seines and 5,000 by gill nets, many of which will return to the Fraser and other river systems. As

an example of previous United States catch rates, in the 1977 area 7 and 7A fishery seines took 53,000 gillnets took 23,000.

For the first time it appears that real progress has been made in obtaining co-operation from the United States on conservation measures.

IMMIGRATION—LACK OF EDUCATION AND HEALTH SERVICES FOR CHILDREN OF ILLEGAL IMMIGRANTS

Mr. Jesse P. Flis (Parkdale-High Park): Mr. Speaker, on April 3, 1981 I posed a question to the Minister of Employment and Immigration (Mr. Axworthy) about the lack of education and health services for children of illegal immigrant parents. In the same question I asked him what steps he intends to take to stop the increase of this illegal population in Canada. Canadians have for many decades been able to take pride in the fact that in Canada we have a just society. In the best of all possible worlds, Canadians have endeavoured to develop a system of justice, well-being, and general fairness to all. However, there are times that, with all our good intentions, we still manage to overlook certain sections of our society.

• (2210)

It is on this note that I draw to your attention, Mr. Speaker, to the thousands of children across Canada, who live surrounded by anxiety and fear because they are either born in Canada to parents with illegal immigrant status, or brought into the country illegally as small youngsters. In fact, the majority of these innocent victims are not only unable to register in schools, but they are also denied the proper medical attention most of us take for granted.

As an ex-principal of several public schools in Toronto, I am fully aware of the moral dilemma that principals and school boards are often faced with when confronted with immigrants with illegal status.

On the one hand, the administrators would like to demonstrate humanitarianism and register these children in schools to ensure that they receive proper education, knowing very well that the longer these children remain in hiding, the more difficult it will be for them to ever catch up academically and socially with no education and limited exposure to our Canadian culture.

On the other hand, the policy of most boards of education is that they cannot accept any children into the school system who do not produce proof of permanent residence or proof of application being made for landed immigrant status.

Thus, these children grow up as non-persons legally, without school records, registration numbers and other identification everyone else takes for granted. When they are old enough, they are unable to secure employment and unable to receive welfare because they lack the necessary papers and official identity.

Unfortunately, only crime or illegal employment offers them a way to make a living without questions being put to them about legal status. To no one's surprise today, thousands of these immigrants without legal status are frequently exploited by unscrupulous employers who deny them medical care, pensions, and the other benefits normally available to Canadians and landed immigrants.

Although it is difficult, if not impossible, to confirm the number of such children, I have been quoted figures that range from 3,000 to 30,000. However, even if the figure were 300, the problem is critical because these children are growing up in Canada illiterate, emotionally disturbed and socially maladjusted.

I am not advocating an amnesty program, especially when one considers that the previous amnesty, for a three month period in 1973, brought out more than 20,000 illegal immigrants who were in hiding. Yes, it would be very undesirable to permit amnesties to become regular and predictable features of our immigration policy. Rather, I suggest that as a compassionate nation, we take the appropriate steps to bring in tougher regulations and systems of immigration security. To some, this may seem harsh and cruel, but we do now have a most critical situation on our hands that must be alleviated. I am sure these stricter regulations are kind and more humane in the long run.

In this context, I congratulate the Minister of Employment and Immigration (Mr. Axworthy) for establishing a task force to look into improvements in the procedures of the Immigration Act and regulations, as he said in his answer on April 3. However, the minister failed to answer my question of April 3, 1981, when I asked him what he intends to do to stop future immigrants from entering Canada illegally. None of the past ministers of employment and immigration had a solution to this problem either. Therefore, I propose a solution for the government's consideration.

All visitors coming into Canada should be required to complete in duplicate a simple identification card including name, address, date of birth and destination. Such slips could be completed on the plane or ship just prior to arrival at a Canadian port of entry. One copy of the identification slip would be handed to the customs upon arrival in Canada, the other handed to the customs upon leaving Canada. With the use of computers, officials would be able to run a monthly or annual check as to which visitors remain illegally in Canada.

• (2215)

I should like to hear from the minister whether such a system could be considered by the government to curb the number of illegal immigrants entering Canada.

Mr. Norman Kelly (Parliamentary Secretary to Minister of Supply and Services): Mr. Speaker, I am pleased to have this opportunity, on behalf of the Minister of Employment and Immigration (Mr. Axworthy), to assure the hon. member for Parkdale-High Park (Mr. Flis) that all steps possible under the Immigration Act and regulations are being taken to control illegal immigration to Canada. In spite of these efforts, there are still those persons who knowingly enter and remain in Canada illegally; in many cases accompanied by their children. As a result of the actions of their parents or guard-

ians, these children lack legal status in the country and, therefore, are not entitled to medical and educational services.

The hon. member need not be reminded that in Ontario, as in other provinces, medical and educational services remain under the jurisdiction of the province and are not made available to those lacking legal status. Notwithstanding this information, those parents who failed to consider their children's future health needs before bringing them to Canada illegally still have a course of action. The minister stresses that it is their responsibility, for the children's sake as well as their own, to present themselves at a Canada immigration centre. Each case will then be dealt with individually and fairly, with full consideration of all compassionate and humanitarian aspects, especially when children are concerned.

[*Translation*]

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 11 a.m.

At 10.17 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Friday, April 10, 1981

The House met at 11 a.m.

• (1105)

ROUTINE PROCEEDINGS

[*English*]

INCOME TAX

TREATMENT OF PRINCE EDWARD ISLAND AND OTHER EAST COAST FISHERMEN—MOTION UNDER S.O. 43

Mr. Mel Gass (Malpeque): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In February the Minister of National Revenue (Mr. Rompkey) visited Prince Edward Island fishermen and assured them they would be dealt with fairly and reasonably with regard to a tax audit of their income. The fishermen have indicated that they do not trust the government, and they fear that their unemployment insurance cheques will be garnisheed. Therefore I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That this House instructs the minister to assure the fishermen of Atlantic Canada that their UI cheques will not be garnisheed.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EMPLOYMENT

CALL FOR CO-ORDINATED PROGRAM—MOTION UNDER S.O. 43

Mr. Bud Bradley (Haldimand-Norfolk): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Unemployment rose from 12.9 per cent to 13.4 per cent among young people in Canada in March. The young people of Canada are concerned about job prospects in the future. They want to know what their future will be. Therefore I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That this House condemns the lack of action by the Minister of Employment and Immigration to produce a co-ordinated program designed to employ Canadians, especially young people.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

DEPARTMENT OF EMPLOYMENT AND IMMIGRATION

REGIONAL OFFICE PRACTICES—MOTION UNDER S.O. 43

Mr. Dan McKenzie (Winnipeg-Assiniboine): Madam Speaker, I rise under the provisions of Standing Order 43. Owing to the fact that the Winnipeg office dealing with the Canada community development projects for 1980 advanced moneys to a project before the zoning, bonding or building permit requirements were met by the application sponsors, and that the Winnipeg office further extended the deadlines set for funding the project, I move, seconded by the hon. member for Red Deer (Mr. Towers):

That the Minister of Employment and Immigration launch an immediate investigation into these unorthodox practices at his regional offices which undermine the work of members of Parliament and constituency advisory groups.

Until this matter is clarified and corrected, members of Parliament and their advisory groups will not be able to review these applications.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

BANKS AND BANKING

INTEREST RATES CHARGED BY CHARTERED BANKS—MOTION UNDER S.O. 43

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of very urgent and pressing necessity. Some of Canada's chartered banks claim they are losing money or barely breaking even on their credit card operations. I find this extraordinarily hard to believe, considering that banks receive 1.5 per cent per month from at least half of their ten million card holders. In addition, they receive up to 5 per cent per month from merchants who accept credit cards from their customers, which compounds annually to more than 85 per cent. There-

fore, I move, seconded by the hon. member for Beaches (Mr. Young):

That the government examine rates of 21 per cent and 85 per cent and that the Minister of Finance examine this practice of the banks of Canada to ensure that they are not charging Canadians rates which could only be described as usurious.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENERGY

PRICE OF GASOLINE ON PRINCE EDWARD ISLAND—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise under the provisions of Standing Order 43. On the eve of his election campaign visit to Prince Edward Island in February, 1980, the Prime Minister (Mr. Trudeau) said that the price of gasoline under a Liberal government would not rise more than 14 cents. Since then his government has allowed gasoline prices on Prince Edward Island and elsewhere in Canada to increase by more than 40 cents. I move, seconded by the hon. member for Malpeque (Mr. Gass):

That this House censure the Prime Minister for being the only federal party leader not to visit Prince Edward Island during the federal by-election in Cardigan and, further, that the Prime Minister make a statement on motions indicating whether his refusal to come to Cardigan was because he could not face the wrath of the people of Cardigan in light of his broken promise to keep gasoline prices down.

Madam Speaker: Is there unanimous agreement for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1110)

THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, I rise on a matter of urgent and pressing necessity. Given that consumer prices have risen unmercifully since 1976 to the point where the inflation rate is spiralling out of sight, and given that it has been several years since the Prime Minister (Mr. Trudeau) boasted he had wrestled inflation to the ground, I move, seconded by the hon. member for Simcoe North (Mr. Lewis):

That this House urge the Commissioners of Internal Economy to budget for the services of a professional wrestling coach, someone like the member for St. John's West, for instance, who can show the Prime Minister the real way to wrestle inflation to the ground.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

EXTERNAL AFFAIRS

EL SALVADOR—MASSACRE OF REFUGEES—MOTION UNDER S.O. 43

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of most urgent and pressing necessity. In view of the brutal massacre of 1,500 Salvadoran refugees in a cavern near the Honduran border, a massacre initiated and carried out by the Salvadoran army with the aid of the Honduran military, I move, seconded by the hon. member for Cowichan-Malahat-The Islands (Mr. Manly):

That this House unanimously condemns this wanton massacre of 1,500 innocent people and urges the government to protest this outrage in the strongest possible terms to the Salvadoran and Honduran governments.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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SEARCH AND RESCUE

TRIBUTE TO LIFE-SAVING EFFORT BY AIRCRAFT CREW—MOTION UNDER S.O. 43

Mr. Stanley Hudecki (Hamilton West): Madam Speaker, I rise to repeat a motion under Standing Order 43 at the request of the hon. member for St. John's East (Mr. McGrath), to draw attention to the heroic efforts of the search and rescue arm of the armed forces. I move, seconded by the hon. member for St. John's East:

That this House recognize the daring search and rescue effort by the crew of a Greenwood, Nova Scotia based Aurora aircraft, who, under adverse flying conditions, 300 foot ceiling and a one and a half mile visibility, on their own initiative during a two hour search on Monday played a key role in saving the lives of four people on a raft adrift on the North Atlantic.

Madam Speaker: Motions under Standing Order 43 are not meant to be repeated in the House once they have been dealt with. This is a congratulatory motion. I am sure that the House would want to express its sentiments by applauding.

Some hon. Members: Hear, hear!

THE LATE GENERAL OMAR BRADLEY

EXPRESSION OF SYMPATHY—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise on a matter of some importance under the provisions of Standing Order 43. United States General Omar Bradley, a Second World War hero and last of the American five-star generals, died Wednesday of a heart attack, at the age of 88. It has been acknowledged by those in the allied forces who either had the privilege of serving with him or who were able to witness and appreciate his leadership—and this includes thousands of Canadians—that General Bradley was an able and courageous leader and a fine gentleman. I therefore move, seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That this House, on behalf of the people of Canada, and in particular the Canadian veterans of the Second World War, extend an expression of our deepest sympathy to General Omar Bradley's family and to the American people.

Madam Speaker: Here again, the House will note the sentiments that are expressed in the motion.

Some hon. Members: Hear, hear!

* * *

EXTERNAL AFFAIRS

POLAND—SUPPORT FOR PEACEFUL RESOLUTION OF CRISIS—MOTION UNDER S.O. 43

Mr. John Kushner (Calgary East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of critical importance to world peace and security. I move, seconded by the hon. member for Edmonton North (Mr. Paproski):

That this House go on record as being in support of a peaceful resolution to the crisis in Poland and in opposition to outside military intervention and interference, and further, that this House go on record as commending the initiatives of individual Canadians in sending food aid to Poland as a humanitarian gesture in a time of difficulty.

Madam Speaker: Is there unanimous consent for the introduction of this motion?

Some hon. Members: Agreed.

Madam Speaker: Does the House agree to the said motion?

Some hon. Members: Agreed.

Motion agreed to.

• (1115)

ORAL QUESTION PERIOD

[*English*]

EMPLOYMENT

GOVERNMENT ACTION TO STIMULATE JOBS FOR YOUNG PEOPLE

Mr. Doug Lewis (Simcoe North): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. The March unemployment figures showed a rise in the seasonally-adjusted unemployment rate from 7.2 per cent to 7.4 per cent. Canadians are especially concerned about the future of young people in the country, since employment dropped in the 15 to 24 age group by 14,000 jobs.

What action is the government taking, on a co-ordinated basis, to stimulate jobs for young people?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, in response to the hon. member I should like to point out that the unemployment rate for this March is still lower than it was for last March. Furthermore, in the first three months of this year we have created close to 140,000 new jobs in the country. It is the tenth month in a row in which we have had a rise in employment. It is the best record of any industrial country in the western world at this point in time.

However, it does not necessarily mean that we take great satisfaction from the fact that there are unemployed. It means that with all the various pressures we face in the world, particularly with the increases in pricing of oil and other energy commodities, the Canadian economy is still performing very well and is still providing good employment for Canadians.

PLANS TO COMBAT URBAN UNEMPLOYMENT

Mr. Doug Lewis (Simcoe North): Madam Speaker, despite the suggestions of the minister, unemployment is still a problem. It continues to be a problem which the government has failed to solve despite a year in office.

In typical cities such as London, Ontario, the unemployment rate has risen from 5.5 per cent in March, 1980, to 8.1 per cent in March, 1981. Does the minister have any specific plans to attack the unemployment problems in Canadians cities?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, if the hon. member had been in the House over the past several months he would know that a number of initiatives have already been taken. The Minister of Finance announced a $350 million industrial adjustments program, designed specifically to respond to communities which are hard hit by lay-offs, such as many of those in southwestern Ontario. The program is being implemented now in those communities. It is providing major assistance in additional industrial grants and new jobs, as well as providing a number of labour market subsidies for new retraining programs. The

industrial adjustments program is a very innovative and useful tool which is being applied directly to those communities about which the hon. member talks.

INDUSTRIAL DEVELOPMENT STRATEGY

Mr. Doug Lewis (Simcoe North): Madam Speaker, to the best of my knowledge, London, Ontario, is not included on that list of cities.

Employment in the manufacturing sector was down by 10,000 jobs in March, 1981. The minister will know that the Minister of Industry, Trade and Commerce has often claimed to be developing an industrial strategy for Canada. The government has been in office for a year, and it has not come forward. How much has the failure of the Minister of Industry, Trade and Commerce to present such a strategy hurt the minister's efforts to develop an employment strategy?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, contrary to the assumption of the hon. member, I have found that the efforts of the Minister of Industry, Trade and Commerce to respond to the needs of industry, just as those of the Minister of Finance and all economic ministers working together in an attempt to put together a co-ordinated approach to deal with the economic issue, have been extremely helpful.

It would be worth while for the hon. member and other members of the House not to focus simply on the statistics for one month, but to take a look at the last three-month period in which manufacturing and goods producing have shown a marked improvement. We cannot take only the month of March as a measurement; we must look at the entire first quarter in which goods producing, construction and manufacturing have risen substantially.

* * *

THE ECONOMY

FISCAL PLANS TO COMBAT INFLATION

Mr. Girve Fretz (Erie): Madam Speaker, my question is directed to the Deputy Prime Minister and Minister of Finance. The minister is well aware that inflation in Canada is going up faster than Space Shuttle Columbia. He should know that it now costs $211 to purchase goods which in 1971 would have cost only $100.

Does the minister have any plans for introducing policies of fiscal responsibility to deal with the complex problems of inflation, or will he remain content to fight inflation on the backs of the middle-class who are caught in a wage-price squeeze?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): No, Madam Speaker.

INCREASE IN FOOD COSTS—REQUEST THAT PRODUCERS RECEIVE OIL SUBSIDY REBATES

Mr. Girve Fretz (Erie): Madam Speaker, the minister is also aware that the Department of Agriculture released figures which show that the cost of a nutritious diet for a family of four rose 1.2 per cent in one month. That means that the yearly increase in the cost of feeding a family of four will be 14 per cent, which is even higher than the projected rise in the consumer price index. In light of this increased burden on families, has the minister any plan to reintroduce the PC policy of allowing the producers of our food rebates on the cost of the oil necessary to produce that food so that food costs could be kept down for the consumer?

• (1120)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member has referred to a release of the Department of Agriculture indicating an increase in food costs. He will be aware, as well as I am, that that increase is basically due to improved returns for producers in agriculture and it is also due to shortages of various crops throughout the world. Also, future trends will depend to some extent on access to markets abroad. The movement in the food price index is caused by a number of complex factors.

I do not believe the hon. member is very consistent in asking me in his first question to practise fiscal restraint and then, in the second question, to ask me to launch a new program of spending in order to assist the farmers. That is the kind of assistance in formulation of policy that I do not need at the present time.

Some hon. Members: Hear, hear!

REQUEST FOR INTRODUCTION OF SPRING BUDGET

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, my question is for the Minister of Finance. In light of the figures released this morning by Statistics Canada which show that there are 9,000 fewer jobs in the economy this month than last, and that we have 60,000 more unemployed, and in light of the fact that the minister's forecast in his budget with respect to inflation has now been proved to be wrong by about 20 per cent, and in light of the fact that his earlier predictions that the interest rates we suffered last year were merely temporary and not a permanent feature of our economy—we have seen how wrong that prediction was—is the minister in a position to say that we should have a budget in the spring, since the constitutional fandango appears to be winding down, which will relate to the economic problems which we are facing now? With these economic problems even more serious than they were last year, is the minister willing to show the Canadian people that the government is prepared to deal with the problems which really concern the people right across this country?

Some hon. Members: Hear, hear!

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member included many points in his question. With respect to the unemployment situation, he knows as well as I do that the unemployment rate we have been experiencing in 1981 is better than that forecast in the budget. The economy is stronger and the rate of growth in the economy is stronger, otherwise we would not be experiencing the kind of inflationary pressures that the hon. member is mentioning.

With respect to the question of employment, there has been a change from last month to this month, with a slight increase in the seasonally adjusted unemployment rate. But I would remind the hon. member that a year ago the seasonally adjusted unemployment rate was higher than it is today, and that in the past year we have created 321,000 new jobs. In addition to that, the performance on the unemployment side of the economy is better this quarter than it was in the immediately preceding quarter.

• (1125)

I mention some of these other elements to indicate to the hon. member that I do not think that his suggestion that I bring in a budget at this stage to counteract what he considers to be excessively high unemployment is a very good idea. If the hon. member had focused his attention on inflation and could produce some new policies in that field, then it might be interesting for the House to consider that kind of an approach.

QUERY RESPECTING INDUSTRIAL STRATEGY

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I am glad the minister mentioned the word "focus", because it is the lack of focus of this government on the basic problems affecting the Canadian people which is the real problem facing the country right now.

When the minister talks about focus, I would like to ask him what has happened to the government's so-called industrial strategy which was promised to the Canadian people in the election and which was promised to the Canadian people in the Speech from the Throne. The word "immediate" was used in the Speech from the Throne. It said there would be an immediate industrial strategy.

What has happened to the over-all focus of the government on the basic economic problems facing the country, and why has the government taken the decision to shelve the industrial strategy just at a time when it is clearly something which the Canadian people want and expect from their government? Why is the government abdicating its economic leadership, just at a time when it is exactly what the Canadian people are expecting?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the question is obviously filled with rhetoric, and not being accustomed to dealing in rhetoric myself, I—

Some hon. Members: Oh, oh!

An hon. Member: Even the Prime Minister is laughing!

Mr. MacEachen: —I find it difficult to answer the question. But let me tell my hon. friend that in the budget the necessity of improving performance in the economy, through increased productivity and increased economic development, was recognized through the increased spending which was made available in the economic development envelope, a very substantial increased spending. It is within that envelope that the Minister of Industry, Trade and Commerce, the Minister of Science and Technology, the Minister of Employment and Immigration and other ministers have been developing—within that over-all framework—particular approaches to important sectors of the economy.

I disagree with the hon. member who says that we have made no progress and that we have not developed any industrial strategy. He must accept, as I do, the importance of adjustment in the country as part of an industrial strategy. We just recently announced the designation of several communities which are facing particular adjustment problems. I regard that as an important part of industrial strategy, and if I were not conscious of you, Madam Speaker, I might take some more time and talk about other components of the industrial strategy. But really one cannot deal with that rich subject on the orders of the day.

Mr. Crosbie: You can't deal with it at all, twenty-four hours a day.

GOVERNMENT PLANS TO DEAL WITH HIGH INTEREST RATES

Mr. Bob Rae (Broadview-Greenwood): Well, for someone who does not know anything about rhetoric, the minister did rather well in his answer, rather well in terms of rhetoric. He failed, in terms of substance, because he did not tell us anything at all about why the government has shelved the over-all economic strategy which it promised us during the election and which it promised in the Speech from the Throne. We have had a year pass, and we have had nothing from the government in terms of a basic approach to the economy.

My final question to the minister has to do with interest rates. The minister has been on record as saying, last year in the Speech from the Throne that the interest rate phenomenon was a temporary one, that it was something which would pass, and that relief would be provided to those people who are most seriously affected. I would like to ask the minister now whether he is not pausing to reflect a little bit on the fact that we have been living with interest rates in the stratosphere for an awfully long time, that they show no signs of coming down, and that they are having a devastating effect on the construction industry, on the housing industry, on the car industry, on the forest products industry, and right through the economy.

Does the minister not think that it is time that the government should take the opportunity to say that the interest rate phenomenon is a very deep and difficult one and that the government is prepared to deal with it through the tax system or the monetary system, in order to provide the relief which is

necessary, and in order to get investment up and the economy going, and to provide jobs for the Canadian people?

• (1130)

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member refuses to acknowledge the fact that at present there is considerable strength in the Canadian economy, and its performance has been much better than anyone would have projected last fall, both on the employment side and on the production side.

The hon. member talked about construction. He ought to know that employment in the construction industry recorded strong growth in March, for the first quarter as a whole. Construction employment rose 5.1 per cent following five consecutive quarters of decline. That is improved strength in the construction industry, which the hon. member singled out for better attention.

He talked about high interest rates. As far as I am concerned, it is quite a mistake to talk about controlling high interest rates unless we control over-all inflation. That is the problem we face.

* * *

EMPLOYMENT

INCREASE IN UNEMPLOYMENT ON PRINCE EDWARD ISLAND—ACTION TO REMEDY

Mr. Tom McMillan (Hillsborough): Madam Speaker, my question is for the Minister of Employment and Immigration. When the government took office on March 4, 1980, the unemployment rate on Prince Edward Island was 13.4 per cent. Figures released today by Statistics Canada reveal that the unemployment rate on Prince Edward Island soared to 16 per cent for March. How does the minister account for that sharp increase in the unemployment rate on Prince Edward Island, and what specific steps does he intend to take to deal with the crisis?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, I want to point out to the hon. member that one important step that we took, immediately upon becoming the government, was to reintroduce direct employment programs for Prince Edward Island that the hon. member's government had cancelled so that there was no opportunity whatsoever for any additional federal systems to provide employment on that island. We have now spent several millions of dollars on that island for the provision of direct employment assistance through the community development project. If the hon. member is looking for an answer to how the people of Prince Edward Island have been helped, they have been helped by electing a Liberal government.

AID TO REDUCE BURDEN OF HIGH INTEREST RATES

Mr. Tom McMillan (Hillsborough): Madam Speaker, my supplementary question is for the same minister. In the House of Commons on October 29, 1979, the minister said:

If there is a requirement to raise interest rates, there is an equal requirement to help those people hurt by those interest rate increases.

The prime bank rate when the minister made that statement in the House was 15 per cent; it is now 17.75 per cent.

To deal with the unemployment crisis on Prince Edward Island, which the policies of his government have done nothing to help but, rather, have hurt, would the minister begin by urging his colleague, the Minister of Finance, to reduce the burden of high interest rates at least on primary producers, in particular fishermen and farmers?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, the Minister of Finance, as we well know, is well able to answer these questions for himself. I would point out to the hon. member that again one of the major changes that was introduced by this government was a budget which puts together a regime of lower energy prices which helped all Canadians, particularly those on lower incomes. Furthermore, we established a major income supplement program for the elderly to cushion the effects of higher costs and inflation, again adhering to the basic commitment of this government to help those who have the greatest difficulty in our society.

Mr. Clark: You know as little about the island as you know about Manitoba.

* * *

INCOME TAX

TREATMENT OF PRINCE EDWARD ISLAND AND OTHER EAST COAST FISHERMEN

Mr. Mel Gass (Malpeque): Madam Speaker, my question is for the Minister of National Revenue. The minister is aware of the tax audit of the fishing industry in Atlantic Canada. While the minister was in Prince Edward Island in February he assured the fishermen that they would be dealt with fairly and reasonably in repaying money owing in back taxes. The provincial director, on the other hand, states that he personally does not see any justification for special treatment of the fishermen.

Can the minister assure the fishermen, not only in P.E.I. but in Atlantic Canada, that he will live up to his promise and that he will not take such drastic steps as garnisheeing their UI cheques?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, I want to repeat that commitment made to the fishermen in Prince Edward Island that indeed they will be treated fairly and equitably, as will all fishermen and all taxpayers in the Atlantic area. There are a number of ways of collecting back taxes; garnisheeing is only one. I responded

just recently to the brief presented to me by the P.E.I. fishermen setting out the way in which we intend to approach the problem. Taxpayers in all parts of Canada must pay taxes, Madam Speaker, but, on the other hand, they must be treated fairly and equitably, and I intend to see that that is done.

Mr. Gass: I wish to direct a supplementary question, Madam Speaker, to the same minister. Could the minister confirm reports that the tax audit of the fishing industry in Atlantic Canada has been halted in the federal riding of Westmorland-Kent by his colleague, the Minister of Fisheries and Oceans, who, by the way, is the member for Westmorland-Kent? Is the same type of investigation being carried on in Westmorland-Kent and, if not, why not?

Mr. Rompkey: Madam Speaker, the audit is being carried on all across Canada, in the Atlantic area and on the west coast, as a whole. It is an industry audit; it is an audit that we do normally every year in various types of industries.

Mr. Trudeau: Started by the Tories.

Mr. Rompkey: It was begun by the previous administration and is being carried on under this administration. It is being carried on fairly and equitably in all areas.

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HEALTH AND WELFARE

CHANGE IN TAX PROVISIONS TO HELP CHILDREN OF POOR FAMILIES

Mrs. Margaret Mitchell (Vancouver East): Madam Speaker, my question is for the Minister of National Health and Welfare and it concerns the children of the working poor in Canada. Last May the minister stated to the Commission for the International Year of the Child that the child tax credit should be increased, funds should be redirected to children who need help most, and that the current exemptions help the rich more than the poor. We know that this was substantiated by the National Council on Welfare this week. What specific changes does the minister recommend that will benefit poor children and when will these be implemented?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, one step that I suppose would help a great deal to put the message across and convince people of the importance of redirecting money that goes to middle-class families in Canada and families with good money, to lower-income families—and it is not for me to prejudge the report—would be to include that as a recommendation of the report of the special subcommittee of the Standing Committee on Health, Welfare and Social Affairs of the House of Commons in which the hon. member is a participant.

Other than that I must say that, from a social policy viewpoint, we have put on our priority list work showing the benefit that an increased child tax credit, possibly financed from the child tax exemption that exists now, would be in helping the half million working poor in the country. We are proceeding with it through the normal procedures in the government system.

REQUEST THAT WORKERS ENGAGED IN COMMUNITY PROJECTS BE PAID HIGHER WAGES

Mrs. Margaret Mitchell (Vancouver East): Madam Sepaker, my second question concerns the same subject and is directed to the Minister of Employment and Immigration. We know that the Welfare Council has documented that one million working poor in Canada include workers who are on government grants and who are performing essential community services. When will the government stop promoting national poverty through the minister's department, raise pay levels for these workers, and make these essential services permanent in communities?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, the hon. member would know that the employment programs that we provide through the federal government have, as their basic minimum, the minimum wage standard set in each of the provinces. I suggest to the hon. member that if she has some concern about the level of salaries paid, the real answer resides at the provincial level where minimum wages are set.

● (1140)

That is the standard we use to ensure that we also get the largest distribution of the moneys we have available to provide direct employment for people and to provide, in those employment programs, very specific priorities that are set by the local communities regarding what is important in terms of the kinds of public works or facilities that they need. We have established the principle of the local communities setting priorities through the local advisory boards set up by Members of Parliament.

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FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS

TRANSFER PAYMENTS TO PRINCE EDWARD ISLAND

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Minister of Finance. Food prices are up, inflation is up, the cost of living is up, interest rates are up, unemployment is up, the minister has given up and the public is fed up.

Mr. Nielsen: And we are all going to throw up.

Mr. Crosbie: My question to the minister is this. Is he going to add to the problems of the people of Prince Edward Island and other disadvantaged provinces by carrying out the statement in his budget of October 28, that a large element of our expenditures "especially in the social affairs envelope consists of transfers to the provincial governments and we expect significant savings here"? Is the minister going to reduce transfer payments to Prince Edward Island, for example the

$193 million in transfers that they receive in equalization, hospital insurance and medicare? Will he enlighten the people there in time for Monday's election? Are they supposed to vote Campbell for more cunning cuts?

Mr. Lawrence: Now 'fess up.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member was incomplete in his preamble when he said the Canadian people were fed up. I thought they were pretty well fed up with the hon. member and his budget, and showed that quite a bit. The hon. member is asking an electorally directed question. His sudden interest in Prince Edward Island is edifying. It will probably disappear after Monday next. However, it gives me the opportunity of saying that, of all the Atlantic provinces, Prince Edward Island benefits more from, for example, the development programs of this government.

Transfers to Prince Edward Island through DREE are very much higher than Nova Scotia, New Brunswick, and Newfoundland for that matter. They are much higher than any of the other Atlantic provinces. There is a 15-year development plan that has been financed by the federal government to the extent of 80 per cent. It is up for renewal at the present time, and there is a request to the federal government for an additional $80 million to finance that development program. All the fears expressed by the hon. member are unfounded, electorally directed, and if he wants to get on the bandwagon and support equalization, which is proposed in the constitutional bill, why does he not support that and help Prince Edward Island?

Mr. Crosbie: Madam Speaker, is the minister saying that he does not tell the truth in his budget speeches? He said in his budget speech that he is going to save money by cutting back on transfers to the provincial governments in the social affairs envelope. Will he answer the question for a change and deal straight with the public? The public loved my budget after having seen his.

Some hon. Members: Hear hear!

Mr. Crosbie: Is the minister saying he is a man who does not tell the truth? Is he or is he not going to cut back on social transfers to the provinces, for example, in P.E.I., the $193 million? The minister's officials are now meeting with provincial officials. They are telling them they want to save $1.5 billion in transfer payments for post-secondary education and the like. For example, the $701 million they are paying—

Madam Speaker: Order. I ask the minister to be brief as well.

Mr. Crosbie: My question then to the minister—

Madam Speaker: Order. I have heard the question. There was a question asked. I heard it.

Mr. Crosbie: Will the minister answer the question?

Mr. MacEachen: Yes, Madam Speaker.

Mr. Crosbie: A supplementary, Madam Speaker.

Madam Speaker: Order, please.

Mr. Crosbie: A supplementary, Madam Speaker.

Madam Speaker: The hon. member for Saskatoon West.

Mr. Crosbie: Madam Speaker, the minister did not understand the question.

Madam Speaker: Order.

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CRIMINAL CODE

UPDATING OF LAW RELATING TO COMPUTER CRIME

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is for the Minister of Justice. We are all aware of both the extent and the importance of the computer revolution in our society. While technology has evolved swiftly, our laws have remained largely static. In July, 1980, the Supreme Court of Canada, in a case called *R. v. McLaughlin*, ruled that Section 287 of the Criminal Code, the section dealing with the theft of a telecommunication service, did not cover the unauthorized use of a computer facility. The law was proven to be woefully anachronistic. Can the minister advise the House when we can expect the introduction of legislation which will bring the law respecting computer crime up to date?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, this is a very important and difficult question which involves a lot of fundamental legal issues. It is being reviewed in the department at this time. We have been in communication with the Canadian Bar Association on this subject. We are studying the problem at this time with the Law Reform Commission, and have been in touch with the provinces on this matter. It is a very complex new development in law. We are working on it. I am not in a position to tell the House when we will be ready to bring forward legislation on the subject.

Mr. Hnatyshyn: As the minister will know, the Canadian Bar Association has requested speedy action in this area. Will the minister commit himself to introducing a separate bill with respect to this matter at an early date, rather than waiting until the omnibus bill on the Criminal Code amendments comes forward at the next opportunity? Will he give specific priority to this study so that we can have early legislation?

Mr. Chrétien: Madam Speaker, it would be very helpful if the hon. member were to guarantee swift passage in the House of Commons. There are many bills in front of the House at this time and they are not being sent to committees very quickly because of time being spent on other matters.

FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS

TRANSFER PAYMENTS TO PRINCE EDWARD ISLAND

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I have a supplementary question for the Minister of Finance who was asked whether he stood by his budget statement that the Government of Canada was expecting savings in payments to provincial governments. He answered that question with a yes. Can he now give us a guarantee that Prince Edward Island can continue to count on the $193.8 million it receives in transfer payments from the federal government? That is a simple question, and a direct figure. Can the Minister of Finance give us that assurance now that Prince Edward Island can continue over the next two, three, or four years to count upon that amount of transfer payment from the federal government.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, as the Leader of the Opposition knows, the whole question of fiscal transfers is now a matter of discussion between the Government of Canada and the provinces. It is under study by the parliamentary task force. The Leader of the Opposition talked about the figure of $193 million. It may be that, as a result of changes that take place in the transfer system, Prince Edward Island might even increase. I don't know.

Mr. Crosbie: It might decrease.

Mr. MacEachen: I said it might increase. I did mention, when I was in Prince Edward Island a week ago tonight, at Saurio where I followed the right hon. gentleman at a meeting, the whole question of fiscal transfers. I pointed out, for example, that in 1979 the per capita revenue from resources in the province of Alberta was about $1,800, while in the province of Prince Edward Island it was $3. That is not the kind of revenue distribution that we on this side of the House stand for, but it is espoused over there.

Mr. Clark: Madam Speaker, the Minister of Finance promised in his budget that he would realize savings by cutting back on transfer payments. He has now resisted answering a straight question regarding payments to the province of Prince Edward Island. He said they might increase, which means that they might very well decrease. We on this side of the House suspect that he is planning a decrease in the amount of money which will be available to the people of Prince Edward Island, and that he is trying to avoid questions in this House by hidding behind the task force that has been established.

● (1150)

What we want to know now is whether the Minister of Finance will give a guarantee that the new formula which will be worked out will guarantee the people of Prince Edward Island that they will receive at least as much in the future in transfer payments as they are receiving now. Will he give us that simple guarantee, and will he give it to us now?

Mr. Baker (Nepean-Carleton): Yes or no.

Mr. MacEachen: Madam Speaker, the Right Hon. Leader of the Opposition is really quite unrealistic. He would probably be the first to criticize if I, at this moment, decided what will be the result of negotiations with all the provinces, and what will go into a form of agreement with the provinces. It is absolutely a fact—and I do not withdraw from the budget statement at all—that we hope to achieve savings in the transfers to the provinces. We have not decided yet where those savings will take place, or in what programs. We have not decided how a new fiscal system will operate. All of this is up for discussion. I think it is quite unfair for the Leader of the Opposition to pick a figure out of the atmosphere and say, "Yes, stand by that," even before negotiations with the provinces have commenced.

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AIRPORTS

REQUEST FOR ASSIGNMENT OF PRIORITIES IN MODERNIZING MUNICIPAL AIRPORTS

Hon. Bud Cullen (Sarnia-Lambton): Madam Speaker, I have a question for the Minister of Transport. Yesterday the minister indicated that he was prepared to consider another privately financed terminal at Toronto airport. It is appropriate that most of the airports which are discussed in this House are the larger ones, the Montreal airport, the Toronto airport, the Winnipeg airport, etc., but across the country there is a series of smaller municipal airports, quite often funded by the federal government and administered by the local municipalities. Many of these now have master plans, and they are significant to the economy of those particular regions.

I wonder if the Minister of Transport is prepared to indicate today that he will take a careful look at the smaller airports and to set some priority there, because they are fast becoming out of date in terms of not serving communities and certainly in terms of not serving the air industry of Canada.

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, the only thing I can say rapidly on this subject this morning is that my department's budget for airports over the last years had been declining quite substantially. I made a presentation to my colleagues on this subject, and I think they will be very sympathetic. Notwithstanding the fact that the needs for local airports are almost unlimited, I now hope that in the coming months I will be in a slightly better position to do more than has been done recently for medium-sized and smaller airports.

* * *

EMPLOYMENT

JOB CREATION PROGRAMS FOR YOUNG PEOPLE

Mr. David Orlikow (Winnipeg North): Madam Speaker, I would like to direct a question to the Minister of Employment and Immigration. In answer to an earlier question he pointed

out that 140,000 new jobs had been created in the last few months. I point out to the minister that, according to figures released today, there are over 450,000 young people unemployed. That is more than 45 per cent of all the people unemployed. We are going into a period when high school and university students will be coming onto the job market, and I want to ask the minister whether he has any plans to expand the job-creation programs of his department to take care of a substantial number of those young people who are now or will in the very near future be unemployed.

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, as the hon. member knows, we have been trying to re-orient our job-creation programs to target in on those groups in the community which have the most difficult employment problems, and to concentrate our resources on giving them some opportunities and on bringing down work barriers.

As the hon. member knows, a new program beginning on May 1 is designed to create jobs for the handicapped and those who are the hard core unemployed in our communities. We will be concentrating our efforts in those areas to try to break those barriers down, in addition to maintaining broader based programs such as the student employment program, which will provide opportunities for students.

Where we are concentrating a large part of our resources is in the job centres across Canada. There will be 300 or 400. We will try to develop job opportunities in the private sector for students. Under that program there were close to 300,000 placements last summer, and we hope to have an even better record this year by making sure that the private sector provides the fullest opportunity for students and young people during the forthcoming months.

INCREASE IN UNEMPLOYMENT IN MANITOBA

Mr. David Orlikow (Winnipeg North): Madam Speaker, I know the minister pays particular attention to the problems of our province. I am sure he has noticed that the number of unemployed, according to Statistics Canada, has increased from 30,000 last month in Manitoba to 35,000 this month and that the real rate of unemployment is not 35,000 but 51,000. The minister will know that in some areas of our city of Winnipeg the unemployment rate is not 10 per cent or 15 per cent but 50 per cent or more.

I want to ask the minister what plans he has, and what has happened to the $4 billion western development fund. Rather than seeing an improvement in Winnipeg, we are seeing a further deterioration of a very serious situation.

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, as the hon. member knows, those of us who live in Manitoba must suffer because of the fact we have a provincial administration with a peculiar monetary policy. This has resulted in the fact that we do not have much of an economy or much economic development. Therefore we are doing our best to compensate for the lack of effort in that province.

I point out to the hon. member that we are negotiating at the present time a major program for the core area of Winnipeg. The objective is to provide close to 3,000 or 4,000 jobs for the hard core unemployed in that area. That program was initiated by this federal government. We are asking for a response and for the co-operation of the other levels of government. I hope my colleague, the Minister of Regional Economic Expansion, and I will be able to finalize that agreement within a very short period of time so that we can get down to assisting those in the downtown area of Winnipeg who have the most serious employment requirements.

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POST OFFICE

COMMEMORATIVE STAMP FOR KNIGHTS OF COLUMBUS CENTENNIAL

Hon. Steven E. Paproski (Edmonton North): Madam Speaker, my question is directed to the Postmaster General. The Knights of Columbus will be celebrating their one hundredth anniversary next year. Will the Postmaster General ensure that a centennial stamp will be struck in 1982 for such a worth-while fraternal organization?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, in reply to the question asked by the hon. member, I am happy to tell him that I have already received representations from members on both sides of the House on this matter, and there is every reason to believe that the committee responsible for selecting the design of stamp issues will agree to commemorate this event next year.

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[*English*]

THE ADMINISTRATION

SUGGESTED ESTABLISHMENT OF SEPARATE DEPARTMENT OF TRADE

Mr. John Thomson (Calgary South): Madam Speaker, my question is directed to the Prime Minister. In view of the increasing importance of trade to Canada—trade represented some 31 per cent of our gross national product in 1980—I wonder if the Prime Minister would consider separating the trade portfolio from the Department of Industry, Trade and Commerce so that it might function with a greater degree of autonomy and responsibility.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, that is a suggestion which is made from time to time. The hon. member will recall that it was in the mid-1960s that the departments were united. At that time the argument was

in that direction. I think this government has met the difficulty which the hon. member sees in asking his question by the fact that we not only have an excellent Minister of Industry, Trade and Commerce, but we also have helping him an excellent minister responsible for international trade, the Minister of State for Trade, and another excellent minister, the Minister of State for Small Businesses and Tourism. In this way this government explains why it has been doing so well in increasing its foreign trade balances.

Some hon. Members: Hear, hear!

Mr. Thomson: Madam Speaker, I think it is clear that the Department of Industry, Trade and Commerce has so many functions to carry out, and that the trade function will be of such vital importance to Canada in the future, that creating a separate portfolio for this function warrants the consideration of the Prime Minister.

RESPONSIBILITY FOR TRADE COMMISSIONERS IN CANADIAN EMBASSIES

Mr. John Thomson (Calgary South): Madam Speaker, does the Prime Minister believe that it is wise to proceed with the integration of the trade commissioner service under the Department of External Affairs when trade is of such national importance?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, the logic of the question is difficult to follow. In one instance the hon. member wants us to separate departments, and in another he argues about the Department of External Affairs.

Mr. Kempling: What?

• (1200)

Mr. Trudeau: The argument about External Affairs, as I understood it, was that we have put foreign trade officers abroad under the ambassador. The object in both cases is the same, Madam Speaker. It is to ensure integration in our policies, that we should tend in industry to produce things we can sell and that in our external relations we have one person speaking for Canada, that is the Canadian ambassador, under whose authority come the various departments which operate abroad. That is true for foreign trade, and it is also true for immigration and health services.

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AGRICULTURE

FUNDING FOR FARM CREDIT CORPORATION

Mr. S. J. Korchinski (Mackenzie): Madam Speaker, my question is for the Minister of Agriculture. Since the minister has castigated the banks for charging high interest rates and not assisting farmers, does he have any plans to increase the amount of money available to the Farm Credit Corporation, say in the amount of $150 million asked for by the Canadian Federation of Agriculture?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, we have a lot of plans for the Farm Credit Corporation. The hon. member will have to wait and see.

PLIGHT OF FARMERS AFFECTED BY BANKRUPTCY OF MACHINERY DEALER

Mr. S. J. Korchinski (Mackenzie): Madam Speaker, since the minister has a lot of plans but no money for the Farm Credit Corporation, does he have any plans to change the legislation which would make it possible for farmers to avoid having to go to banks and financial institutions in such situations as has developed in the North Battleford area where farmers have had to pay twice for machinery as a result of a bankruptcy?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the hon. member mentioned a very sad state of affairs where farmers paid a dealer who did not submit the money to a finance company, so now they are being asked to pay again. There should be some law which protects the innocent purchaser of any product when this kind of situation occurs. It is hard to understand that this can happen in our society today.

However, when the hon. member speaks about the Farm Credit Corporation I would say to him that we do have plans which we will be submitting to the House, I hope shortly, which will allow us probably to increase our lending capacity substantially. We have plans also which will enable young farmers in particular starting out, to take out beneficial types of loans, perhaps at no interest rate for the first three or four years, and with no capital payments, so they can establish themselves.

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PENITENTIARIES

CUTBACK IN SECURITY STAFF AT MATSQUI, B.C., INSTITUTION

Mr. Alex Patterson (Fraser Valley East): Madam Speaker, my question is directed to the Solicitor General. Can the minister advise the House of the reasons for what has been termed the shocking cutback in security staff at the Matsqui institution in Abbotsford, British Columbia?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, there is a proposal to reduce the number of positions on the security staff of that institution, but I do not think it is shocking. The background of it is that the correctional service in Canada is developing national standards to try to assess the proper level of security across the system. We have learned from experience in other institutions, and these national standards indicate it, that some institutions have more security than others in the same category, and that some have less. We are trying, in a rational way, to balance the system.

Security is, in a certain sense, endless. One can always demand and justify increasing the number of guards in the system, and to a certain extent that has happened in the past. I want to resist those kinds of demands to increase security constantly or to cut back constantly the amount of freedom given to inmates within the institution. I regret incidents, but incidents do happen, and they can be prevented. However, I reject the solution of always increasing the amount of staff and limiting the freedom of inmates in the institutions. I do not think that, in the end, that is an acceptable solution.

Mr. Patterson: May I say that what has transpired recently has certainly been a shock to the people of that community because of the cutback. In view of the past security problems associated with the institution, such as escapes, violations of passes, and so on, what measures will the minister take to ensure that the public is properly protected, and will he reconsider the cutback which is being implemented at present? This is something that has been of major concern to my community, and I believe that the minister should reconsider his decision on what is actually a cutback, not just holding the line.

Mr. Kaplan: I do not disagree it is a cutback but I do disagree that serious or any additional risks are created to the surrounding community. I can assure the hon. member that it is the view of the correctional service of Canada that the level of security that will be provided will be adequate, and I justify that in terms of the performance of that level of security across our system from coast to coast.

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[*Translation*]

HOUSE OF COMMONS

Madam Speaker: Hon. members will have noticed that the order for resuming debate on Bill C-42 and the amendment of the hon. member for Mississauga South (Mr. Blenkarn) is not included in today's Order Paper. This was caused by computer trouble probably connected to that of *Columbia*. The order will be printed next Monday.

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PRIVILEGE

MR. NIELSEN—OFFICE OF MR. MUNRO (HAMILTON EAST) IN WHITEHORSE, YUKON—RULING BY MADAM SPEAKER

Madam Speaker: On Thursday, March 26, 1981, the hon. member for Yukon (Mr. Nielsen) raised a question of privilege on which I would like to rule today. The question of privilege dealt with the illegal use of governments funds by the hon. Minister of Indian Affairs and Northern Development (Mr. Munro), affecting his rights and responsibilities as a Member of Parliament and impairing his ability to carry out the duties expected of him.

The hon. member has invited me to search Treasury Board guidelines for the establishment of ministerial offices in order that the Chair might share the view, as stated by the hon. member for Saskatoon West (Mr. Hnatyshyn), that the said guidelines had been breached and that the minister had acted illegally.

The hon. member for Yukon was kind enough to provide me with a copy of the guidelines on the terms and conditions of employment for ministerial staff, presumably issued by the Treasury Board secretariat. It has been ruled consistently that the Chair does not decide questions of law. Also, the Chair is not responsible for the interpretation of departmental guidelines or for determining whether or not it is illegal to breach such guidelines. These matters are, quite obviously, outside the ambit of the Standing Orders of this House.

The hon. member for Yukon also stated that, in establishing a ministerial office in the constituency of Yukon, the minister "is impeding my ability to perform my responsibilities as a Member of Parliament representing that constituency". In this argument, the hon. member was supported by some of his colleagues, including the House leader of the opposition, who asked that not only the Standing Orders but also the customs, traditions and precedents of the House be taken into account in this regard.

Other members also claimed that the establishment of ministerial offices in their constituencies impaired their ability to represent their constituents and infringed their privileges in ridings where ministers were not elected to represent the constituents. The inference appears to be that only the member elected in a particular constituency has the prerogative to represent the constituents of that constituency.

It might be useful at this point to quote in part Citation 17 on page 14 of Beauchesne's fourth edition, which reads as follows:

> Every member as soon as he is chosen becomes a representative of the whole body of the Commons, without any distinction of the place from whence he is sent to Parliament . . . that every member is equally a representative of the whole has been the constant notion and language of Parliament. Every member, though chosen by one particular district, when elected and returned, serves for the whole realm. For the end of his coming thither is not particular, but general, not barely to advantage his constituents, but the commonwealth.

Hon. members have not claimed that there has been any physical molestation, as the hon. member for Saskatoon West admitted, to prevent them from discharging their duties in this chamber, and I must therefore rule that the rights of the hon. members have not been infringed in any manner by the establishment of ministerial offices in their regions.

Finally, the hon. member for Yukon and others have alleged that the establishment of ministerial offices in their regions was an illegal use of public funds and a violation of the equality of treatment of the members in terms of their constituency offices.

Constituency offices were established by the House for its members out of funds appropriated by Parliament. Although it has been suggested that constituency offices were created so that Members of Parliament for respective ridings in Canada could serve the people, no allegation has been advanced that any member was prevented from doing so or that such funds were used illegally by anyone.

Ministerial offices, on the other hand, are apparently established and maintained with funds appropriated by Parliament and allocated to the various departments. It is not the responsibility of the Chair as a matter of privilege to decide whether or not illegal use is made of such funds. It must be pointed out that the House has the opportunity to scrutinize such expenses before giving its approval to supply bills, and to check them after they are made through, for instance, the Office of the Auditor General or the Standing Committee on Public Accounts. The government can be challenged on the use it makes of such funds on motions of no confidence or substantive motions.

• (1210)

Therefore, it is apparent that the House, through its normal operations, can adequately deal with the alleged difficulties raised by the hon. member for Yukon, and I must rule that a prima facie case of privilege has not been established.

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise simply to give you notice today that it will be the intention on Monday to raise a question of privilege which has nothing to do with Your Honour's ruling just now. The question of privilege concerns certain remarks made by the Prime Minister (Mr. Trudeau). The question will be raised through proper notice to the Chair, either by the Right Hon. Leader of the Opposition (Mr. Clark), the opposition House leader or myself.

Madam Speaker: I take that notice, but I remind the hon. member that I do not need a verbal notice. I need a statement of what the question of privilege consists. As long as I have such a statement, I am willing to hear the question of privilege.

ROUTINE PROCEEDINGS

[*Translation*]

AUDITOR GENERAL ACT

AMENDMENT RESPECTING SALARY

Hon. Yvon Pinard (for President of the Treasury Board) moved for leave to introduce Bill C-64, to amend the Auditor General Act.

Motion agreed to, bill read the first time and ordered to be printed.

Madam Speaker: When shall the bill be read the second time?

Some hon. Members: Later today.

Madam Speaker: Later today, by unanimous consent of the House?

Some hon. Members: Agreed.

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,638, 1,883, 2,169, 2,194, 2,200 and 2,268.

[*Text*]

CANADIAN CRAFTS COUNCIL GRANTS

Question No. 1,638—**Mr. Herbert:**

In each of the past five years, what amount was contributed to the Canadian Crafts Council by (a) the government (b) provincial governments (c) other levels of government and what was the total budget of the council in each year?

D. M. Collenette (Parliamentary Secretary to President of the Privy Council): (a) In so far as the Department of Communications is concerned:

	Arts and Culture Grant
1975/76	$ 75,000
1976/77	$ 70,000
1977/78	$ 70,000
1978/79	$ 77,000
1979/80	$ 77,000

In so far as the Department of Industry, Trade and Commerce is concerned:

	Arts and Culture Grant
1975/76	$ 11,650
1976/77	$ 10,300

1977/78— 1978/79— 1979/80—

Payment of a contribution to the Canadian Crafts Council for the production of a booklet.

In so far as the Department of the Secretary of State is concerned: The following funds were awarded from the citizenship and official languages sector of the department:

	Student Community Service Program
1979	$ 4,000

Order Paper Questions

Official Languages in the Private Sector

1974/75	$ 2,745
1976/77	$ 3,600
1977/78	$ 2,125
1980/81	$ 495

(b) The subject matter of this part does not fall within the administrative responsibility of the government of Canada.

(c) Other levels of government: The subject matter of this part does not fall within the administrative responsibility of the government of Canada.

CCC Operating Budget

1975/76	$ 100,308
1976/77	$ 129,475
1977/78	$ 118,843
1978/79	$ 92,516
1979/80	$ 124,255

MR. MICHAEL PITFIELD

Question No. 1,883—**Mr. Cossitt:**

1. What is the exact salary being paid, by the government, at the present time to Mr. Michael Pitfield, Secretary to the Cabinet and Clerk of the Privy Council?

2. What is the total of indemnities received by the Prime Minister, from the government, at the present time?

3. Is Mr. Pitfield receiving more in salary than the Prime Minister, as Prime Minister and as a Member of Parliament and, if so (a) what are all the reasons to justify such a situation (b) are Mr. Pitfield's services considered by the government to be more valuable than those of the Prime Minister?

Right Hon. P. E. Trudeau (Prime Minister): 1. Mr. Pitfield is paid in the salary range for the DM-3 level, which is $68,900—$85,700. Salary administration at this level in the public service is based on the principle of assessed performance, with progression through the range being a function of the assessed level of performance of the individual executive.

2. The Prime Minister receives the same indemnity as all Members of Parliament, $32,700. As provided in the Salaries Act, the Prime Minister receives an additional salary of $40,400. The Official Residences Act provides the Prime Minister with two staffed residences, lodging for the Prime Minister's chauffeur, food, hospitality, and other expense allowances.

3. As a governor in council appointment, the salary range for the DM-3 level is set by the government, taking into account the advice of the advisory group on executive compensation in the public service. The salary, indemnity, and living expenses allowances of the Prime Minister are enacted in statute and as such are determined by the Parliament of Canada. There is no direct relationship between the two salary determination procedures.

DIAND—SCHOOL LUNCH SUPPLEMENT, N.B.

Question No. 2,169—**Mr. Schellenberger:**

1. Did the Department of Indian Affairs and Northern Development reclassify the hot lunch program for New Brunswick schools from a non-discretionary item to a discretionary item in the 1980-81 budget and, if so, for what reason?

2. Were the amounts initially allocated for the program transferred to other programs in the 1980-81 budget and, if so, to which programs?

3. Were New Brunswick native groups consulted prior to the department's decision to discontinue the program and, if so, which groups and on what dates were they consulted?

4. Was the program discontinued in New Brunswick schools during 1980-81 and, if so, for what reasons?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): 1. The noon lunch supplement was never identified by the department as a non-discretionary service.

2. In 1980/81, $34,200 was spent for the noon lunch supplement during the months of April, May and June. The remainder of the allocation was used to fund other elements of the education program, such as: post secondary education assistance program and the contributions to bands program.

3. Discussions concerning this program were held with the executive of the Union of New Brunswick Indians on July 16, 1980, at Fredericton, New Brunswick, and on August 20, 1980, at Oromocto, New Brunswick.

4. The program was discontinued during 1980-81. Regional allotments were insufficient to fund this discretionary program.

NATIONAL PENSIONS CONFERENCE

Question No. 2,194—**Mr. Beatty:**

1. Was the city of Toronto's Mayor's Task Force on Disabled and Elderly invited to the National Pensions Conference in Ottawa and, if not, for what reason?

2. What groups or individuals were invited to the conference to represent the disabled in Canada?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): 1. No. Because of severe space limitations and the need to ensure a balanced representation from governments, the private sector, pensioners and women's groups, it has been necessary to restrict invitations to national umbrella organizations.

2. The Coalition of Provincial Organizations of the Handicapped have been invited to provide representation for the disabled in Canada.

RAIL TRANSPORTATION MOVEMENT

Question No. 2,200—**Mr. Herbert:**

Does the government record the annual ton/mile movement of (a) grain (b) potatoes, as a percentage of total rail transportation movement and, if so, was there a significant change in the past ten years?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The Canadian Transport Commission records Canadian ton-mile figures for Canadian National and

Canadian Pacific. The figures below show grain and potato movements as a percentage of total domestic traffic (i.e., transborder movements excluded) for these two railways. Data for other railways are not available. According to the Statistics Canada publication "Railway Transport—Part V", the two railways combined move about 99 per cent of the potatoes and 96 per cent of grains (such as barley, oats, rye and wheat) which travel by rail. The figures for 1971 through 1977 are taken from the CTC's computer database. Figures for 1978 through 1980 were obtained by phone from the information centre of CP Rail and the marketing and sales department of CN Rail and should be considered as approximations.

Movements of Grain and Potatoes
CN and CP Combined
Canadian Traffic
1971-1980
Tonmiles ('000)

Year	Total Traffic	Grain	Percent	Potatoes	Percent
1971	69,181,688	19,527,530	28.23	252,144	.36
1972	75,644,772	27,144,002	35.88	275,320	.36
1973	74,923,104	22,939,780	30.62	239,801	.32
1974	78,409,960	21,377,118	27.26	206,218	.26
1975	77,753,610	22,455,424	28.88	204,074	.26
1976	73,177,309	19,794,282	27.05	161,252	.22
1977	79,215,956	24,563,023	31.01	140,418	.18
1978	93,792,930	26,690,417	28.46	170,389	.18
1979	100,239,370	27,301,876	27.24	127,088	.13
1980	104,432,020	32,720,744	31.33	102.744	.10

SENIOR PUBLIC SERVANTS LOST TO PRIVATE SECTOR

Question No. 2,268—**Mr. Herbert:**

1. Did the President of the Treasury Board express concern that the government regularly lost its best administrators to the private sector?

2. What is the turnover rate for senior public servants?

3. Does the President of the Treasury Board consider that changes to relevant salary scales are essential to attract and retain senior personnel?

4. Did the President of the Treasury Board conduct an inquiry into possible shortages of senior-level personnel and were certain departments identified as not having enough competent senior management personnel to adequately carry out their mandate and, if so, which departments?

Hon. Donald J. Johnston (President of the Treasury Board): 1. In his address to the Seventh Annual Conference on Compensation and Human Resources of the Conference Board of Canada on January 14, 1981, the president stated that, "As good managers become increasingly in demand in the private sector, we are likely to see a rapid and irreversible erosion in our management ranks".

2. In 1980, of a population of 1309 senior executives, 110 terminated their service for reasons of: resignation (45), retirement (57), layoff (5) and death (3).

3. The president also stated on January 14 that "With budgetary expenditures of 60 billion dollars, I think you will agree that we need the best managers in the country, yet all analysis clearly shows that many of our managers lag their private sector counterparts"; and, further that "(managers) who accept responsibility and who discharge it effectively and efficiently on behalf of taxpayers must be rewarded accordingly." The president elaborated on compensation for managers as follows, "Let me make it clear that compensation improvements that I advocate for public service managers need not cost Canadian taxpayers significantly more. Rather I envisage a restructuring of our manager's compensation package to provide real financial incentives for high achievers while ensuring that mediocre performance is penalized".

4. The president's statement quoted in response to question 1 is a general comment on the potential impact on the Public Service of the prospect of an increasing national demand for managers. In the opening remarks of his address on January 14 the president made it clear he will "draw heavily on input from my own bureaucracy . . . particularly where technical matters are very much the focus of the remarks" but that in this address he had elected to offer "my own views . . . untouched by bureaucratic expertise". In this context a specific inquiry regarding shortages of senior-level personnel was not conducted in relation to this address.

[*English*]

Mr. Collenette: Madam Speaker, I ask that the remaining questions be allowed to stand.

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

AUDITOR GENERAL ACT

AMENDMENT RESPECTING SALARY

Hon. Yvon Pinard (for President of the Treasury Board) moved that Bill C-64, to amend the Auditor General Act, be read the second time and referred by unanimous consent to the committee of the whole.

He said: Madam Speaker, the professional's role in our society, namely the person who provides services to his clients according to the rules of professional ethics, is in many respects of major importance for the success of government institutions and society as a whole. Thus, we know that members of the medical profession are devoted to the protection of life itself. Members of the bar defend the rights of individuals according to the laws approved by this Parliament and others before it. A professional practises a profession that requires highly specialized knowledge and lengthy and inten-

sive university studies to which must be added a high degree of technical and ethical excellence.

One of these professions is that of accountant and auditor, one of whom serves Parliament. Madam Speaker, I am speaking about the Auditor General of Canada, with whose duties all members of this House are familiar.

His office plays a role without which it would be difficult for us to assume our own responsibilities to the Canadian people. The Auditor General is one of the main protectors of public interest. The complete integrity, the technical knowledge and competence, the honesty and the devotion which has characterized this office throughout the years make this appointment one of the most important and influential in the country.

[*English*]

The contribution of the Office of the Auditor General of Canada to the profession, both within Canada and internationally, gives us all a right to be proud. The Office of the Auditor General plays a major role in the assurance of responsible government within a parliamentary democracy. The existence of financial and other analyses of the highest quality are essential if many of the activities of the House are to be soundly based.

The purpose of this bill is to recognize the increasing importance of the office, not just to Parliament but within the profession and, not incidentally, the increasing importance of the accounting profession within our society. Accounting professionals are guardians within our economic system, much as the medical and legal professions to which I referred earlier are guardians of our lives and rights.

The Auditor General is a servant of Parliament. It is appropriate that we take the occasion of the appointment of Mr. Kenneth Dye to recognize the importance of the office by equating it to that of a puisne judge of the Supreme Court of Canada.

Mr. Bill Clarke (Vancouver Quadra): Mr. Speaker, the bill before us today is another of those small ones on which I have often been called upon to comment. This bill has only two clauses, and the other one upon which I was called to comment had one. But like some of the small bills, it has big consequences, particularly for the new Auditor General.

The Auditor General has been in office now for ten days. If this bill is passed today, it will give him a salary increase of $5,000, the way I read the provisions of the existing act and of the bill before us.

There have been other bills which were of more consequence to the new Auditor General. Of course, one of those was the Judges Act amendment which Parliament recently passed. I will say more about that later on.

In introducing the bill, the minister said that the Auditor General is a friend of Parliament. There is no question about that. He will be the watchdog for Parliament, for the Standing Committee on Public Accounts and, indeed, for all taxpayers of Canada. The man who is in this job right now is Mr. Kenneth Dye, who comes from Vancouver. He has had an exemplary career in his profession of chartered accountancy and in the British Columbia Institute of Chartered Accountants, where a year ago he finished a term as president.

In addition to being a friend of Parliament and of taxpayers, Mr. Dye is also an old friend of my daughter. In fact, my daughter can claim to have known Mr. Dye for almost all her life. When she was six weeks old last June, she attended the annual general meeting of the British Columbia Institute of Chartered Accountants over which Mr. Dye presided as the then president. In case there is any doubt in the House, I must say that she behaved in an exemplary manner. Only at one time, when a speaker had gone on for too long a period, did she make any noise; perhaps it was a good sign because by then he had been going on for too long!

Mr. Dye will also be a friend of another young lady named Tasha, who was born six weeks ago in South America. She is the granddaughter of the hon. member for Okanagan-Similkameen (Mr. King). She will be moving with her parents to Canada in a few weeks. I am sure all new Canadians, like Tasha, will be very concerned and happy that Mr. Dye, the Auditor General, will be looking out for her welfare in the future.

I think we should examine what is proposed in this bill. The wording of the bill itself seems simple enough. It says simply that the Auditor General shall be paid a salary equal to the salary of a puisne judge of the Supreme Court of Canada. The wording in the existing Auditor General Act is that the Auditor General shall be paid a salary equal to that paid to the Chief Justice of the Federal Court of Canada.

• (1220)

By making that fairly simple change from Chief Justice of the Federal Court to puisne judge of the Supreme Court, Mr. Dye has achieved an increase in his basic salary of $5,000, from $62,000 to $67,000. But the situation is better than that for Mr. Dye because, as I remarked last week, this House has passed the Judges Act amendment. Under that act the salary of the Auditor General is tied, of course, to that of the judges of the Supreme Court. That measure gave those honourable gentlemen a retroactive increase of $7,000 effective April 1, 1979 and, another retroactive increase of $7,000 effective April 1, 1980. An additional clause provided that all judges, like Members of Parliament and perhaps other officials who are paid by the public purse, would have an automatic increase so that ad hockery would not be necessary every time an increase was needed. The judges' bill provided that all judges would receive an increase every year on April 1 to a maximum of 7 per cent. It would be less than that if certain federal indexes are less than 7 per cent. When Mr. Dye accepted this position last fall, he thought he might be receiving a salary of $62,000. He now finds himself, effective April 1 of this year, with a salary of $86,660, as I have calculated it. I am sure Mr. Dye will be very happy to be receiving roughly $24,000 a year more than he thought he would receive when he took the job.

There is another notable beneficiary of this piece of legislation whom I must just mention in passing. That beneficiary is,

of course, the past Auditor General, Mr. J. J. Macdonell, who retired last year. He will be the beneficiary of the retroactive provisions of this bill. As I calculate it, Mr. Macdonell will be receiving a retroactive bonus, as soon as these measures are worked through the system, of about $10,000.

It is all very well to talk about these high salaries, but I think we must have a basis for comparison. I checked through some records which were available to me to see what this kind of salary might compare with and whether it was a reasonable salary or not, since it certainly sounds high to some people. I referred to the report of the commission to review salaries of Members of Parliament and Senators by Dr. McIsaac and the Hon. Leon Balcer. The recommendation in that report is that ministers of the Crown should be paid a salary for their position as ministers and another salary for their position as Members of Parliament, for a total as of April 1, 1980, of $80,000. To that figure of last April 1 must be added a 7 per cent escalator which is in the legislation. Of course, this is dependent on the legislation being passed, so it is hypothetical at the moment. That 7 per cent increase would bring salaries of ministers to $85,600 this month, which is almost parallel with the $86,600 this bill would provide to the Auditor General.

I also made a comparison of the amount paid to an SX-4, which is just about the deputy minister level. As near as I can calculate it, an SX-4, just below the deputy minister level, would now be earning about $77,000, possibly $78,000.

I did another comparison with respect to salaries of people who might be in the executive category, and so on, elsewhere in the country. I found that the president, the chief executive officer of Westcoast Petroleum, receives a base salary of $110,000. At the other end of the scale, the highest paid executive in Canada that anyone has been able to find so far is Mr. Sinclair, chairman of Canadian Pacific Limited, whose base salary is $568,000. So one can see that there is a fair range of opinion in industry as to what certain executive officers are worth.

Mr. Knowles: You mean, what they get paid.

Mr. Clarke: As my hon. friend to the left says, what they get paid. The shareholders or taxpayers had better think these people are worth what they are paid or else there may be some changes made.

I also thought it would be useful in establishing a base salary for our new Auditor General to make a comparison with what professionals like him might be earning if they stayed in the profession from which Mr. Dye comes. He was a senior partner in a national firm of chartered accountants stationed in Vancouver. I found that chartered accountants in British Columbia who graduated about 20 years ago, in the period from 1959 to 1965, were earning an average of $69,000. If they had left British Columbia to live elsewhere they were earning an average of $77,000. The older vintage of chartered accountants, those who graduated in the 1950 to 1958 period, were earning an average of $70,000 in British Columbia and $88,000 if they had left British Columbia. I cannot tell from the survey done by the Institute of Chartered Accountants of British Columbia whether those figures apply to members who remained in practice or to members who went outside. I know something of the profession and those who practise as partners in large firms. I think it is safe to say that our new Auditor General, Mr. Dye, is certainly making a financial sacrifice to come and be the servant of Parliament. I think that is true not only of Mr. Dye but of the judges whose salaries he is tied to. I am sure it is true of a great many, if not all, of our deputy ministers who work for the government and the taxpayers, although the taxpayers may sometimes have cause to question that.

Recently we hired a chief financial officer for the Government of Canada, the Comptroller General. He is rated as a DM-3, which is the highest ministerial salary range. The medium salary range for that post right now is $77,300, with a maximum of $85,000.

I think it can be seen that the proposal in this bill to tie the new Auditor General's salary to that of the judges' salaries is not unreasonable, although it seems that way to many people. I would now like to ask myself and the House why it seems unreasonable to have these very high salaries. If we look back in time we can see that not so many years ago very high salaries like this were not in existence at all. As recently as eight years ago, when I came here as a member, the salary was $18,000. It is now nearly double that amount. I can very easily lay the blame or the reason for all of that on the fact that government policies have made it necessary for people to get these very high salaries, that these very high salaries would not be necessary at all if it were not for inflation caused almost completely by the government's fiscal and monetary policies. Only the government has the power to overspend by the billions of dollars, something which has become a habit in recent years. Only the government has the power to increase the money supply, thus creating this terrible inflation which has caused endless problems in Canada today. This month in Ottawa there was a very important conference on pensions. That conference was a direct outflow of the inflation caused by policies of this government opposite.

• (1230)

We can look back to the days before the present administration took office in this country when inflation was almost negligible and interest rates were very much lower than they are today. People could borrow from the banks at 6 per cent or less instead of three times that rate now. Of course, one cannot expect people to invest their money with financial institutions at a rate of interest which will cause them to fall behind the rate of inflation and actually suffer permanent loss of purchasing power. That results directly in higher interest costs for individuals who want to borrow for personal or housing purchases, because investors in our society insist upon receiving a rate of interest which reflects the current rate of inflation and also compensates them for the temporary loss of spending power. Then, of course, banks and other financial institutions must have their spread in the middle to cover their operating

costs, the return to their owners, shareholders, or what have you.

The amount that this government has been overspending and the extent to which it has been increasing the money supply is absolutely straggering. Any taxpayer who might be listening or who would care to read these remarks will be astounded, because the amount of borrowing which we have just recently approved, $14 billion, which is to cover the current monetary needs of the government's operations, is equal to the total amount of all personal income taxes paid by taxpayers in Canada in 1978. In 1978 there were 14 million taxpayers who filed returns in Canada. Including those who had losses and no tax payable, on average $1,000 per person was paid in income tax, for a total of $14.2 billion. This year the government has asked Parliament to approve the borrowing of $14 billion just to cover overspending in one year. Because of this continuing policy which has aggravated the economic situation and led to inflation, we have a situation where the total debt of Canada is probably unknown precisely, but is certainly over $100 billion now.

With the government having to pay the interest rates that it, like everyone else, has to pay, in the current estimates for the 1981-1982 fiscal period there is provision for over $12 billion just to pay interest on the outstanding debt. That is a figure approaching the total of all personal income taxes paid by taxpayers in 1978. That figure, because it is in the estimates, ignores the interest burden shouldered by all the Crown corporations. Unless one is a wizard or whatever, those figures are an unknown quantity. However, they would certainly put the total up to the $14 billion range. So one can see where the comparison lies.

Granted, these highly paid executives of ours, servants of Parliament, civil servants and so on, need this money; but then the average man on the street also needs raises. That is why we have a lot of labour strife, and pensions conferences to find out why people cannot afford to pay these high prices.

We once had a debate respecting the salary of a certain minister opposite who had retired to his home in Vancouver. We discussed the indexed pension he would receive as a former minister of the Crown, and we found that he would have an enormous pension if he lived to be 75. Based on projections that were made at that time—that was a few years ago—this retired minister would need all of that money because when he was 75 years old he would have to pay $60,000 to buy a Ford car and $7 for a loaf of bread. If he wanted to get the plumbing fixed or something, and if he would have to employ a plumber, it would cost him $250 to get the kitchen sink drain repaired.

We are a few years along that road now. Who would have thought a few years ago that we would now be at the age of the $10,000 Volkswagen? In fact, I think it probably costs a lot more than that, but $10,000 is about the minimum cost of a Volkswagen. If one wanted to buy a Mercedes-Benz, one would have to pay about $55,000.

Mr. Kempling: If you can't afford it, don't ask the price.

Mr. Clarke: The day of the $100,000 Rolls-Royce is gone. We are already pretty close to the $1 loaf of bread. I guess, with the rates that plumbers and other trades people need to charge these days, we are well along the road to the $250 visit from the plumber.

We have agreed to have a fairly limited debate on this bill, so I do not think I need detain the House any longer. However, it is absolutely essential when considering simple little bills like this with two clauses which have a great impact on a couple of Canadians, that we look beyond the two clauses to see why it is necessary to fix the salaries of a servant of Parliament. I suggest the whole structure of our monetary system is in jeopardy because of the policies that this government opposite has been following for at least the last 13 years, maybe longer than that. If we say that often enough in the House and outside the House, I just hope we can convince the government opposite that the policies it is pursuing are an absolute disaster and mean ruin for our pensions system, for our monetary system and probably for the whole fabric of our society. We very much want hon. members opposite to learn the consequences of their deeds before it is too late.

Mr. Doug Anguish (The Battlefords-Meadow Lake): Mr. Speaker, I would like to say a few words on behalf of the New Democratic Party. As Treasury Board critic for our party and as a member of the Public Accounts Committee, I deal fairly closely with the Auditor General and we have had several occasions to deal with the Auditor General's office over the life of this Parliament so far. I would like to take this opportunity, before saying anything about Bill C-64 itself, to congratulate Mr. Kenneth Dye, the new Auditor General, who will be acting as an officer of this Parliament to keep control over the purse strings, over the spending presented by the government, authorized by Parliament, and then disbursed in the proper manner. I think he performs an important role in our society by being the watch dog over or guardian of the purse strings of this country.

I would like to say that we favour speedy passage of this bill whereby the Auditor General of Canada would move from a classification comparable to a Chief Justice of the Federal Court to a puisne judge of the Supreme Court of Canada. As the hon. member who spoke just previously to me pointed out, the salary range for the Auditor General of Canada will now be in the range of $80,000 to $90,000 per year. I recognize this is a high salary, but I have been assured by the hon. member for Winnipeg North Centre (Mr. Knowles) that we will be discussing the subject of high salaries when we review the salaries of Members of Parliament. This matter will be coming before us in the near future so I will not dwell on it now.

• (1240)

A salary range of $80,000 to $90,000 a year reflects the importance of the position of Auditor General of Canada. I am certain that Mr. Kenneth Dye and his predecessor, Mr. J. J. Macdonell, could have earned that type of salary in the private sector as professionals. I should like to say, Mr. Speaker, that we favour speedy passage of Bill C-64.

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Blaker): I understand there is a disposition to put this matter through all stages.

Some hon. Members: Agreed.

Motion agreed to, bill read the second time, considered in committee, reported, read the third time and passed.

* * *

[*Translation*]

INCOME TAX

MEASURE RESPECTING AVOIDANCE OF DOUBLE TAXATION

Hon. Pierre Bussières (Minister of State (Finance)) moved that Bill S-17, to implement conventions between Canada and New Zealand and Canada and Australia for the avoidance of double taxation with respect to income tax, be read the second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

He said: Mr. Speaker, the purpose of Bill S-17 is to implement conventions negotiated and entered into between Canada and New Zealand on the one hand, and Canada and Australia on the other hand, for the avoidance of double taxation with respect to income tax. Hon. members will recall that we considered a similar bill to implement tax treaties with several countries a few months ago, and the bill before us today is of the same type, includes the same provisions as Bill S-2 which we considered earlier, and confirms more or less some well-known negotiations and agreements.

Hon. members will recall that at the time of tax reform, Canada had tax treaties in force with over 15 countries. Of these 15 or 16 countries, Australia has had a tax treaty with Canada since 1967, and New Zealand since 1948. As you will recall, since the tax reform, we have invited several countries to enter into negotiations with Canada in an attempt to conclude treaties designed to avoid double taxation. We have now renewed and renegotiated such conventions with 32 countries, and it is expected that other countries will be added to that list.

As in the case of similar tax treaty legislation approved by Parliament in the past, this bill contains a special provision dealing with any future changes to the conventions. Part III of the bill is designed to ensure that the tax treaties can be kept up to date as the result of changes in the tax system of Canada or of the other countries. The mechanisms provided for under this bill are similar to those agreed to previously. In addition, the bill provides that the governor in council may, subject to a resolution of Parliament, give effect to any supplementary convention.

The two tax treaties under consideration follow the general pattern of the treaties concluded with other countries after tax reform. They also follow to a large extent the format and language of the latest model double taxation convention published in 1977 by the Committee of Fiscal Affairs of the Organization for Economic Co-operation and Development, or OECD. Hon. members will recall that, when we were considering Bill S-2, we spent a great deal of time in the standing committee reviewing this standard or model treaty prepared by the OECD and that we also compared this model treaty with the various ones contained in Bill S-2.

The treaties generally provide that dividends can be taxed in the country of source at a maximum rate of 15 per cent. A general rate of 15 per cent is also provided for in the case of interests originating in one country and paid to a resident of the other country. With respect to royalties, the treaty with Australia provides for a general rate of 10 per cent, and the one with New Zealand provides for a rate of 15 per cent. The only limitations provided for under the old agreements were 15 per cent in the case of dividends with Australia and an exemption for copyright royalties with both Australia and New Zealand. I should now like to go over briefly the provisions concerning capital gains which preserve the right of the source country to tax gains arising on the sale of real property, business assets and shares in real estate companies.

Contrary to other tax treaties concluded by Canada, the treaties with Australia and New Zealand do not contain an article on non-discrimination. It is those countries' firm policy not to include such an article in their tax treaties and, as a matter of fact, the existing agreements already reflect their position. No special concession for teachers is included in the tax treaties. The reciprocal exemption now granted teachers under both the Australian and New Zealand agreements will consequently be terminated. Under the existing agreements, pensions and annuities are taxable only in the country where the recipient resides. Under the new conventions, Canada has preserved its right to tax pensions paid to residents of the other countries; in the case of New Zealand, there is however a special provision whereby that right will be exercised only if a pension within a year exceeds $10,000. The country in which the recipient of the pension resides retains its full taxing rights.

Double taxation of foreign source income of Canadian residents is alleviated by way of a foreign tax credit. In addition, an exemption is granted for certain dividends received from a foreign affiliate of a Canadian company. In order to promote the flow of capital and investments, the tax treaties also ensure that proper relief will be granted in the other countries in respect of taxes paid in Canada. On balance, Mr. Speaker, the terms of the tax treaties provide an equitable solution to the various problems of double taxation existing between Canada and these two countries. Mr. Speaker, I therefore commend

this bill to the most favourable consideration of this House, and I appeal to the usual co-operation of members on both sides of the House so that this bill may be passed very quickly.

I would have liked, Mr. Speaker, to be in a position to comply with the wishes of certain members and to provide information on or to update the status of the convention between Canada and the United States, which is extremely important, as has already been pointed out in the House. However, I have not yet received the information related to this convention, but if the House will allow me to do so, I shall be happy to give this information later in the course of this debate.

• (1250)

[*English*]

Hon. John C. Crosbie (St. John's West): Mr. Speaker, this legislation concerns tax conventions entered into between Canada and New Zealand and Canada and Australia, as the minister explained. There is one thing about the Minister of State for Finance (Mr. Bussières); when he speaks you can understand him. He does not consider his main purpose in life to "obsfucate", as the Minister of Finance (Mr. MacEachen) does. The chief duty of the Minister of Finance is to "obsfucate".

Mr. Knowles: To what?

Mr. Crosbie: o-b-s-f-u-c-a-t-e—"obsfucate".

Mr. Knowles: That's a new one for the dictionary!

Mr. Crosbie: In that way no one will understand what he is saying or doing. We had an example of that in question period today, where the Minister of Finance continued his practice of the last 13 months, which is to say nothing and say it in the vaguest way.

In his colleague, the Minister of State for Finance, we have the opposite. He is a man who knows his business. He has obviously studied his brief. He has the expertise and he is not afraid to say what he means. He has said quite plainly that this is a tax treaty between Australia and Canada and New Zealand and Canada. If the Minister of Finance was introducing this bill, we would not know that yet. We would have no idea in the world what this was or who this convention was between.

It is also noticeable that this is a tax convention between Canada and two other Commonwealth countries. I am glad to see that the relationship between these two countries and Canada appears to be going along pretty smoothly. Apparently Canada has not told Australia and New Zealand that they should hold their noses as they pass these tax conventions. Canada has been a bit more diplomatic. It is not like the poor old mother country. The Prime Minister (Mr. Trudeau) has told the mother country, the United Kingdom,—it is still called the mother country in Newfoundland—from which some of us have sprung, to hold their noses while they pass the constitutional resolutions, if they ever get to the United Kingdom. That is not calculated to improve relationships between two countries of the Commonwealth. I am glad to see the Minister of State for Finance has not exacerbated our relationships with New Zealand and Australia by doing anything like that.

Mr. Knowles: We need a new dictionary today!

Mr. Crosbie: The House leader of the New Democratic Party has had a rough week. If he has not heard the word "obsfucate" before, I am deeply shocked. He has been in Parliament since 1900. I think his record is 81 years. Perhaps it is only half that. Therefore, I am dumbfounded about that.

Our party has no objection to this legislation. It is sensible with countries with which we have a lot of commerce that we have legislation designed to deal with the question of double taxation and to relieve that burden from those who do business in both places. Australia is dynamic, growing and rapidly industrializing. There is a considerable Canadian investment there and a considerable amount of business done between our two countries. New Zealand is a much smaller country and we do not have as much commerce with it, but we need this tax convention with both countries.

We on this side are not going to divide on this. We will assist in putting it through the House with all reasonable speed in view of the reasonable and clear explanation we have had from the Minister of State for Finance. I only hope his senior partner will watch how he operates, try to emulate him and be a little more forthcoming in telling us what his policy is or is not than he has been to date.

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, this is more or less a routine bill. We have these tax convention treaties with a number of countries and they have to be updated from time to time. As far as we can ascertain, there seems to be no reason for delaying passage of this bill.

I was interested not only in the new words that the hon. member for St. John's West (Mr. Crosbie) coined today—he has added a few to any dictionary that I know—but I was also interested in the reference he was able to make to some things that were not exactly within the pages of this bill. Maybe I can do the same, briefly, but maybe I can be a little more relevant.

Since we are talking about tax convention treaties with certain other countries, I hope that at some point when we are dealing with this bill, whether in the standing committee or in committee of the whole, the minister can bring us up to date on the tax treaty between Canada and West Germany. This is a treaty that has been around for a long time. I hope very soon now there can be an agreement which can be confirmed by the legislative bodies of both countries. There are many former citizens of West Germany living in Canada who are affected by these tax arrangements. I hope the Minister of State for Finance, (Mr. Bussières), who has been very generous in the past on updating us on the Canada-West Germany situation, will bring us further up to date.

While talking about treaties with other countries—here I stray a bit but I will be off it before Your Honour can call me

to order—I hope that the discussions that are going on for reciprocal social security treaties with other countries will be pressed. Many Canadians are puzzled as to how we can have reciprocal treaties with so few countries. I believe we have them with Portugal, Italy, West Germany, and there is the possibility of one with the United States, but still none with the United Kingdom. I trust that the Minister of State for Finance will press his colleague, the Minister of National Health and Welfare (Miss Begin), to do as he has done to get her to obtain these agreements.

With those pleas to the government, we are prepared to give second reading to this bill.

Mr. Evans: On a point of order, Mr. Speaker. In the same spirit of parliamentary progress in which we have come to agreement among the three parties on other matters, there might be agreement to put this bill through Committee of the Whole and third reading. If that is so, I would ask Your Honour not to see the clock until we can complete that business.

The Acting Speaker (Mr. Blaker): If the disposition exists, we will proceed in that fashion. Is that agreed?

Some hon. Members: Agreed.

• (1300)

Mr. Knowles: Mr. Speaker, as the parliamentary secretary knows, I have been trying to carry on some long distance discussions with my colleagues. I would be much happier if we proceeded only with the Committee of the Whole stage and let third reading stand on the order paper until some further date. However, we are prepared to agree that, instead of sending this bill to the overworked Standing Committee of Finance, Trade and Economic Affairs, we deal with it in the Committee of the Whole. As far as I and my whole party are concerned, we are prepared to do that before one o'clock.

Mr. Evans: Mr. Speaker, that is agreeable.

The Acting Speaker (Mr. Blaker): Provided there is not too much obfuscation in the chamber at the moment!

Mr. Knowles: That is a proper word!

The Acting Speaker (Mr. Blaker): Over the lunch hour perhaps those who work in *Hansard* might appreciate instructions as to how they are to proceed on the matter of obfuscation.

Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the second time, considered in committee and reported.

[*Translation*]

Mr. Bussières: Yes, Mr. Speaker, a while ago at the end of my comments, I indicated that the hon. member for St. John's West (Mr. Crosbie) and other members had shown their interest in the tax convention between the United States and Canada and wanted to know where we stood. I would like to say first that the convention has been signed and that in January we issued a press release stating the general outline of the convention as understood by the negotiators. Some papers still need to be completed. However, the government intends to act as quickly as possible as soon as everything is formally finalized. That is the information I wanted to give Mr. Speaker.

[*English*]

Mr. Knowles: What about Canada and West Germany?

[*Translation*]

Mr. Bussières: Mr. Speaker, as for the negotiations concerning the tax convention between Canada and the Federal Republic of Germany, there was one round last June. Some important questions were still in abeyance. If I remember well, there will soon be some other negotiations and meetings between the representatives of the Federal Republic of Germany and their Canadian counterparts in order to arrive at a final agreement respecting the convention.

[*English*]

Mr. Knowles: "When shall the bill be read the third time?"

The Acting Speaker (Mr. Blaker): When shall the bill be read the third time?

Mr. Knowles: At the next sitting of the House.

The Acting Speaker (Mr. Blaker): At the next sitting of the House?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Blaker): With thanks to the hon. member for Winnipeg North Centre (Mr. Knowles) for his assistance.

It being one o'clock, I do now leave the chair until 2 p.m.

At 1.06 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

MEAT IMPORT ACT

MEASURE TO REGULATE IMPORTATION OF MEAT

Hon. E. F. Whelan (Minister of Agriculture) moved that Bill C-46, to regulate the importation into Canada of fresh, chilled and frozen meat and to amend the Export and Import Permits Act, be read the second time and referred to the Standing Committee on Agriculture.

Meat Import Act

He said: Mr. Speaker, I am pleased today to speak to Bill C-46. I will take just a few minutes on this occasion to give hon. members the background of this legislation and why it is vital to the 69,000 cattle producers in Canada. At present, Canada is the only major beef importing country in the world that does not have an ongoing beef import policy. Without such an import policy, this nation is vulnerable to market fluctuations and international price swings which are beyond our control.

As hon. members know, Canadian cattle production generally follows an eight to ten-year cyclical pattern. When beef prices are as low as they were in 1976, cattlemen start to lose money. First, the feedlot operator, then the cow-calf producers are squeezed, breeding herds are reduced, and distortion takes place in the whole beef industry. For a while this leads to more beef on the market because the producers are selling off their breeding herds, and consumers enjoy for a short time bargain prices. Generally it is for a short time; sometimes it becomes quite a lengthy time.

● (1410)

However, over the following few years there are fewer calves and feeder cattle to be sold and slaughter cattle prices rise. Before long, consumers find themselves paying a lot more for a pound of steak and cattlemen start to make a profit again. It takes a full three years between the decision to expand the breeding herd and when beef supplies are increased at the retail level.

Some people leave the impression that a farmer or rancher can produce this biological entity called the beef animal almost overnight; that the amount of beef which will be consumed can be placed on the market at the whim and fancy of anyone in the entire industry—the packing and retail industries—as well as the consumer. It is not that easy; it takes three years to increase production.

In recent years an international cattle cycle has developed. Production in most beef exporting countries now follow very similar patterns. When our beef production is up, so is the production in the United States of America, Australia, New Zealand and generally Argentina. When beef is in short supply in North America, usually the production cycle is turning down in New Zealand, Australia and other beef exporting countries. As this international beef cycle has developed, the fluctuations in world beef supplies and prices have become wider. Most major beef importing countries have acted to protect their cattle producers from the worst effects of these fluctuations.

For example, beef and veal imports into the United States have been regulated under its meat import law since 1964. Beef exporters face restrictions when selling to the United States, but the Canadian market is open. Obviously this can lead to our market being loaded with cheap beef. Furthermore, this situation upsets our normal trade pattern in beef and cattle with our United States neighbours.

We saw this happen in 1976. Imported beef was taking the place of Canadian beef on our retail markets and in our restaurants. At the same time, our cattlemen were exporting more live cattle to the United States. Why? Because they could not ship beef cuts and carcasses, since access to our beef was limited by United States meat import law. So they shipped live cattle, and soon U.S. producer groups were calling for controls on live cattle trade as well as beef.

We well remember the road blockades which were placed at certain border crossing points where trucks were hauling live cattle. The Americans were concerned about the importation of live cattle from Canada hurting their markets. When it was pointed out to them that the sale of live Canadian cattle into their markets, even at the highest point, would not affect 1 per cent of their market, I remember that one of the leaders of the opposition to Canadian cattle going into the United States said, "If a person is standing in a pool of water and is just bearly able to breathe, that extra little water in the pool will mean that he or she drowns".

If we shipped every head of cattle we have in Canada to American markets, we would only take over about 10 per cent of their total domestic kill for a few short days. Then we would not have any more cattle in Canada and they would not have to worry.

In the last month, the Americans have substantially increased their sales of live cattle into Canada because the prices are a bit better here and they have a surplus of huge, fat cattle. Our packing firms are buying those cattle, bringing them into Canada and depressing the prices to Canadian beef producers. In many instances they are producing below the cost of production at the present time. Many people are hit by high interest rates because they borrow huge amounts of capital to buy feeder cattle and to keep them on their farms all winter to supply the market in the spring and early summer months.

I talked to one young farmer the other day. I call him young because he is three or four years younger than I, so he is still a very productive person! He owns a farm in Ontario which consists of 450 acres. Nearly 400 acres of it are tile-drained; the buildings are very modern. He and his wife fed 450 cattle over last winter. His wife works as a registered nurse. Mr. Speaker knows how hard registered nurses work. His wife has worked in order to supplement their income, but over the last three years they lost money. With her wages, etc., they worked for nothing to supply some of the highest quality beef to the Toronto market. He told me, "I am selling my farm. If you can find me some foreign buyer for my farm"—and I am sure there will be some because they look upon land in Canada as much cheaper than land in Europe—"I could sell my farm, and most investment companies, trust companies or banks would give me more income, and I would do nothing for the interest I receive". He referred to the effort that they had put into the farm over their lifetime. It is a family farm; it was owned by his father before him. He said, "I will not mortgage it; I will sell it."

He did not say what he would receive for it, but I know that his farm should probably sell on today's market for close to $1 million. He could invest that money and a reasonable return

would be about $120,000 per year; he would not have to do a thing. Right now he is a very productive person, investing various amounts of money in the production of corn on his farm in order to feed the cattle, yet he does not receive enough money to make a living. This is very wrong.

This bill does not protect trade in live cattle. Last year we sold $300 million worth of cattle in the United States. In turn, the Americans shipped to us over $90 million worth. Shipping $300 million worth of cattle into a population of over 240 million, and then shipping $90 million into a population of 24 million, will have slightly different economic effects per capita on the total industry.

I can just imagine what would happen in the United States of America if we took over 10, 12 or, in some instances, 20 per cent of its slaughter market for weeks at a time. Can one imagine what form of revolt would take place in that country? We only have to remember how excited the Americans become when we take over 1 per cent of their market; they almost call it a marketing catastrophe. Yet our country is supposed to accept their exports without any concern.

As I said, Canada is both an importer and exporter of beef. I am referring to beef not on the hoof. For instance, in 1980 we imported approximately 115 million pounds of fresh, frozen and chilled beef and veal and exported approximately 100 million pounds. The United States market has been and will continue to be our best export market for beef and cattle.

● (1420)

I pointed out some of the disadvantages of what we call that best market and how disruptive it is, since the only time those live cattle come into our country is when our market is better. The only time our cattle go to their country is when their market is better. You can see the tremendous changes which take place when the market is that way, with some 100,000 head of cattle shipped into Canada and maybe some 7,000 to 9,000 shipped into the U.S. because of the price differential.

Our ad hoc, year-by-year policy of restricting imports up to now has led to uncertainties—uncertainties for the Canadian meat industry and for our trading partners. It is time we put permanent import controls in place. Again I must put on the record, Mr. Speaker, that these important goals are not for live cattle. I believe some time in 1974 I persuaded the government to place controls on live cattle. The United States retaliated. We allowed 100 per cent of their five-year average of imports into our country. They did not fill one third of the quota given to them yet they retaliated and placed controls on our beef, pork and veal going into their country. We had to lift those quotas after one year. So they can be very powerful. The United States is a very restrictive trading nation in many ways. We have been a much freer trading nation in foodstuffs, generally speaking, than has the United States.

What this legislation does is to set annual quotas on imports of fresh, chilled and frozen beef and veal. These quotas are based on the historical level of imports in the 1971-75 period, but adjusted each year to take into account changes in the amount of beef consumed in Canada and the number of cows and heifers being marketed. Factors such as the supply and price of other meats, and changes in any restrictions affecting our cattle or beef trade with other countries, will also be considered in determining whether import quotas should be increased, decreased or suspended.

What that means, Mr. Speaker, is that if we have tremendous amounts of poultry or turkey meat in storage, that will have an effect on what the quota will be. This is slightly different from some of the meat import acts which other nations have. We think it is to our advantage because, for instance, when we see overproduction of pork in Canada selling below cost of production, it has a depressing effect on other meat suppliers, such as poultry and beef suppliers in Canada. At the present time pork producers are selling their product at $20 to $30 below cost of production.

Consumers today, in some instances, are paying the lowest prices they have ever paid for meat, especially pork products, when you consider their earning power. It would be as if it were given to the consumers free in the depression period, the prices are that low. So when people complain about high prices, it must not be forgotten that last year we put approximately $46 million into hog support prices.

The estimates for the year 1980, because so much was produced below the cost of production, had a depressing effect on other meat production entities. Our very rough estimate now is that we will have to use about $140 million for stabilization, so they can remain in business. What we are doing is exporting the surplus product on world markets at the same price as it fetches on domestic markets. Any other country would be foolish to enter into a pork production entity when Canadians are so stupid that they are producing the product below the cost of production, thus supplementing the treasuries of such countries as Japan and the U.S.S.R. We are so efficient that we produce some of the highest quality meat products in the world, yet we have not learned how to market that product in a proper fashion. For example, if the U.S. decides to suspend meat import restrictions in a particular year, there would normally be no reason for Canada to apply import restrictions. But that would be left to our discretion.

An advisory committee made up of representatives of the beef industry and consumers would be set up under this legislation. When considering annual import levels the Minister of Agriculture would seek the advice of this committee.

Bill C-46 is broadly parallel to the U.S. meat import law which was revised by the U.S. government in 1979. Under the old U.S. law, when production declined so did import quotas. When production was on the upswing, import quotas were increased proportionately. This reinforced the swings in the international cattle cycle. With the new U.S. formula, import levels are generally increased when domestic supplies are falling, but restricted when U.S. supplies are adequate. The counter-cyclical formula in Bill C-46 works in the same way. This legislation will provide increased stability for the beef industry.

Some members examined this bill after it was given first reading some months ago. We call this our bill because it was

drafted by myself and my officials when I was minister, because I took that short sabbatical. It was also looked at by my colleague, the Hon. John Wise, when he was Minister of Agriculture. So the bill was drafted several times before it was finally presented to the House. It is really amazing to me that we are at the stage of giving this bill second reading today. The committee will be studying it and they may have certain amendments to present. As long as they are responsible and constructive suggestions, we will take a very good look at them.

We think this legislation will provide increased stability for the beef industry. This legislation will not over everything that people want. They will at least know that this legislation is on the books and that they will be able to abide by it. It will give Canadian cattlemen some of the assurances they need to plan beef production in the years ahead. You will notice, Mr. Speaker, I said "some of the assurances". This legislation will help stabilize beef supplies and prices to consumers. It will let our trading partners know where we stand on beef imports.

I am sure that a matter of such importance to Canadian farmers and consumers will receive the full support of hon. members. I will be happy to supply further details and respond to questions as the debate on this legislation proceeds.

Mr. Bert Hargrave (Medicine Hat): Mr. Speaker, I would like to say that I agree with the last thought that the minister expressed. He said it is rather strange that it has taken us this long to get this very important agricultural bill to second reading stage in the House. After all, the whole idea was first started by the cattle producers back in 1970. At that time the Canadian Cattlemen's Association made a proposal to the Hon. Bud Olson when he was minister of agriculture. So that shows how long cattlemen have been interested in this worthwhile project.

I had a brief meeting with the minister yesterday. At that time I referred to this as a bill which relates to meat imports. I attach a somewhat different reference to that phrase than the minister does, since I think we began a little earlier than the minister. However, I will say this. We in the official opposition fully support the broad principles of the bill. We are in agreement that second reading should take place today, followed immediately by the appropriate reference to the Standing Committee on Agriculture for a thorough examination, with ample opportunity to call interested and concerned witnesses.

● (1430)

The minister will well remember our Progressive Conservative efforts on this same subject during our period of government in 1979. These efforts included a very worth-while beef import consultative committee that did the necessary background consultation with all segments of the cattle and beef production and marketing chain. This was followed by our beef import bill, as we called it at that time, which was scheduled for first reading the day after our government was defeated. We on this side of the House are pleased to note that Bill C-46 is in general agreement with the broad principles of our earlier legislative plans. There are a few details that we would like to see changed, and I will comment on these a little later.

First of all, let us look at the need for beef import legislation. Canada's beef cattle industry is desperately in need of a shot of self-confidence, especially in the long term. Our well-known ten-year commodities cycle and traditional short-term ad hoc policies simply are not enough. We must have long-term policies. The longer the commodities cycle, such as ten years with cattle, the more important that is. Our cattle industry must have long-term policies which will provide genuine incentive to cattle producers to come back into the industry, or to start for the first time; or, more importantly, to start to rebuild our breeding herds.

I suggest it is highly significant that our Canadian beef cattle industry is still at the bottom of the cow or breeding cycle and the beef supply cycle. We have been on that low cycle point for about three years with very little evidence of any upturn. This meat import bill could make a good start at providing the beginning of that long-range incentive for our cattle industry. This legislation could indicate that the government does indeed understand the problems of cattle producers and genuinely wants to listen and respond to the concerns of major food producers in Canada.

Why, after three years, has there been no significant upturn in our cow and beef supply cycles? There are several basic contributing factors to this situation. First of all, 1980 was a bad year for cattlemen, especially cattle feeders, who suffered a net loss position across Canada of $129 million. That is the worst loss position since these kinds of records were started back in 1970.

Second, beginning in 1980, we have been experiencing the highest interest rates in our history—along with every other part of our nation, of course—with no sign of relief. In addition, there are the companion factors of steadily rising feed grain and other production costs. These apply particularly to our cattle feeding sector.

Third is the whole subject of drought in western Canada. The natural and quite proper reaction to drought in the cattle industry is to reduce our numbers to fit available supplies of grass and forage feed. There has been a sequence of recent drought years. In fact, they now appear to be almost ongoing. In 1977 there was a single, one-year drought, but a very severe one. This was followed by the first six months of 1980 which impacted much more severely on western cattle producers than on their grain producing neighbours.

Today, in early spring, there is already yet another prospect of widespread prairie drought which appears to be part of a larger drought pattern across the western United States. Available forage feed supplies for next winter will be severely restricted, and we know that already because there has been a lack of snow run off so necessary for local flood irrigation feed projects. Here I am not referring to the concentrated irrigation districts in southern Alberta.

The fourth item is that the cattlemen have long and very bitter memories of 1976 when they suffered through enormous, uncontrolled offshore beef imports from Australia and New Zealand at a time when we permitted unrestricted access to Canadian markets. This single factor may very well be the most important to cattle producers in their reluctance to rebuild their breeding herds. By the same token, this factor may be the most important reason for the need for this meat import legislation.

I would like now to make some comments about the proposed meat import legislation itself. We should not be timid in formulating our first Canadian meat import legislation along the lines of somewhat similar United States legislation. After all, they have had their legislation since 1964 and have recently amended their act to recognize recent changes in meat import trading patterns.

From our point of view as Canadian cattle producers, there are possibly four principles which should be recognized in any system that regulates meat import levels. First, there is an historic basis. Obviously, any new meat import policy must take into account our previous import levels and the historic market share enjoyed by our trading partners. Essentially, only three other countries are involved: the United States, Australia and New Zealand. While there are other countries, the volume of their meat trade is not significant.

The second factor is predictability. Both exporting countries and our domestic producers should be able to plan ahead with some guarantee of import levels, under what circumstances these levels may be expected to change, and by how much.

Third is the relationship to domestic consumption. There should be some reasonable provision for import growth with an increase in our domestic market, but not to such a degree that it discourages our domestic production.

Fourth is the relationship to domestic supply. It is not widely accepted that the concept of counter-cyclical quota levels is to guarantee Canadian producers that during the peak cycle periods we will not be overwhelmed with imports as we were in 1976; and conversely, at the low cycle points, such as we have now, increased imports might be expected.

It is worth noting that presently all four countries concerned—Canada, the U.S.A., Australia and New Zealand—are experiencing the same low point in the breeding cycle and, to a slightly lesser degree, also in the beef supply cycle. Because of this, Australia and New Zealand were unable to fill their quota allocation in 1980, and very likely this will happen again in 1981. However, the North American continent is not short of meat or meat supplies in any form because of very generous supplies of pork in both Canada and the U.S.A. It is also worth noting that domestic pork production in Canada is now equal to, or slightly higher than, beef production.

Under the heading "Interpretation" in Bill C-46, since the proposed act is somewhat parallel to the United States meat import act, it is worth noting that, like the U.S. act, it does not include live cattle, pork or canned meats. We on this side agree with this interpretation. I would add, as a comment on that, that the two-way live cattle trade between Canada and the U.S.A. is of such special historic significance as to preclude live cattle from the provisions of this meat import bill. We in Canada should never forget that we are next door to the highest and most dependable cattle and beef market in the world. However, we would suggest that under "Interpretation" the term "meat" should include mutton and goat meat. After all, we have a sheep industry that is presently enjoying a modest comeback.

• (1440)

If the United States' approach of using voluntary quota levels for exporting countries is to be followed, then the so-called trigger level must be very carefully determined as the result of recent levels of guaranteed minimum access and the anticipated human growth factor in Canada.

In this respect, many Canadian cattle producers feel that the problems created for this proposed bill by the agreements negotiated under the last GATT are so serious as to question seriously the anticipated usefulness of this meat import law. I think the effort is worthwhile but the implications of the last GATT exist. I know the minister is well aware of this. In my opinion, what is necessary is that the government renegotiate the last GATT agreements with respect to Canada's guaranteed minimum access levels and the human population growth factor with our trading partners. Quite frankly, in my opinion, in those last GATT negotiations Canada was clearly outnegotiated, particularly on the human growth factor. It is highly significant that the United States did not agree to a similar condition.

We are concerned that unnecessary and excessive discretionary powers have been provided in the bill by the minister. We suggest there is room here for political manipulation of quotas. These discretionary powers should be very narrowly prescribed and clearly defined. Surely this is another case where the ultimate opportunity to amend the legislation and bring it back before Parliament still rests with the government.

While the bill provides for establishment of an advisory committee, we feel that there should be a direct requirement in the act that the Minister of Agriculture (Mr. Whelan) consult with the industry, since it might be possible under this proposal that the minister would consult his advisory committee only and not the commodity groups that are ready and able to give experienced and competent advice.

In conclusion, I want to suggest that Canadian cattlemen have always felt that some reasonable beef import legislation is an essential element in any policy designed to stabilize beef supplies in Canada. Both before and after the passage of this bill, Canada will still have the most lenient and generous beef import policy of any major beef importing country in the world. I know the minister would agree with that. But let us not forget 1976!

The Canadian Cattlemen's Association has been promoting such legislation since 1970. As I outlined in my opening remarks, it first proposed the concept to the then minister of agriculture, the Hon. H. A. Olson. After second reading today,

the bill should be referred to the Standing Committee on Agriculture, and that committee should encourage every interested group to come before it and give it the benefit of their experience.

I hope that other related items could also be reviewed in that committee under the same referral. I am sure that it will not surprise the minister when I suggest that one of them might very well be the recent extreme market disturbance this year by the 30,000 head of live fat cattle imported into southwestern Ontario in the first five weeks of this year. That situation still remains, although it is not as extreme as it was.

I thank you for your patience, Madam Speaker.

Some hon. Members: Hear, hear!

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, I rise to speak briefly in the debate on this bill. We agree that the bill should be referred quickly to the Standing Committee on Agriculture because the contents are relatively technical and cannot be dealt with adequately in the House.

I want to make a few brief comments about the bill. My first reaction is to say that at last we have some cognizance by this government and the immediately preceding government that there is a need to recognize the value of supply management in the Canadian beef market.

What we have before us is a very rudimentary move toward a supply management scheme. It applies only to offshore beef and to beef and veal of a fresh-killed or frozen nature. It ignores mutton, goat meat and lamb, but it is a beginning. This is the first time that any government has brought in a bill that gives some recognition to the fact that we need supply management in our beef marketing system.

The bill purports to be a supportive measure to the U.S. bill, which was revised in 1969 and is intended to be a beef import bill that would be counter-cyclical in nature. Stated simply, that means that we would allow more imports into our country when our beef cycle is low on the supply side. This is the kind of concept that no one can argue with, except that if you think about it you will realize that the major exporters of beef to this country, the New Zealanders and the Australians, see North America—in this case meaning Canada and the United States—as their major market. Once they understand that we have such a formula at work, and given the fact that they operate through single desk selling agencies, I can see that within one or two beef cycles they will be able to make adjustments so that they can manage to work the system to suit their production and price requirements as well. However, we will try it and see how it works.

Since I believe this to be a very rudimentary bill, I am, of course, distressed that it does not take into account the movement of live beef. This is very important to a country like Canada where we sit next door to a country whose beef production patterns and consuming patterns are very similar to ours. But we are only approximately one tenth the size of that country, both in terms of production capability and consumption capability, and certainly in terms of political clout when dealing with bilateral agreements.

I am a little distressed that the ministers who drew up this bill did not recognize the good work in the report of the Senate agricultural committee issued in 1977, which urged that the bilateral agreement be renegotiated to include live beef. I can readily see why the United States is not keen to renegotiate such an agreement. Their country is ten times the size of ours and when we have a short-term distress surplus of beef we can walk it across the border with little effect on their market. When they are in a similar situation, however, and have a 1 per cent or 2 per cent surplus in American terms, that translates into a 10 per cent or 20 per cent surplus when it crosses the border to our side. We feel it very much. At the beginning of this year there were weeks where imports were at the level of 3,000 or 4,000 head of fat beef coming into Canada. That had an effect on our prices and a lot of beef producers were hurt.

• (1450)

We insist on keeping the door open because most of us who are in agriculture have an optimistic view. We look forward to that great day when we will be surplus producers and can have a good calf crop. We will want to have access to the U.S. to sell our production.

That perhaps made sense 50 or 60 years ago, but the situation is changing. We should use a different form of analysis, a straight producer-consumer analysis. If we compare the total amount of beef produced in this country with what is consumed, we have to go back to 1967 to find a year where we produced more than we consumed. My figures only go to the end of 1979. There may have been a quarter in 1980 where that changed. However, for the 13 or 14 years previous to the end of 1979, our total production of beef was slightly less in every year than what we consumed.

Holding the door open, keeping free trade flowing and allowing meat to pass back and forth between the borders of our two great countries, only to take advantage of some time in the future when we may produce a surplus to what we consume, is no longer realistic. This situation should be looked at in today's terms. Thirteen or 14 years' experience gets us through one and a half or two beef cycles. In all that time we have not produced more than we have consumed. Therefore, holding the border open for those reasons no longer makes sense.

As I said at the beginning, the bill supplies us with a curious form of supply management patterned after a U.S. example. The formula presented in the bill leaves at least three spaces for ministerial discretion. There are three statistics we can plug into the formula which use estimates. This does not leave as much leeway as existed under the old system, where the minister and his department sat down toward the end of the year to decide whether the level should go up, down, or, as was done at the end of 1980, disappear altogether. Even though that discretion is no longer there, it is still a fair amount.

If we want to use actual figures from previous years and plug numbers into the formula, by accepting a 10 per cent increase over the previous year or a 10 per cent decrease, depending on whether you want to make those kinds of discretionary moves, the import level could come down to 158 million pounds or go as high as 172 million pounds, which is a much larger move than that which is made by using ministerial discretion. Therefore, the possibilities of ministerial discretion are still there and they are still very great.

We have made a move toward the U.S. system. I am not sure we should do much more than that. Simply tying ourselves to the U.S. situation will not do that much for the beef producers in this country. If we want to co-operate with the United States for other reasons, perhaps it is something we can consider. However, it should be raised in bilateral talks under GATT when we begin to talk about live beef travelling back and forth. That is something we should remind the Americans about when we get into that kind of discussion.

The kind of interference which occurred in the market this winter with the sudden importation of a lot of live beef did not bring about the price increases that a great many feedlot operators anticipated. In fact, it did not result in the price increases that experts from the Department of Agriculture forecast at the Outlook Conference. Finished beef prices from the west have dropped to between 70 to 72 cents, occasionally moving higher. That is roughly the kind of price we are looking at.

For the producer who raises his calf and finishes it on his farm, with production costs in this drought year he receives about 20 to 25 per cent less than his cost of production. No wonder producers are having trouble meeting their payments. No wonder they are seriously considering selling the family farm and living off the investment, rather than struggling to stay in the beef business and subsidizing producers across this country for the privilege of producing beef.

There have been increases in pork production as well. Today we are considering a bill that will affect beef producers. If it creates anything, it will result in cow-calf producers deciding whether to continue holding the herd, cut it back or get right out of the business. This will send signals to the fellow producing the primary product, the calf. I do not think the signals will make him very optimistic.

Cow-calf producers have gone through a particularly tough year. Production costs were not met with calf prices achieved last fall. Those producers who attempted to hold the calves over the winter watched their inventory use up an awful lot of feed. It cost the producer a lot of money. The inventory at the end of the winter's feeding is worth very little more than it was last fall when he put them into the feedlot. They are looking for more than just a minor adjustment to the import laws. They want more than just following an example set by the United States, an example which does not provide a lot of protection for the U.S. cattlemen. The government should offer more. They should begin to renegotiate live cattle trade between our two countries.

• (1500)

We are a much smaller country than the United States; therefore, equal dollar value trade is very inequitable to us. It is always inequitable when your trading partner is ten times as large as you are, and we think the United States should recognize that fact when we are bargaining back and forth in respect of the live cattle trade.

In review, we see the bill providing very little stability to the industry, with almost as much ministerial discretion as existed before. As I have said a number of times, there is no mention of control of the movement of live cattle back and forth. This bill in no way guarantees cost recovery for our producers or any order in the market. It does not assure any particular stability for consumers and, even worse, there is no stability for producers.

In short, we have to conclude that the bill will be of little real value to producers out on the land. It is of little value unless there is some political value in it for the government; it may be looking for another smokescreen or symbol which create the impression it is doing something, but achieves very little.

[*Translation*]

Mr. Marcel Ostiguy (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, I would like to contribute a few remarks on Bill C-46, the purpose of which is to control the importation into Canada of fresh, refrigerated and frozen meat, and to amend the Export and Import Permits Act. But first, in reply to our hon. friend opposite who has just stated that this bill will not have any impact on our farmers, I should like him to know that in its last newsletter of March 3, the Canadian Federation of Agriculture has indicated that this bill is of paramount importance for Canadian producers and that without this legislation to control the importation of meat, producers would have serious difficulties trying to increase their production. Besides, not only will this bill protect Canadian producers, but it will protect Canadian consumers as well.

In Canada, the cattle industry ranks in the forefront of our economy in the agricultural and manufacturing areas. During the period extending from 1975 to 1978, cattle and calf marketing accounted for approximately 22 per cent of all our national sales of farm products. Slaughtering and meat packing with sales totalling some $6 billion in 1976, ranked fourth among Canadian industries. Since 1969, Canada is no longer a net exporter of beef because of increased imports which create a major problem for producers. This problem has further increased since imported products, especially from Australia and New Zealand, have improved in quality and have cornered a larger share of our domestic market.

For lack of a consistent marketing policy and control over beef imports, Canadian producers have been exposed to the vagaries of a depressed market and have witnessed a reduction of their share of our domestic market. If the stability of the beef industries of both Canada and our trading partners is

what we want, then we definitely need a consistent and long term beef import policy. Our Canadian producers and their supporters say that Canada needs legislation to control beef imports. On the other hand, there are others who claim that the current provisions of the Export and Import Permits Act could very well solve problem of excess imports. The beef industry, for one—and I refer now to Bill C-46 which is now under consideration—wants the government to come up with a solution which would neutralize the destabilizing factor which affects our industry and that of Canada's trading partners, and in the final analysis, and this is very important, consumer prices.

Canadian beef production and marketing fit into the over-all North American context. Our production cycles follow closely those of the American market although, when our prices are higher or when there are excess supplies, there is enough time lag for the Canadian industry to be vulnerable to the effects of American imports. Nevertheless, despite the considerable effect of American markets on ours, the United States remain a major outlet for our exports of feeding cattle, dressed cattle and, from time to time, surpluses of finished cattle.

Canada has often been a net exporter of beef and finished cattle in its trading with the United States. Before 1969, it was in that position with all other countries. Since 1967, the production of beef in Australia and New Zealand has increased sufficiently to meet the increasing demand on international markets and has become more than synchronized with North American production. At the time when Canadian producers started to enlarge their herds, as a result of grain surpluses which led to the building up of reserves and the growth of the beef market, the import market was also able to meet the demand for beef of lesser quality such as that used for minced beef. An increase in the quantity of beef imported from Australia and New Zealand, over six times the average volume imported in previous years, allowed us to meet the demand in 1969. Beef imports from those countries stayed at that level during the seventies while Canada had surpluses and consumption of Canadian beef increased. Since that time, Canada has become a net importer of beef.

From 1973 to 1980, beef imports in Canada reached critical levels; this led to a clamour for official and coherent control, specially in the form of laws and regulations. The problem was first felt during the last quarter of 1973. At that time, an unusual quantity of finished cattle was imported from the United States, following price controls in that country where beef supplies accumulated; as a consequence, prices deteriorated in Canada.

• (1510)

Beef imports from Australia were particularly high in 1973 with the result that total imports of beef made up 10.5 per cent of national consumption. The price of feeder steers went down in Canada and the price of feeder cows began to decrease. Canadian production of beef went down to 10.3 per cent below that of the previous year, as slaughter of beef decreased and stocks of feeder cows were not further reduced.

The price of feeder steers went up until June to $80 the hundredweight. For the balance of the year, the price of feeder steers went down to about $5.50 below the record prices under the pressure of competition created by a plentiful supply of pork and poultry. As the production of beef decreased in Oceanic countries and in the United States, total imports of beef went down to 183, 407 pounds, namely 8.8 per cent of Canadian consumption at the time, or a drop of about 15 per cent from the previous year. Besides imports, interest rates during 1979-80 were another source of grave concern for beef producers. Interest rates stayed at about 15 per cent or more between October 1979 and April 1980. In spite of a slackening which lasted several months, the rates went over the 15 per cent mark again in early December 1980 and at the end of the year, unfortunately, they did exceed 17 per cent. The effect of such interest rates was to boost the cost of beef production and in some cases to dampen production in feeder lots with the result that the expansion of cow-calf operators was postponed.

It was in mid-1980 that Canadian beef producers really began to build up their herds. On July 1, 1980, the stock of slaughter cows was 4.8 per cent higher than it was one year earlier. Still, low production in cow-calf operations and droughts impeded the expansion of that market. The number of heifers set aside for reproduction was 2.8 per cent below what it was in mid-1979. In Saskatchewan and Alberta, the main beef producing provinces, the number of heifers kept for reproduction was down 2.7 per cent and 11.3 per cent respectively as compared with the previous year. Heifer and calf slaughtering increased mostly at the end of the year, particularly in western Canada. The higher number of heifers and cows shipped to slaughterhouses contributed to boost beef production by about 3 per cent over 1979 when it was expected that there would be a slow down in the herd build-up process. It was therefore the pressure exerted by a healthy supply of cut rate pork during the first half of the year which deflated the price of slaughter cattle between March and July below 1979 prices.

Of course Canadian pork production went up sharply in 1979 and 1980, and the same phenomenon will certainly be observed in 1981, a year during which at worst production might stabilize. Canadians have therefore become very important pork producers, with the result, of course, that beef prices declined. As recently as this week, Mr. Speaker, I attended the annual meeting of the Quebec Federation of Poultry Producers where I was told that chicken prices had gone down because of an overproduction of pork, so I suggest that perhaps beef producers are up against the same thing.

On most markets, prices recovered in August and remained stable until October, and then they went up slightly until the end of the year. The price of feeder cattle followed a similar

pattern. At the same time, owners of feed lots and other producers experienced higher costs due mostly to increases in interest rates and in the cost of feed grain. The price for feeder cattle both in Canada and in the U.S. collapsed in 1974, and the Canadian government decide at the time to set up a price stabilization program for beef which came into force on August 12, 1974, with the passage of the Agricultural Stabilization Act. This forced the government to control the import of slaughter cattle, beef and veal. Thus, livestock on the hoof weighing over 700 lbs. and intended for slaughter within 90 days after their arrival in Canada, as well as fresh or frozen beef or veal were added to the import control list, under the Export and Import Permits Act.

A total import quota of 82,835 heads of live cattle and of 125.8 million pounds of fresh or frozen beef or veal was applied for a one-year period starting August 12, 1974. This quota was equivalent to the average imports into Canada during the five previous years. The U.S. government took retaliatory measures and on November 16, 1974, imposed a quota of 17,000 heads of live cattle and of 17 million pounds of beef or veal, which was less than the normal level of exports from Canada. In August, 1975, Canada and the United States simultaneously removed their import controls on livestock on the hoof. And by the end of 1975, that phase ended with both countries removing their controls on beef and veal imports. On January 1, 1976, Canada reopened its market and at that time the only protection afforded the Canadian beef industry was limited to the minimum tariff of 1.5 cent a pound for cattle and 3 cents for beef. The impact of these measures was reduced due to the then high exchange value of the Canadian dollar. As Canada was the one and only market open to exporting countries the situation turned out to be most interesting for South Pacific exporters and Canadian importers. South Pacific beef entered the Canadian market during the second and third quarters of that year in much larger quantities and at prices often lower than those paid on the United States market.

Mr. Speaker, this bill introduced today by the minister of Agriculture is the result of many representations and has received the approval of just about all the agricultural organizations of Canada. The United Cooperatives of Ontario, the Federation of Agriculture and the Meat Packers Council of Canada have stated their support for such a legislation on beef import whereby maximum quotas would be set according to an anticyclical formula. These same organizations, Mr. Speaker, strongly support the stated principles of the Canadian Cattlemen's Association with respect to import quotas set by the act according to the following criteria. 1) any beef import program must take into account the previous import levels set by Canada and the share of the market taken previously by our trading partners; 2) domestic beef producers and exporting countries should be able to forecast import quota levels which, before being changed, should be discussed in consultation with our trading partners; 3) over the long term, imports should be increased in proportion to national consumption, and the share of the market they represent should not fluctuate; 4) any change in short-term import levels should be inversely proportional to the domestic beef production in terms of beef-type cows being slaughtered. The Ontario Cattlemen's Association proposed that beef imports, during the growth stage of the cattle cycle, should not exceed 10 per cent and should be lower than 8 per cent of the domestic consumption during the closing stage of the cycle, in order to avoid the levels reached in previous crises. Those organizations generally agreed that imports of live cattle should not be legislated. Many cattlemen's associations have insisted that the law should provide no discretionary power. It will be left to the regulations ensuring from the act to devise the most favourable and beneficial formula for Canadian producers so that all Canadian producers may be assured of a favourable production cycle.

• (1520)

[*English*]

Hon. Alvin Hamilton (Qu'Appelle-Moose Mountain): Mr. Speaker, this bill is welcome in the House. I think the minister knows why and how long it has been requested. My remarks will deal with some general principles in the beef industry to back up what is in the bill.

I was very impressed with the analysis of the hon. member for Medicine Hat (Mr. Hargrave). The minister would be well-advised to use him as his main adviser for cattle problems in a marketing sense in western Canada.

The country should know that the livestock industry in western Canada is in a very bad way. This has a bearing on the people of Canada. It will show up very shortly in the price they will have to pay for beef. It is not a subject which concerns only a few people in Alberta and Saskatchewan. Presently we are not only in a cycle of breeding in the slow-moving cattle industry, but we are in the seventh year of a drought which is affecting that part of the continental plains in North America.

Our fellow producers throughout the continent are suffering in the same way. None of us know for certain what will happen in this seventh year. We had a pretty bad taste of it in the sixth year when the accumulative water tables were down. The people in small towns suffered in the first instance. Since the drought is cumulative, we must expect it to hit very hard the dry areas of the southern parts of Alberta and Saskatchewan this year. If we are lucky and the rains come, we can get by. The minister has the support of every member in the House in getting ready to cope with the problem if it comes this spring; the spring is with us now.

The big reason the cattle industry is in a bad way in western Canada is not just the breeding cycle or the drought with which we must contend every 20 years; it is the fact that there is a new competitor for the land. That competitor is grain. Whether or not we like it, the world is hungry for grain cereals. Western Canada has the ability to produce it. The demand for grain, at least as far ahead as we can see, will keep

the level of prices high for bread wheat, feed grains such as barley, and corn in other parts of the country.

This competitive rise in demand for grain products around the world, for which we are very skilled in finding markets, has an immediate effect upon the livestock industry. It takes so much grain to feed an animal in order to obtain a pound of meat that a farmer finds it more profitable to move into the growing grain activity. In the long run he knows this will be bad for him, but he can only take low prices for so many years before folding up. The question is, how can we, as parliamentarians in our limited way, do something useful?

At least on two different occasions it has been said in the House that the attack should not be against our allies, in an economic sense, such as the United States, Australia or New Zealand. The attack must be with regard to something which is missing that will provide permanent, long-term relief from the general problem or malaise of low beef prices. I am talking about how we market beef.

The great curse of the cattle industry in western Canada, every since I have known anything about it, which has been a long time, has been that livestock producers have never seriously gone outside Canada to look for any long-term markets. They have sat there, feeding grain to their cattle, sending their cattle to packing plants, and letting the packing plants do their marketing. Packing plants have a territorial area beyond which they do not go. So, the producers are faced with packing plant marketing area empires which hold them completely imprisoned.

The fault does not only lie with the government, it primarily lies with livestock producers who yell for help and do not realize that they must do the same thing grain farmers did, namely, get off their horses or jeeps for awhile and go out and do a little selling. Individuals have done it, but let me tell the House, with some feeling, that in the last number of years I have had the opportunity to talk about matters affecting meat consumption in Muslim—certainly I have not talked about them in Hindu countries—and in Buddhist countries. There is a tremendous demand for good grade meat. In hotels in Saudi Arabia, one pays $125 per night for a room into which one would not put a high quality cow. If one goes to the dining-room, one is served meat from a cow which was wandering over the hills in Turkey or Kenya for four years in a hot climate. The cattlemen of those countries have attempted to get enough meat on its bones to produce enough to sell. One is then faced with paying a high price for that beef.

We should realize that within 12 hours beef from western Canada can be put into the three main marketing areas of Saudi Arabia; in fact that meat could be on tables there in less than 24 hours. Why do we not do it? The answer is that it is a Muslim country and the church has a great deal of authority over certain matters. It is the same situation that existed when the Anglican Church used to have a great deal of authority over the matter of meat. Every Friday was fish day. This was their way of helping to stabilize the fish market over 500 years ago. The rule in Muslim countries is that one must consume meat the day it is killed. It is pretty hard to sell the notion to a mullah of the Muslim church that when we fly over the pole, we get rid of a lot of time zones and we can place live meat before him, or meat in vacuum-packed form within 24 hours. That is the state of decision making now. It should not deter us because if they want the product live we will put it there live, within 24 hours.

● (1530)

There are airlines in Iceland, Great Britain, Sri Lanka, and all over the world which fly empty half the year because of cycles in air travel. These big airlines are just as happy to carry live cattle or vacuum packed meat as they are to carry human beings because the price is right. You can take a pound of meat produced in Saskatchewan or Alberta and deliver it any place in the world for a dollar a pound. When you are paying wholesale prices of $4 to $5 a pound I suggest the transportation cost is a reasonable fraction.

Without going into all the details I am suggesting that whether you are dealing with the rich areas of Singapore, Hong Kong, Tokyo or any large population which can absorb substantial quantities of meat—and they are very anxious to receive good meat—this can be done.

I do not think this should be only the responsibility of the government. The farmers under the Canagrex proposal should take some responsibility. Frankly, I would use it as an organization with the beef industry and tell them to pick out their own people to go around to the various markets and set the system up. That would be more harmonious with the basic philosophy of the cattlemen as opposed to some completely civil service oriented group which goes around and performs this function.

I think there have to be people in this system who sell for themselves. That is what I am talking about; the nature of the beast. He does not like to be driven but I suspect he can be led by the nose if there are dollars at the end of the trail. The minister who has a great persuasive power would be better advised to take this approach with the beef farmers than to continue talking about this silly supply management.

Believe me, this philosophy came into this country from Europe about 30 years ago. It brainwashed all the economists in Canada and the United States. You will not be able to sell that type of civil service run, operated and decision-making to beef farmers. They will just not have it. It is a lynching proposal. The sooner the minister drops it the sooner the action will happen. Some 90 per cent of the beef farmers in the east and west will not accept supply management. They will take a look at their neighbouring industries, the dairy, poultry and the struggling hog producers and will decide to take their medicine their own way. If you allow them to get off their horses, or whatever it is they get off, and get into this selling operation, they will do well at it. They are born horse traders and traders.

I want to hurry on because I realize there are other members who wish to speak. In this legislation we have been wise because we have not gone in for a completely restricted market. The American market is a big asset to us. We have

been wise by not barring our markets to the Australians and New Zealanders, for very good reasons. We have been wise by not being so protective that we forced up the prices to the detriment of everyone. But the prices do have to rise, and they should do so in a genuine policy of obtaining markets for the products. It should be made to compete fairly with the pork and poultry markets.

If we push this idea it will not answer all the problems, but it will at least put the livestock people on notice that instead of allowing the individual farmers to get out of the business and go into grain they have some responsibility to save their own industry. They must get out and find a 2 per cent, 3 per cent or 4 per cent market which will take the excess off at all times and keep the prices buoyant here. When they can get out and do it themselves they are in harmony and it saves the government a great deal of money.

Finally, I want to talk about droughts. This has a bearing on this bill. I think the minister knows that my area of southeastern Saskatchewan produces more cattle per acre than any other area in the west. The figures will not be as good in the 1981 census as they were when the last census was taken in 1971. I see these farmers getting out of the business for economic reasons. It is hard work and when they get to be 55 or 60 years old they slow down a bit. They do not have sons who are willing to take up the business for the returns they receive. I see all the feed lots closing down, except for those that handle a few hundred head. I want to suggest a number of little things I think might help.

First, we have a signed agreement with the province of Saskatchewan that under this contract a minimum of 50,000 acres of land must be irrigated by the damming of the Diefenbaker Lake and the Saskatchewan River, the Gardiner Dam. I do not blame the government for not carrying this measure out in the earlier stages, since the price of grain did not make it worth while for grain farming. We now have this big cattle population, two and a half times as large as it was 25 years ago with 50,000 or 100,000 acres of irrigated land producing fodder two or three times a year, 20 to 40 acres per farm, or whatever is needed, you can live 20, 30 or 100 miles away and still have access to it. I think it is time we put the finger on the Saskatchewan government and told them to get some of that land under irrigation and let the cattle farmers for 200 or 300 miles around have access on the same terms as everyone else.

Second, the Department of Agriculture over 20 years ago spent a great deal of money, along with the provinces, mapping the underground rivers running under the prairies, including the Peace River, if my memory serves me correctly. All those maps are available in the research offices of each of the three provincial governments. If they cannot be found there then they are here in Ottawa. These aquifers are less than a thousand feet under the ground. Some are salty but some are fresh, and they are huge. The best one starts in the Peace River, B.C., comes all across northern Alberta into northern Saskatchewan, right down the centre of Saskatchewan, then turns east north of Regina and goes right through into Manitoba. That is good water and the maximum depth would probably be about 500 feet. That is the Hatfield River. There must be 20 or 30 of these underground rivers.

I am not talking about the deep ones at 1400, 1700 or 2000 feet. Those are all salty down there. This one is fresh. We have enough technology, even if the water is slightly sodium based or calcium based in its salt form, to correct that to a degree which would make it potable for cattle. These wells are drilled on a grid system every 20 miles all across the prairies. You can get the figures for those wells and calculate where the water is close to your farm. But in the emergency we may be facing this year I think those maps should be in the hands of Members of Parliament. Many do not even know they exist, Mr. Speaker, but if those maps could be dug out and the members could be told what they mean, they could get them into the hands of the municipal sectors. Then when the PFRA goes out to help solve the water problem this year they will know where to look. In some places the wells are actually in place and can be piped around great distances.

I think that is my main suggestion, Mr. Speaker. I have just one more to make. I have tried it before, but I will try it again.

• (1540)

Farmers collect their cattle to feed. Perhaps they have 5,000 head or more. To my knowledge in Canada we have not recycled manure. Do not laugh; that manure is worth $200 a ton at present prices.

An hon. Member: It's gold.

Mr. Hamilton: It is in the form of pure food, one can circulate right back to the cattle, whether they are dairy cattle or any other kind. I suggest all this knowledge is available. We had a conference in Regina about five or six years ago. This knowledge is in volume form and should be guided into the hands of the people who are talking about the beef problems. If a man can get more value from the manure of his animal, than he can from its beef, he should not bother holding his nose. He should just go and make the money. I have seen this done, but we were reluctant to talk about it. Believe me, in the state in which the cattle industry is now, we had better start considering this. It has to be done by large feeders, and maybe it has to be done by governments, but it is money-making operation for anyone ventures into it.

Thank you very much for letting me ramble on. I hope the minister—I know he has been listening—will grab at some of these ideas and maybe put a little pressure on the proper people. I think we would serve our industry well if we did that.

Mr. Arnold Malone (Crowfoot): Mr. Speaker, I am pleased to rise to speak on Bill C-46. It is a commendable piece of legislation which will assist our farmers and ranchers. It has been spoken about in this House and, clearly in the speeches I have heard from all parties so far, hon. members have underscored that it will be of benefit to the farming and ranching communities. However, I think there has been a false impression left among the citizens of the country, that that is the

limit of the benefit. I would want to underscore the tremendous benefit in this legislation for the consumers of Canada.

Mr. Baker (Nepean-Carleton): Hear, hear!

Mr. Malone: The truth of the matter is that if there is a belief in Canada today that we are paying too much for our red meat or beef, then we need only look back to the period of time from 1973 to 1976 when we opened the flood gates for beef from New Zealand and Australia. The consumers of Canada then had the tremendous benefit of cheap meat without realizing the day of payment was coming. While they had the luxury of good cheap protein on their plates, the truth of the matter is they have now end up paying because the farmers have had to decrease their breeding herds to the extent we now have a shortage of breeding stock in the country.

There are a number of things I would like to say in commencing this speech. First of all, there has been some credit given to the Minister of Agriculture (Mr. Whelan), who is present with us today for the consideration of this bill. I want to give him credit, too, for bringing the legislation to the House; but I am sure the minister will join with me saluting the hon. member for Medicine Hat (Mr. Hargrave) who took a very major part in drafting a similar piece of legislation for our party in that short period of time we were in the government through 1979. In many ways, what we have before us today is really a piece of legislation carried over from the previous government, and that has been mentioned previously.

While we endorse this piece of legislation and believe it will do a considerable amount of good in giving regulation to the inflow of red meats from the continent, the truth of the matter is that the amount of ministerial discretions, which is a change from the piece of legislation we introduced, is a change which I think has the potential for some dangerous politics in the beef industry.

I can easily foresee a period of time when we will have a situation, as we are going into an election, and recognizing that by far the majority of Canadians are housed in Toronto, Montreal and Vancouver—the large consumer markets—where the government of the day, irrespective of party, may be pressured into trying about food prices, making them cheaper and having ministerial discretion within that act. I think that is an unfortunate fact, because we could have better legislation with better protection for both consumers and producers, with greater security and sense of predictability, had we had a piece of legislation not allowing for that kind of ministerial discretion working towards the short-term benefit, but against the long-term gain for all of Canadians.

I also want to say I believe this piece of legislation will auger very well for us in future years. It will probably become ever-increasingly important as we get into that period of time some 20 or 30 years from now.

In this Parliament, at this time, the great debate in the country is on the constitution and energy. I submit that those issues will not have near the significance of the issues which we will be debating when the century turns. I am convinced that the big debate—not just in this country, but in the world—will be on food production and food distribution.

We have a world situation today where every day 12,000 children under the age of five are dying from starvation, and where four-fifths of our world population suffers from malnutrition. An alarming figure of some 70 million people a year suffer from permanent and irreversible brain damage due to a lack of protein in their diets. Against those awesome figures is the fact that the world's population is increasing at a rate of some 77 million people every year. That is an alarming figure, when you stop to recognize that 77 million people is equivalent to three times the population of Canada. Every year that kind of population figure is added.

The reason I raise this at this time, in respect of a piece of legislation which deals with meat imports, is that, to a large extent meat will be a product that will gravitate back to its production from grasslands, at least to a greater degree than at the present time. I say this because of the fact that a human being can live on two pounds of cereal grain in his diet per day. He can also live on about two pounds of meat per day. However, it takes 18 pounds of grain to produce two pounds of meat. Therefore, with much of the black and good growing soils of the country in the years ahead there will be increasing pressure to move back into cereal production, human beings will be eating cereal foods, and meat will be treated more as a luxury. Because of that situation, this piece of legislation is important now. It will give stability and predictability to the industry. However, it is in the long run that this kind of legislation will have its greater sense of balance.

I noted that my good friend from the New Democratic Party, the hon. member for Humboldt-Lake Centre (Mr. Althouse) stated he was somewhat concerned that we live so close to the United States and felt some threat in the fact that it has ten times our population. I only want to say that for our farmers and ranchers, that should auger for nothing but good. As we produce in this country and recognize that we have a market ten times our domestic size that means a potential for holding the price in that area so our farmers and ranchers will be guaranteed some kind of an equitable income, with the provision that we are not opening the flood gates to Australia and New Zealand for the import of beef.

I want to just take a moment to disassociate myself from that. I believe if this legislation is passed, we should feel somewhat comforted that we will not again experience in the beef industry the situation we experienced in 1973 through to 1976, the results of which we are living with today, because the price of producing cattle was almost analogous to the Canadian mint production costs. Most people who have watched how to make a penny in Canada realize that it takes between two and 2.5 cents to produce a penny. That is what happened in the ranching industry from 1973 to 1976 it cost one more to produce an animal than what one was able to get when it was sold. Because of that fact, the farmers sold off large portions of their breeding stock.

• (1550)

Today Canadian consumers are paying a high price because the government of that time had a policy which allowed an inflow of beef to this country. That was very appealing to the consumer at the time but the price the consumer is paying now is the result of mismanagement in an earlier day.

In my constituency there was a cattleman who collected 5,000 signatures on a petition that was tabled in this House. It has taken six years for the legislation requested, in part, in that petition to be introduced. I submit that the cruel experience of those ranchers is now begining to bear fruit.

I should like to commend the legislation and to say if there is any way, now or in the future, we can do away with some of the ministerial discretion in the legislation which is so politically damaging in the long run, then the bill ought to do a great deal of good for both consumers and producers.

I will take my seat now, Mr. Speaker, knowing there are others who want to speak on the bill. I commend the minister for paying close attention to the remarks of my good friend, the hon. member for Medicine Hat, and also for bringing this legislation forward for the benefit of all Canadians.

Some hon. Members: Hear, hear!

Mr. S. J. Korchinski (Mackenzie): Mr. Speaker, I will just speak for a few moments but I want to cover a couple of matters I think should be brought up at this time.

I was interested to hear the hon. member for Humboldt-Lake Centre (Mr. Althouse), from my neighbouring constituency, say that we do not even consume the amount of beef we produce. The question that came to my mind was, why in the world would we need supply-management if we have to import beef in order to meet our own requirements? If that is the case, then obviously we do not need government interference.

I know the minister has been a strong advocate of supply-management in the cattle industry as being the answer to the problem. I want to ask him, just on that score, why we need supply-management since we certainly do not produce enough for our own requirements? In addition to that, I think the minister knows that statistics show we are approaching the point where there will be more civil servants than farmers. Supply-management will reduce the number of producers and will lead to other problems and added production costs. Quotas will have to be bought, as is the case in milk production, so all that will be introduced is another cost. Surely that is not what we need at this time of high interest; the high cost of land, machinery and all other costs that go into cattle production. What we need is efficient producers.

Some 14 to 15 years ago when I was in Poland I heard officials in that country quote reams and reams of statistics. Today, when I heard the Parliamentary Secretary to the Minister of Agriculture (Mr. Ostiguy) quote all kinds of figures to show that production is going this way, that way and in all directions, I thought of the situation in Poland now where people stand in line waiting to get maybe half a pound of meat. This is what happens with a supply-management situation. I fail to see why you need any more dramatic illustration than that.

The absolute requirement is to eradicate fluctuations such as took place in the first five weeks of this year when prices were depressed as a result of the importing of fat cattle in from the United States. Perhaps the minister should consider a freight movement policy, since he indicated in his comments he has paid out something like $46 million for hogs this year and estimates that next year he will have to pay out about $140 million. Obviously, under any kind of supply-management program, a certain amount of money is involved. If in the situation we had this year—

Mr. Whelan: There is no supply-management involved.

Mr. Korchinski: Yes, there is, in the sense that the province of Saskatchewan has a program. The minister knows that programs are in place at this particular time.

I suggest to the minister that if he wants to eliminate the effect of the price of cattle coming from the United States, he should put in place a freight assistance program. If the price is depressed by cattle moving into the Montreal or Toronto market from the United States, then certainly we should move our own cattle. We do not have to move live cattle; we could move slaughtered cattle. We should move enough supplies so that even if the price is depressed, it is with our own cattle, and is only temporary. The situation could be controlled by removing the freight assistance. American cattle certainly would not come in if the price was lower or if there was not a buck to be made. This would not interfere with any GATT arrangement and the result would be the same.

We need more people in the production cycle. At the moment, even the grain industry is gearing up for more production and it will soon be in a similar situation. If we do not produce enough for our own requirements we should not put these people out of production. Once they are out, they stay out for a long, long time and many of them will never come back.

Mr. Speaker, I do not want to hold this bill from going to committee, so with these few remarks I will sit down. Thank you very much.

Some hon. Members: Hear, hear!

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the second time and referred to the Standing Committee on Agriculture.

Mr. Deputy Speaker: It being four o'clock p.m. the House will now proceed to the consideration of private members'

business as listed on today's Order Paper, namely, public bills, notices of motions and private bills.

PRIVATE MEMBERS' PUBLIC BILLS

[*English*]

Mr. Deputy Speaker: Shall all orders preceding No. 48 stand by unanimous consent?

Some hon. Members: Agreed.

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NATIONAL RESOURCES AND PUBLIC WORKS

MORATORIUM UNTIL REFERENDUM ON DEVELOPMENT IN CANADA OF NUCLEAR POWER

Mr. Bill Blaikie (Winnipeg-Birds Hill) moved that Bill C-248, to establish a moratorium on the continued development of nuclear power in Canada for the purposes of establishing a public inquiry into nuclear power that is followed by a national referendum, be read the second time and referred to the Standing Committee on National Resources and Public Works.

He said: Mr. Speaker, it is with a great deal of pleasure that I rise today to speak on Bill C-248, an act which (1) establish a moratorium on the continued development of nuclear power in Canada; (2) set up a public inquiry into the issues raised by nuclear power and (3) require that after this inquiry a national referendum be held to determine whether Canada should proceed with a nuclear future.

● (1600)

I should mention that this is my first private members' bill. I consider it providential in a way that it was selected for debate, even though the debate will be for one hour. The government will talk out the honour so that the bill cannot be voted on or sent to the appropriate standing committee.

Mr. Knowles: Shame.

Mr. Blaikie: It is not possible in just 20 minutes to address the many issues in question which are and should be part of any discussion on nuclear power. Accordingly, I will try today to focus primarily on the process by which we are deciding, or appear to have decided already, that Canada is to proceed with the nuclear future planned for it for so long by the Liberal Party, Atomic Energy of Canada, Ontario Hydro and other long-established actors on the Canadian nuclear stage.

My basic contention is that the process by which we have come as far as we have already toward a nuclear future for Canada is undemocratic. Bureaucrats, technocrats and various other so-called experts from government and the nuclear industry have made decisions which will affect the lives of all Canadians, decisions which in my view should be made openly, politically, after ample informed public discussion of, and reflection upon the implications of various options. This is not the kind of decision making we have had up until now.

The three parts of Bill C-248 are intended to deal with this tragic and perhaps fatal flaw in our collective decision-making process as a nation.

The moratorium is the necessary first step because, without a moratorium, it is difficult to believe any ensuing public debate will be taken seriously by the government or the nuclear industry. It also ensures that time limits for the debate will be taken seriously. The nuclear industry has a vested interest in talking about the issue, as long as it can proceed with its plans while talking. Indeed, it has professional talkers, public relations people who are paid to relate to critics while the industry proceeds as ever. A moratorium would give meaning to debate and represent a significant precedent in the location of burden of proof.

It is not the critics who should have to prove they are right, as long as there is reasonable doubt, as there is in this case. The critics can only be proved right or wrong by time and tragedy. It is the nuclear industry which should have to answer for its claims. The burden of proof should be on them. The situation we are in now is analagous to one in which the blindfolded driver of a car moving down a crowded street complains of unfounded criticism because he has managed not to hit anyone yet.

The public inquiry is a necessary second step because it is only through the instrument of such an inquiry that public consciousness about this issue can be sufficiently raised. My idea of this inquiry is similar to that which actually occurred around the issue of the Mackenzie Valley Pipe Line in 1977, under the auspices of Justice Thomas Berger. His held a travelling inquiry which listened to all sorts of people, raised public consciousness about native land rights and the environmental fragility of northern Canada. He made good recommendations which, unfortunately I must add, have not been respected by this government. But the understanding and perception of the issues which that inquiry facilitated for many Canadians have not disappeared. I want to underline this as we find ourselves debating Bill C-48 in committee, the Canada Lands Act, which will make a mockery of some of the rhetoric we have heard from the government lately about aboriginal rights.

As I was saying, the understanding and perception of the issues which the Mackenzie Valley Pipe Line inquiry facilitated for many Canadians have not disappeared. It exists in the seething anger and disappointment which is building in this country about the way this government is dealing with the North and its people, in spite of its recent abstract conversion to the concept of aboriginal rights, and in its formal but actually meaningless commitment to environmental assessment.

Nothing close to what I am suggesting in the way of a public inquiry into nuclear power has ever been remotely contemplated by recent governments. The federal Progressive

Conservative Party would have set up only a parliamentary inquiry, likely force fed by AECL propaganda and not likely to have come up with truly independent conclusions.

Mr. Baker (Nepean-Carleton): On a point of order, Mr. Speaker. Surely the hon. member must be aware that such an inquiry would have Members of Parliament from his party, the Liberal Party and the Progressive Conservative Party, and have available all the expertise inside and outside of government. That was the intention. I thought I should clear that matter up for the hon. gentleman.

Mr. Blaikie: Mr. Speaker, I do not withdraw my contention that the decision to set up a parliamentary inquiry into nuclear power by the Progressive Conservative government in 1979 was a way of avoiding the kind of consciousness raising that the public inquiry that I am calling for would have more of a chance of creating.

Some hon. Members: Oh, oh.

Mr. Blaikie: If the members of the Progressive party are feeling particularly sensitive this afternoon, I will acknowledge that at the very least they recognized that this was an issue the Canadian people wanted brought within the parameters of political discussion.

As I was saying before I was so rudely interrupted by members on both sides of the House, the Liberal Party of Canada, which is the nuclear party par excellence, is that party which has presided over the undemocratic and authoritarian imposition of nuclear power in Canada. It is the party of the technocracy, of those fascinated and captivated by the technological capacity of modern man, and who have forgotten that the goal of human life is not technological, but spiritual, in the sense that human life is to be lived in harmony with each other and with creation, first, and not in reckless, arrogant, and prideful disregard for the human future and/or nature.

Instead, all the Liberal government concedes in this matter is that there is an internal departmental inquiry which, as far as I can make out, never comes to any conclusions because it does not really exist. As the Prime Minister (Mr. Trudeau) said in answer to a question asked of him on May 1, 1980, a public inquiry would take too long. The viability of the Canadian nuclear industry cannot withstand scrutiny.

A national referendum on the subject is a necessary third step because we have learned only too well that inquiries by themselves can be interpreted away, or just plain ignored. A well and clearly asked set of questions put to Canadians about their energy future and the various options available, nuclear or non-nuclear, after a public process such as the inquiry I have talked about, would do much to clarify not just the nuclear issue but other issues as well. At the moment the parameters of political debate, and I have spoken about this in the House before, are too confined and too narrow.

Issues such as nuclear power have been seen to be technical, managerial or crudely economic, rather than political in the full sense of what it means to be political. This must change for two reasons.

• (1610)

It must change, of course, in order to improve the quality of the decisions made about these issues so they might become decisions taken in the total context. Second, such issues must become political in order to save politics, that eminently human activity without which we lapse into collective unconsciousness and the friendly fascism of a society in which all significant decisions are made by the executive and its managers, the kind of future the Liberal Party has in mind for Canadians.

Politics is the art—not the science, but the art—of building up the polis and of working together on deciding and constituting the good life for all. The health of our political process, the health of democracy and the relevance of our political process are threatened by the number of issues which the process is not allowed or able to address. We are just now on the verge of giving up much of what is left of the political process to the courts. This may be appropriate; I am not so sure. What I do know is that there will not be much left for politics as such because so much has already been unconsciously conceded to the technocrats and to the bureaucracy.

A referendum on nuclear power would be a step in the right direction. Some people are frightened by referendums. This is understandable. Referendums are not the answer to everything, but in my view something is necessary to break the creeping irrelevance of our political system.

I do not hide the fact that I already have a pretty clear position on nuclear power. I believe the risks associated with nuclear power, such as reactor accidents, the effects of low-level radiation, the perils of nuclear proliferation, the environmental and occupational dangers of uranium mining, the problems of long-term radioactive waste disposal and the longevity associated with all these risks, should lead us to regard nuclear power as a special and unique case, and for this reason we should not proceed with it unless we do so consciously and together after the kind of process I have described.

I would not be happy if Canadians chose a nuclear future, but I want them to be able to choose. The forms of energy which we choose to use involve moral choices now more than ever before. Our moral relationship with nature, with the people of the future, with those who presently live on or around energy resources and with those who will work in the energy-producing processes which we set up—all these relationships are at stake here.

There are difficult trade-offs ahead, but we are not at this time in the dilemma we think we are in and which many would have us believe we are in. Too often we operate on the false premise that we must continue to live the highly energy consumptive life we now live and that we can do this by entrusting our lives to the experts. This is both a false sense of what is important in life and a false faith in our ability to come

up with a technological fix which does not do more harm than good.

The truth is that we have not really tried conservation. The truth is that we have not really tried to develop renewable energy resources. The truth is that we have not really considered many of the options now before us, the soft energy paths, etc. We have not really tried individually or collectively to rethink our lives in the light of what we know about our ability to pollute and deplete a finite world. Thus, we are now taking many of the risks which we take as a society, not out of necessity and not because our backs are to the wall, but for no other reason than our own convenience and our own reluctance to drive smaller cars or to do whatever combination of things would be necessary to give, in a real way, the conserver society, as some people have called it, a try.

We are not faced with freezing in the dark. If we had tried all these other routes and still we faced energy shortages, then maybe we would need to contemplate nuclear power, but we have not done this.

I believe what we do about nuclear power will be powerfully symbolic for the western world. I speak here not just in the context of Canada but in the context of the western industrialized world. Not going ahead or stopping nuclear power at its present stage of growth will indicate that we are prepared, as a civilization, to repent of our headlong drive toward increasingly meaningless consumption—

Mr. Siddon: Hands folded.

Mr. Blaikie: —at the expense of the future, nature, and those parts of the world which we keep as our economic hinterland at the point of a gun.

Mr. Siddon: What are you going to burn, leaves?

Mr. Blaikie: I notice that the party which is so self-righteous and exuberant about getting God into the Constitution is becoming giddy at the language of repentance. I notice that the language of repentance bothers the same party which is concerned about God. Perhaps the people of Canada should take notice of that.

Going ahead with nuclear power will mean that we have given up on ourselves, given up on our ability to reshape the human community instead of continuing to bend heaven and earth to the false priorities of industrial civilization.

Mr. Kempling: Down on your knees.

Mr. Blaikie: Many in my party feel the same way as I do. Accordingly, we regret that the government of Saskatchewan has chosen to embrace so actively the mining of uranium in northern Saskatchewan. In the well-intentioned passion for creating wealth which may be used for the benefit of all the people of Saskatchewan they have made a Faustian bargain which, if it is not soon cancelled, will cost them their souls. But at least they have souls to lose. Others proceed with no pangs of conscience whatever. Nevertheless, I mentioned Saskatchewan so as not to appear naive or self-righteous in any partisan sense. I do believe, however that it is only within a truly democratic socialist economy that the environment can be protected and people done justice. Because justice and survival, in the final analysis, can go together, we do not have to pick between justice and survival, and it is to the posing of these kinds of questions to an informed Canadian public that this bill is dedicated.

Some hon. Members: Hear, hear!

Mr. Roy MacLaren (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, in the discussion today of nuclear matters I want to say a word first about the success of the development of the Candu reactor here in Canada. It has been a remarkable technological achievement on the part of Canadian scientists, engineers and industry. Indeed, by 1979, nuclear reactors were generating one-third of the electricity here in the Province of Ontario, with a total value of something over $1 billion. I cite that as an indication of the success of the Candu reactor, a largely indigenous system for generating electricity which makes use of abundant Canadian resources and is a unique Canadian technology.

Second, of course, the Candu reactor is economically competitive with coal-fired generation in large parts of the country, especially east of Manitoba.

Third, the technical performance of the Candu reactor has been outstanding. For example, statistics show that four Candu reactors were more reliable than any of the 110 large power reactors in the world today. In terms of lifetime gross operating factors, six of the world's top seven reactors in 1979 were Candu units operated by Ontario Hydro.

The bill before us today would eliminate exports of nuclear plants. If Canada were to adopt such a position and if other supplier countries were to follow our lead, we would be forcing on the rest of the world our judgment that they do not need nuclear technology. Many countries are facing rapidly worsening economic conditions because of the high cost of oil. Many of them simply do not have hydro electricity or coal as a viable option, and many of them are desperately short of the energy they need to raise their living standards to levels we would consider to be minimally acceptable.

● (1620)

It is true that many such countries have too small an electrical system to be able to use nuclear power, but if we refuse to sell to those who can use it we allow the world pressures on available oil supplies to increase and to make those supplies less available and more costly to countries with no other intermediate term energy options. Denying a country the energy sources it perceives it needs is not a step toward encouraging world peace. It is prudent to be careful in selecting which countries we shall sell to, assuring ourselves that they have only peaceful motives. It is not prudent to refuse to export one of the superior energy options in the world today to any foreign country under any conditions.

At home, export sales complement our domestic nuclear program. They permit economies of scale and the spreading of

research and development and other overhead costs over a large number of units. They offer an opportunity to earn foreign exchange and make profits for our domestic firms. They also provide important experience in the management of international mega projects based on Canadian technology. Finally, of course, the demonstration effect from our Candu reactor sales can enhance Canada's broader ability to sell other high technology exports.

I am very pleased to have had the opportunity in recent months to participate in our sales efforts in both Yugoslavia and Mexico, two countries which are among those actively considering Candu reactors in their future energy programs. Korea is a satisfied customer already and is actively discussing with Atomic Energy of Canada the possibility of additional unit purchases. Romania has recently purchased a Candu reactor which is now under construction. During my recent visit to Romania, I found every indication that the Romanian government will pursue its intention to acquire a total of four Candu reactors in the time ahead.

The hon. member in raising the subject of nuclear energy today, and in proposing a moratorium on the further development of the industry, has referred in passing to concerns which he evidently has about certain aspects of safety and health regarding the generation of nuclear energy. He referred in particular to a question of uranium mining and the disposal of low level radioactive waste. In that regard and, indeed, with regard to other aspects of safety and health concerns, Canada's record is exemplary. I want to take a moment to touch on some aspects of those questions which are of some technical complexity but which are of great importance to the government of Canada and to provincial governments.

With reference to the disposal of low level radioactive waste, the bulk of the hundred million tonnes of uranium tailings disposed of today are safely isolated so that the environmental guidelines imposed by provincial governments and the Atomic Energy Control Board are met. The pollution abatement equipment installed in all operating mines prevents these systems from presenting any significant risk. The long-term problem is to replace the present control systems with passive systems or to dispose of the tailings safely.

In that connection, I am pleased to report that the Canada Centre for Mineral and Energy Technology has formed a group called the national technical planning group on uranium tailings research. The group includes representatives of the mining companies the federal and provincial government regulatory agencies, research groups, universities and consultants. This group is now in the final review stage of its report which will review present activities and sources of funding, propose a research program schedule, and propose a program management structure. The report is expected to provide the information necessary for the federal government to embark upon an expanded research and development program.

The hon. member opposite also referred in his statement to the question of reactor safety. I want to point out that the Candu reactor has an excellent safety record. It has less over-all impact on the environment than fossil-fuelled stations and hydro dams.

In that regard, I want to say a few words about nuclear reactors and safety. How safe is the Candu reactor is a question that is sometimes asked. The record of the Candu reactor has been, over all, one of outstanding achievement. In the 30 years since Canada's first major nuclear research reactor began operation, no member of the public has suffered any injury from a nuclear reactor accident, not one person has lost working time through radiation injury in our nuclear stations, a record which cannot be matched by those of other energy industries. This is not to say, of course, there are no risks associated with nuclear power. As with all other industrial processes, risks do exist but major efforts have been made to quantify and to ensure that appreciably lower risks than society accepts from other energy sources exist in the nuclear industry.

The greatest risk associated with nuclear plants is the uncontrolled release of radioactivity. The radiation from the normal operation of nuclear power plants is only a very small fraction of the natural and man made radiation to which we are continuously exposed from various sources, such as cosmic rays, medical and dental X-rays, jet flights, colour television, and fallout from atmospheric weapons testing. To prevent the release of radioactivity beyond acceptable levels is a major goal of reactor designers and operators. A series of barriers has been designed into the Candu reactor to prevent unplanned releases. These barriers range from the sheaths surrounding the fuel pellets to the massive airtight containment building around the reactor, which is surrounded in turn by an enclosure zone extending for one kilometre around the reactor. These barriers are in turn backed up by separate safety systems whose sole purpose is to handle accidents, such as shutdown systems and the emergency core cooling system.

Since the first nuclear reactors were designed, scientists and engineers have studied a wide range of hypothetical accidents so as to give increasing protection to the public. Indeed, the excellent safety record of Candu is both the result and testimony of the care with which these stations have been designed, licensed, constructed and operated. In all these areas, safety requirements are a dominant factor and the protection of the public from radiation hazards is a major consideration.

Another question which is sometimes asked, to which the hon. member referred today, is how we dispose of spent fuel. As members of the House may now be aware, Canada already has a well established research and development program regarding the technologies needed for the safe and permanent disposal of our nuclear fuel wastes. As has frequently been explained, underground disposal in stable geological formations will effectively isolate the fuel wastes. The initial stages of the program have been designed to test, through laboratory and field research, the viability of this concept.

● (1630)

While Atomic Energy of Canada has prime responsibility for the program, several departments and agencies of the governments of Canada and of Ontario also participate, along with industry and the university community. The over-all objective of the Canadian program is to ensure that there will be no significant effect upon man and upon the environment at any time. The deep underground disposal method has been approved by many world scientists and engineers as the most suitable way to achieve our objective.

Therefore, work in Canada is concentrated on disposal in the stable, hard rock formations of the Canadian shield. The formations being investigated, known as plutons, are scattered across the Ontario portion of the shield. Studies of the geological characteristics and of the behaviour of immobilized wastes will contribute to a generic safety and environmental assessment of the disposal concept to be presented to regulatory authorities.

Only after this process has been completed will technically suitable sites be selected for disposal. The site selection phase will take account of economic factors, community impact, health and safety considerations, and environmental effects on each potential technically suitable site. The factors will be discussed with any communities near the sites and elected representatives of these communities.

There is no question that public knowledge, understanding and acceptance, are important to the success of this program. A full public information effort is now in effect over virtually all the Canadian shield region of Ontario and at the Whiteshell Nuclear Research Establishment in Manitoba, where an underground research laboratory is being built as part of the concept assessment stage. Exhibits, films, briefings for the media and for elected representatives of communities near which work is being done and mailings to householders, have all been planned or conducted to provide the general public with information.

Over the past year, scientists involved in the waste management program have made many in-depth presentations to municipal councils, associations and other groups. Accordingly, every effort is being made to reach out to the larger public, in an attempt to inform a wider range of people about the work which is being done in Canada, to answer the question of nuclear spent fuel disposal. The research can be pursued to the point where the basic concept is adequately assessed and justified and a long-range solution to the problem of nuclear waste disposal can be demonstrated as safe and permanent.

I think I have demonstrated, with respect to any concerns the hon. member may have regarding uranium mining, reactor safety and spent fuel disposal, that the federal government is moving vigorously to eliminate any potential risks. There will be no moratorium on our desire to maximize the benefits the CANDU reactor brings to our trading efforts, our industrial strategy, and our ability to provide Canadians with an assured and inexpensive energy source. There will be no moratorium on our desire, held with equal commitment, to protect Canadians from any health hazards.

The hon. member opposite proposed a three-year moratorium in the nuclear industry. He should realize that such a moratorium would kill the industry well before his public inquiry ever reported. Presumably he is advocating the closure of the uranium industry across Canada, including Saskatchewan, as well as the manufacturing industry which is currently at an important juncture in its development. If the industry were unable to survive a moratorium, the uranium industry and the Candu option would be lost just when we may need it most. Would the hon. member prefer the importation of inferior and less safe United States reactors? Would he prefer that we attempt to reassemble the industry when required to do so, at considerable expense and difficulty? If he is concerned about employment, innovative high technology industry and exports, I ask the hon. member to rconsider the wisdom of placing the Candu option in abeyance while our competitors are free to pursue sales worldwide.

A public inquiry may be an effective instrument of public information and may contribute to policy formation and decision making. However, public inquiries may also serve as delaying tactics for governments to avoid their responsibilities. There have been a large number of public inquiries into nuclear power in Canada in recent years. Their proceedings and reports have contributed to the information and analyses available to the public.

I should like to cite one or two examples. The Ontario Royal Commission on Electric Power Planning and the Porter commission actively considered many aspects of the nuclear industry. In Saskatchewan, the Bayda commission on Uranium Mining reported on the beneficial impact and assessed the opportunities for that industry in Saskatchewan. The Federal Environmental Assessment and Review Process reported on four different locations for a new uranium refinery. The Ontario Provincial Environmental Assessment Board reported on expansion of uranium mining at Elliot Lake. The Ontario Select Committee on Hydro Affairs investigated a number of aspects of the nuclear industry. In British Columbia, the Bates commission conducted an investigation of the implications of uranium mining in British Columbia. Its mandate was terminated some time ago by the British Columbia government.

At the federal level, a number of parliamentary committees have looked into different aspects of nuclear power and, no doubt, will continue to do so. Parliament devotes considerable time to nuclear issues.

The government takes the position that further formal public discussion of nuclear power issues is unlikely to improve the quality of decisions on this issue and that Parliament, with its committees, is a sufficient forum in which to discuss these issues at the federal level. The government will provide any additional fora in which to do so.

The government has been conducting a review of the nuclear industry in Canada, as the hon. member mentioned. A number of background papers on all aspects of the nuclear fuel cycle have been prepared and will soon be made available to the public on completion of their translations. We hope these will

contribute substantially to a well-informed public discussion of all aspects of nuclear energy generations.

There are many important reasons to believe that nuclear power has an important role to play in Canada's future. This is not the time to restrict or limit our energy options.

Mr. Deputy Speaker: I regret to interrupt the hon. member, but his allotted time has expired.

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, it is a pleasure to speak this afternoon in the few remaining minutes on the proposed moratorium, the proposed public inquiry, and the proposed referendum put forward by the hon. member for Winnipeg-Birds Hill (Mr. Blaikie).

I think Mr. Speaker will find some of my comments rather repetitive of those of the parliamentary secretary. It is not very often I agree with the hon. gentleman, but I think the force of his logic this afternoon has me convinced of the argument put forward by the government.

The views of the hon. member for Winnipeg-Birds Hill are demonstrative of what one might call the red flag mentality of the NDP. In the early part of this century when automobiles were first seen on the roads, it was prescribed that somebody should walk in front of automobiles with a red flag to warn people of what was coming. Automobiles were deemed to the very dangerous; in fact they are. Nobody would say they are not, but society has learned to live with them and with the new developments in transportation, as they will surely learn to live with new developments in the energy field. I would submit that the mentality displayed by my colleague to the left in respect of the energy field is just as outdated and belongs just as much to the horse and buggy days as the rest of his party's political philosophy.

• (1640)

Let us examine the Canadian nuclear industry. I think it is something we can be proud of in Canada. In this country we have all aspects of that industry, starting with the prospector looking for uranium in the field to the mining industry which started at the Port Radium mine in the constituency I am so proud to represent. We now have uranium mines in Ontario, in the Blind River area. There are new mines in Saskatchewan. This is a very healthy segment of the Canadian minerals industry. There is processing and upgrading in Canada, for example the Port Hope Uranium refinery. We have technical expertise in that particular field. Of course, we also have the construction field. Of course, we also have the construction and operation of nuclear power plants. I understand a trip has been arranged to visit the Chalk River plant on Monday next, to which I am sure the hon. member for Winnipeg-Birds Hill has been invited.

Mr. Kempling: He will not go.

Mr. Nickerson: I do not think he will go I do not think he wants to know what the facts of the case are. Many of us who are interested in determining the facts and finding them out for ourselves will be availing ourselves of the opportunity to go and see these plants which have been safely in operation for many years.

Mr. Blaikie: I have been through Pinawa, Pickering, through them all.

Mr. Nickerson: We also have expertise in the area of non-energy use of uranium in Canada. For instance, I understand that a good deal of our uranium is used in the aviation industry. Several hundred pounds of uranium is used as counterweight in large jets. Uranium is also used for shielding against radio-activity. This is another field in which we have developed technology in Canada.

Certain areas of this country, Ontario in particular, has bet its energy future on uranium and the nuclear generation of electricity. In provinces like Ontario, where there is limited coal, and even less oil and gas, where most of the hydro potential has been utilized, the uranium alternative must be used for a reasonably priced source of electricity. There are other places in the world, such as Scotland, which immediately comes to mind, where at the present time some 25 to 30 per cent of their electricity is generated by nuclear means.

The parliamentary secretary stressed the importance of the nuclear industry to Canada's exports. We can be proud of the Candu reactor which we market all over the world. In exporting that reactor and in guaranteeing sources of natural uranium for it, we are doing not only ourselves a benefit but the countries which buy from us this particular plant and the fuel needed to operate it.

Having said that, again in many ways I am reiterating what was said by the parliamentary secretary, there are obvious areas of research which should be undertaken and, in fact, are being undertaken. Mining techniques is one of those area. How do we make the mining of uranium as safe as possible? There are dangers associated with the emission of radon daughters in uranium mines and we want to, if not eliminate it completely, since mining will always be a hazardous occupation, at least reduce it as much as possible. In all probability we need more studies into the disposal of radioactive mine tailings.

As I understand the situation, the raw ore contains impurities which are more highly radioactive than the uranium mineral itself. When these are extracted they can be a source of trouble. We need to look into this problem more closely. This is being done. Most of the mining companies in the field take their responsibilities seriously. We need to look more efficient generation techniques and safer designs of nuclear reactors. Candu is a heavy water cooled plant which uses natural uranium. It seems to be one of the best plants available now. It is continuously being modified and upgraded. But the time will come when we might have to go to another system. Many years in the future the type of Candu reactor we have now might become completely obsolete and we will have to go to nuclear fusion techniques. I hope research into that field of endeavour is being undertaken in Canada as it is being undertaken in other countries in the world.

We must look into the question of nuclear waste management, both the disposal of it and the reprocessing of it, to get the utmost value from the ores and metals produced in Canada. As I understand it, reprocessing is an expensive proposition and is not undertaken in this country at the present time. That does not mean to say we cannot look forward to the day when we will be able to undertake reprocessing in Canada.

The parliamentary secretary briefly addressed the question of nuclear waste disposal and the various methods which might be adopted to safely dispose of nuclear waste in the long term. He mentioned particularly underground burial in areas of stable rock and granitic plutons in the Canadian shield. He referred to the work that has been done close to Whiteshell in Manitoba in this respect. If I have any criticism it would probably be that insufficient finances have been made available to the underground laboratories in that area. If the Minister of State for Mines (Mrs. Erola) is listening perhaps she could put that on her list of priorities for additional funding. I know she has a great many areas which quite deservedly should be priorities on her list and it must be very difficult for her to priorize them.

The safety of the industry has been demonstrated. In his presentation the parliamentary secretary said he knew of no one who had ever been adversely affected by the operation of a nuclear power plant. If we look at the accident statistics in the nuclear industry, as compared with other forms of energy generating industries, we will find they are comparable and in a good many cases probably the number and severity of accidents are less in the nuclear industry for instance than in the generation of electricity by the use of coal.

In total, the generation of electricity by the use of uranium probably is safer than the generation of electricity by the use of coal. He referred to the general levels of radiation, the radiation to which all people are subject; natural radiation and cosmic radiation. One he did not mention was the application of fertilizers to farmers' field, potash, for instance, which to a limited extent is radio-active. It is spread over a large area and eventually finds its way into waterways. Radioactivity brought about by the application of fertilizers to the arable land of this country, in total, is much greater than radiation caused by the mining and utilization of uranium.

Finally, I want to look at the proposal for a moratorium which is before us—a public inquiry to be followed by a referendum. I wonder if the hon. member who proposed this has really thought about the effect a moratorium would have on the existing industry in Canada. What would it do to the people on the exploration side of the industry. What would it do to the people who work in the uranium mines in Saskatchewan, Ontario and in other provinces in Canada who would suddenly find themselves out of work? What would it do to the electricity supply? What would it do to our export markets? We would be making a dreadful mistake if we were to follow the recommendation of the hon. member for Winnipeg-Birds Hill. I think we have just about had a stomach full of public inquiries into the uranium industry. We have had them in Saskatchewan and we have had them in British Columbia. We have had any amount of them. That is not to say that some good did not come out of them. There were some good recommendations made in Saskatchewan.

• (1650)

Only recently, the legislature of the Northwest Territories publicly debated this matter in Committee of the Whole. They heard various experts. They did not go so far as to suggest a moratorium, but the exercise was useful in that experts in the field were able to present their views, and members of the general public were able to find out the various viewpoints and come to their own conclusions. However, I think we have already had enough inquiries into this. We know what we must do. The matter has just about been studied to death.

In so doing we have found out the areas in which further research is required. These have been identified, and what we probably want now is both private funding—I am always in favour of private funding, because that does not cost the public purse anything—and maybe even some public funding into these areas of concern and research which have already been identified.

With respect to the proposed referendum, I do not really want to say anything more. Ideas of referendum have been debated ad infinitum. They have been debated to death in this House over the last few weeks. However, probably the most sensible ideas on referenda expressed recently in the last few weeks were those expressed only the other day by the hon. member for Sarnia-Lambton (Mr. Cullen). Instead of repeating what he said, I would advise hon. members who are interested to look at *Hansard* and find out what the hon. member for Sarnia-Lambton said on this matter.

Mr. Knowles: He's our Edmund Burke.

Mr. Nickerson: In conclusion, I would submit that the decision as to whether we are to proceed into the nuclear age has already been made.

An hon. Member: That's the point.

Mr. Nickerson: What the hon. member is trying to do now is engage in a last effort in futility. I think it would be wrong and disastrous to the Canadian economy and disastrous to the Canadian future.

What we should do, as Canadians, is go ahead to the nuclear age with confidence.

Some hon. Members: Hear, hear!

Miss Aideen Nicholson (Trinity): Mr. Speaker, I expect most people would agree that we should indeed go slow on nuclear until we have solved waste problems. The importance of dealing with management, storage and ultimate disposal of used nuclear fuel is an issue which concerns many thoughtful people, and this is recognized in the National Energy Program which includes a statement, and I quote:

> If we make the right decisions today about all of our energy opportunities, we can move quickly off world oil, while still giving ourselves the time to analyse

with care such issues as the technology needed to ensure the safe disposal of nuclear wastes, and the longer-term benefits and costs of the nuclear fuel cycle—

Against the risks of nuclear must also be balanced the risks in our time of not going nuclear, the risks of closing off our options prematurely. These risks are social, economic, health and environmental.

In 1976, when the United Nations held its conference on human settlements in Vancouver we saw, very dramatically, the two sides of this debate. There were calls for a moratorium on the spread of nuclear energy at a conference, where the main concerns were the starvation, death and the dreadful conditions of life in underdeveloped countries. No one can be unaware of what is involved in looking after the world's four billion people, a population which will escalate in three decades to eight billion. The struggle in the developing countries is harsh. Food shortages and higher prices for oil and commodities are presenting people with almost intolerable conditions of living.

Following Habitat, the Prime Minister (Mr. Trudeau) was asked what he thought about the calls for a moratorium on nuclear energy. I will read part of his reply:

> We have this high technology in an era where many of the less developed countries are starved for energy, they need it not for explosive purposes; they need it in order to improve their standard of living; they need it for medical purposes, for agricultural purposes; they need it to reach some degree, some minimum degree of habitable environment, and we're sitting on this technology. We could say, well, . . . we don't share it because the dangers of proliferation are too great . . . It's too risky for you . . . We can trust ourselves . . . not to abuse this technology but we can't trust you so we won't teach you how to use it.

That is something for those who call for a moratorium to consider. The developed nations have a moral obligation to assist energy-poor nations to develop alternatives to oil. This conclusion was arrived at during the Venice Summit in June, 1980. I will quote from the declaration:

> We underline the vital contribution of nuclear power to a more secure energy supply. The role of nuclear energy has to be increased if world energy needs are to be met. We shall, therefore, have to expand our nuclear generating capacity. We will continue to give the highest priority to ensuring the health and safety of the public and to perfecting methods of dealing with spent fuels and disposal of nuclear waste. We reaffirm the importance of ensuring the reliable supply of nuclear fuel and minimizing the risk of nuclear proliferation.

That was from the declaration following the Venice Summit in June, 1980, a declaration which was arrived at following a very extensive discussion of the obligations of developed countries.

"The Health Hazards of Not Going Nuclear" is the title of an American publication which was borrowed by a Canadian scientist who, in an address last year, quoted some figures about the possibilities which would flow from our not going nuclear from, for example, an increased use of coal. Professor Yaffe pointed out that:

> In the last 80 years 30,000 coal miners in Pennsylvania alone have been killed in coal mine accidents. In Appalachia 57,000 coal miners suffer from black-lung disease.

He also gave some figures about the effect on the environment and the possible increase in acid rain if we were to neglect our nuclear technology in favour of existing technology, such as more use of coal.

To a very large extent, the debate about nuclear power is a debate about the nature of risk, about how we evaluate risk, how open the discussion is and how best to make these decisions which will affect not only us, but also future generations.

● (1700)

[*Translation*]

Mr. Deputy Speaker: The hour provided for the consideration of private members' business has now expired.

It being five o'clock, this House stands adjourned until Monday next at 2 p.m., pursuant to Standing Order 2(1).

At 5 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Monday, April 13, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

ENVIRONMENTAL AFFAIRS

DUMPING OF CHEMICAL WASTES INTO NIAGARA RIVER—MOTION UNDER S.O. 43

Mr. Joe Reid (St. Catharines): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of most urgent and pressing necessity. It is reported that SCA Chemical Waste Services will begin dumping treated chemical wastes into the Niagara River this month. The people of Niagara have conducted a mock funeral and have declared dead this once mighty river. I therefore move, seconded by the hon. member for Brampton-Georgetown (Mr. McDermid):

That in these days of upset wins and surprise moves the government even yet at this late time take action to prevent this proposed dumping, in compliance with the International Joint Commission's recommendation that governments prevent any additional discharges into the river, and in compliance with the Prime Minister's commitment to the people of Niagara.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise to exercise my right under Standing Order 43 and to add a footnote to the contemptible and quite irrational remarks of the Prime Minister (Mr. Trudeau) on fascism, which he chose to make outside this House. I therefore move, seconded by the hon. member for Pembina (Mr. Elzinga):

That Canadians be alerted to the fact that the Prime Minister sees
Fascism here;
Fascism there;
Fascism everywhere
But it's in his own chair!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INCOME TAX

TREATMENT OF EAST COAST FISHERMEN—MOTION UNDER S.O. 43

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, last week the Minister of Fisheries and Oceans (Mr. LeBlanc) closed the spring herring season on the east coast before it was opened. Now the government is going to gut any of the fishermen who might have weathered that storm by socking it to them via their income tax. I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That the House instruct the government to call off its ton-ton bullies in the Department of National Revenue and let the east coast fishermen go about their business of being honest and hard-working Canadians.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

FISHERIES

COMMERCIAL FISHING REGULATIONS ON WEST COAST—MOTION UNDER S.O. 43

Mr. Ted Miller (Nanaimo-Alberni): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. On Wednesday the B.C. Salmon fishing season will open without the proclamation of proposed regulations concerning two-area trolling. The government's hesitancy in legitimizing its policy proposals and press announcements is a result of fisheries department confusion and uncertainty and a sign that political rather than conservation considerations are foremost in the minds of ministry decision-makers. I move, seconded by the hon. member for New Westminster-Coquitlam (Miss Jewett):

That the department curtail all major changes in commercial fishing regulations until the Pearse commission of inquiry has had the opportunity to hear the B.C. fishing industry's concerns and proposals and has reported back to the government and consultations with fishermen have followed so that a comprehensive management plan can replace the present ad hoc policy formation which is destroying the opportunity to make a living in the B.C. fishing industry.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, I rise on a matter of urgent and pressing necessity to grain farmers in Canada who have waited eight months to be paid compensation for the embargo on grain to the U.S.S.R. In light of the conflicting statements made by members of the government, namely, the statement made last Thursday by the minister responsible for the Canadian Wheat Board that he could not in a definitive way say when such payments would be made and how, the Minister of Agriculture (Mr. Whelan) reporting on April 1 that compensation payments will be made within one week, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That the government end the anxiety of whether such payments will be made and how much producers will be paid and stop punishing the farmers of Canada for national policy that the government supported by immediately announcing adequate compensation payments for farmers.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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AGRICULTURE

HERD MAINTENANCE PROGRAM—EXTENSION OF APPLICATION DEADLINE—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I too rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Whereas the herd maintenance program has now been extended to include a further 470 townships, and whereas many producers in those townships did not apply for herd maintenance assistance under the original program because of the government's original error in approving townships, I move, seconded by the hon. member for Kindersley-Lloydminster (Mr. McKnight):

That those producers within the extended townships be allowed additional time to submit their applications for herd maintenance.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1410)

THE CENSUS

APPOINTMENT OF COMMISSIONERS—MOTION UNDER S.O. 43

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, the Minister of Supply and Services (Mr. Blais) just released the lists of census commissioners for the 1981 Canadian census. In view of the fact that every Liberal Member of Parliament was requested to submit lists of potential commissioners, but all other members, representing 134 ridings in Parliament—soon to be 136—were not asked for their recommendations, and because the lists contain nothing but old Grits, many defeated candidates, their wives, their campaign managers, presidents of Liberal associations and are not necessarily Canadians who are qualified and need the employment or the $4,350 of the taxpayers' money each will obtain, under Standing Order 43, I move, seconded by the hon. member for Peterborough (Mr. Domm):

That the Minister of Supply and Services rescind the appointments which are blatant patronage and conduct a proper search for census commissioners taking into account ability to do the job and need of employment.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENVIRONMENTAL AFFAIRS

PROPOSED LOCATION OF RADIOACTIVE WASTE DUMP AT SCARBOROUGH, ONT.—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise pursuant to Standing Order 43. Whereas the Minister of Public Works (Mr. Cosgrove) has said he would be prepared to move his offices over to the contaminated environment of Les Terrasses de la Chaudière, and whereas there has been a proposal that there be a temporary radioactive waste dump in Scarborough as an ad hoc response to one more nuclear embarrassment visited on the people of Canada by AECL and unprepared governments, a response which has not been criticized by the minister, I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That this House instruct the minister to show the same solidarity with his constituents as he seems prepared to show with federal government employees and consider moving his home next to, or on to the proposed dump site.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ENERGY

IMPERIAL OIL PROJECT AT COLD LAKE, ALTA.—MOTION UNDER S.O. 43

Mr. Al MacBain (Niagara Falls): Madam Speaker, I rise on a matter of urgent and pressing necessity. In view of the continuous pressure being applied to the Government of Canada by Imperial Oil Limited which is threatening to mothball its Cold Lake project, I move, seconded by the hon. member for Cape Breton-East Richmond (Mr. Dingwall):

That this House condemns such blackmail by Canada's largest foreign-owned multinational oil company.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ROYAL CANADIAN MOUNTED POLICE

COST OF SERVICE TO PROVINCES AND MUNICIPALITIES—MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing importance under Standing Order 43. Whereas, when the federal government first conceived the idea of using the RCMP for provincial and municipal purposes, attractive financial agreements were offered and some provincial governments and municipal councils therefore disbanded their own police forces, and it is now very unfair to propose substantial increases for this service when there is no alternative readily available, I move, seconded by the hon. member for Portage-Marquette (Mr. Mayer):

That this House urges the Solicitor General to offer the provincial governments and municipalities a new agreement containing only a modest increase as this arrangement does provide a federal "eye" throughout Canada for the federal government.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL SECURITY

MISSING GOUZENKO INQUIRY DOCUMENTS—MOTION UNDER S.O. 43

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I rise under the provisions of Standing Order 43 and hope that I will get unanimous consent for my motion. In light of recent disclosures about losses from the Public Archives of documents connected with the Gouzenko inquiry, I move, seconded by the hon. member for Grey-Simcoe (Mr. Mitges):

S.O. 43

That the Solicitor General or the Secretary of State make a statement on motions at the earliest opportunity to clarify this matter and, in particular, to explain how such losses could occur.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PUBLIC SERVICE

NEGOTIATIONS BETWEEN TREASURY BOARD AND VETERINARY INSPECTORS—MOTION UNDER S.O. 43

Mr. Gus Mitges (Grey-Simcoe): Madam Speaker, I too rise under the provisions of Standing Order 43. Now that negotiations between Treasury Board and the government's veterinary inspectors have resumed again to try to reach agreement on salaries and inequitable working conditions, and to avert a possible national strike which would result in the loss of millions of dollars to our economy and export trade, I move, seconded by the hon. member for Burlington (Mr. Kempling):

That the Treasury Board negotiators take their responsibilities more seriously than they have up to now, and not unilaterally break off negotiations as they did on March 24, losing more than two weeks in valuable negotiation time which could have been fruitfully used, and which would have offset much of the sporadic time off taken by inspectors, and the unnecessary disruptions and loss of income to our livestock industry and the meat packing industry in Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1415)

INDIAN AFFAIRS

SUPPLEMENTARY SOCIAL FUNDING FOR JAMES BAY CREE COMMUNITIES—MOTION UNDER S.O. 43

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the appalling health, housing and sanitation conditions which the Minister of Indian Affairs and Northern Development (Mr. Munro) saw in his whirlwind tour of Cree communities in the James Bay area; in view of the fact that the James Bay and Northern Quebec agreement was signed over five years ago, with the intent of helping these communities develop decent facilities; and in view of last year's epidemic of gastroenteritis which took the lives of several children, and the possibility of another outbreak this year, I move, seconded by the hon. member for Winnipeg-Birds Hill (Mr. Blaikie):

That the minister not wait two months until the completion of the bureaucratic review, but act now, on the basis of what he has seen with his own eyes, and

secure supplementary funds to bring health, housing and sanitation conditions to a safe level.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

AUTOMOTIVE INDUSTRY

RESULTS OF CANADA-UNITED STATES MINISTERIAL DISCUSSIONS

Mr. Otto Jelinek (Halton): Madam Speaker, in the absence of the Minister of Industry, Trade and Commerce who assured us that he would be in his seat at this time, I should like to direct my question to the Minister of State for Small Businesses and Tourism. After many months of studies, consultations, meetings, discussions, negotiations and so forth regarding the ailing automobile industry, which in Ontario alone provides one out of every six jobs, can the minister tell us what firm and specific agreements and decisions were reached during the meetings of the Minister of Industry, Trade and Commerce with his counterparts in Washington last week, agreements and decisions beneficial to the future of the Canadian industry? May I add that I have a great concern for the future of that industry.

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I appreciate the concern of the hon. member but I would suggest it is inaccurate to say that nothing has been done for the auto industry in Canada. Along with all his colleagues in the House the hon. member has been made aware of the efforts made by both the Canadian and the American governments to help Chrysler Corporation; he is aware as well of the agreements which are under negotiation between American Motors and a European car manufacturer, and of a certain increase in employment at Ford Canada. However, I cannot speak of a definitive agreement which was allegedly concluded Friday in Washington because I was not a party to those discussions.

[*English*]

APPEAL FOR RESTRICTIONS ON IMPORTS

Mr. Otto Jelinek (Halton): Madam Speaker, despite the minister's remarks which did not answer the specific question about the meetings in Washington, the counterpart of the Minister of Industry, Trade and Commerce, Mr. Malcolm Baldridge of the United States, is quoted in Washington as saying that no agreements or decisions whatsoever were reached as a result of last week's meetings. That was my initial question.

The Minister of Industry, Trade and Commerce said in Washington last week:

We're not talking about joint decisions . . . (with the U.S.)—we're talking about making our own decisions—

This is something for which we have been pushing for so long. As the minister knows, just ten days ago the Canadian Motor Vehicle Manufacturers Association, the Automotive Parts Manufacturers Association, UAW and others appealed for restrictions on imports, especially from Japan, imports which, by the way, increased by a whopping 94 per cent over last year. Could the minister now stop pussyfooting around and tell us in his own words what is his government's decision in this regard, before Canada becomes the North American dumping ground for automotive imports?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I just said at the end of my previous remarks that I was unable to tell the hon. member anything about the outcome or the decisions taken at the meeting in Washington because I was not there myself. I should think that that was the only answer I could give to the first question.

As to the second question, the hon. member knows that a Canadian delegation is now in Japan to discuss the issue of growing exports of Japanese cars to Canada. We are extremely concerned over this problem which grows worse as months go by, but it would be premature to voice an opinion before reading the report we will get from the delegation.

● (1420)

[*English*]

FUTURE OF CANADA-UNITED STATES AUTO PACT

Mr. Otto Jelinek (Halton): Madam Speaker, my supplementary question is for the Minister of Finance, since it is obvious that neither the Minister of State nor the Minister of Industry, Trade and Commerce is able to make any decisions whatsoever regarding the auto industry, except to create more discussions. Therefore, since the Prime Minister himself told me last month that the U.S.-Canada auto pact was a high priority issue, I would like to ask the Deputy Prime Minister at what point the government as a whole would consider the state of the auto industry in this country to be critical enough to take the necessary action, much of which has been recommended by members of this party and other interest groups across Canada? It should be kept in mind that a $3 billion to $4 billion annual deficit is being experienced by the Canadian auto industry.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, in reply to the hon. member's question I should tell him that the matter of the automobile industry is considered frequently by the govern-

ment. As decisions are taken they will be announced to the House.

EXPORT OF PARTS TO EUROPEAN AND JAPANESE CAR MANUFACTURERS

Mr. Bill Kempling (Burlington): Madam Speaker, in the absence of the Minister of Industry, Trade and Commerce I will direct my question to the acting minister. The minister has had discussions with his American counterpart on the auto pact and he will know that 70 per cent of the auto parts manufacturers in Canada are American subsidiaries which build to order for their U.S. parents. Did the minister discuss how these subsidiaries could become involved in the export of parts to European and Japanese auto manufacturers? Can he tell us whether the subsidiaries will be pursuing export orders directly into the European and Japanese markets?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, the hon. member knows that it has always been the policy of the government, every time a foreign company starts a subsidiary in Canada, to try to convince foreign investors to develop in Canada a new product for the world market. The same philosophy applies to the auto parts industry but, as I said in reply to the hon. member who spoke before him, I cannot disclose in detail the talks that went on in Washington since I was not involved in them. However, I would gladly convey the hon. member's question to the Minister for Industry, Trade and Commerce.

[*English*]

DISCUSSIONS WITH EUROPEAN AND JAPANESE MANUFACTURERS

Mr. Bill Kempling (Burlington): Madam Speaker, my supplementary question is for the same minister. The minister knows that many American auto parts manufacturers in Canada have no Canadian domestic or export sales force and carry out all export functions through their U.S. head office. What discussions has the minister had with the Japanese and European manufacturers regarding the sourcing of auto parts in Canada for their world production? Can he tell us how he would separate U.S. and Canadian parts production under such circumstances?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I would be happy to inquire of my colleague about this very important issue. My colleague or myself could then report back to the hon. member.

[*English*]

INCOME TAX

TREATMENT OF FISHERMEN BY DEPARTMENTAL AUDITORS

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question is for the Minister of National Revenue. As he knows, his officials have singled out Canadian fishermen, who are among the most lowly paid in the country, for auditing this year for tax purposes. Could the minister tell us why fishermen were singled out instead of such highly paid groups as doctors, lawyers, and dentists, whose incomes are well in excess of $45,000 a year? While he is answering that question, could he tell the House why his officials are using what can only be described as bully boy tactics on the fishermen in the process of performing this audit?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, first, it is not fair to say that only fishermen are being singled out. The fishing industry is being audited, as are other industries. For example, the pharmaceutical industry is being audited this year as well. We have a limited audit capacity and we try to spread that audit capacity as fairly as we can among the industries where we see the need. That is the first point.

• (1425)

The second point I want to make is that it is because of the policies of this government, and particularly of the Minister of Fisheries and Oceans, that the fishermen's incomes are now up to the point where they are self-supporting individuals in this country. I would like to make that point to the hon. member.

Mr. Broadbent: Yes, the fishermen's incomes may be up, but they are about one fifth or one sixth of what doctors, lawyers and other high paid groups earn.

Mr. Crosbie: Politicians!

An hon. Member: NDP party leaders!

TACTICS USED BY AUDITORS

Mr. Edward Broadbent (Oshawa): I would like to deal specifically with harassing tactics. No one wants preferential treatment for the fishermen any more than any other group, but one wants some fairness. Considering such tactics as the following are being used—threats to seize assets, inconsistent application of tax rules among fishermen, and arbitrary pay-back demands which have been forcing many fishermen to decide they have to go out of the fishing business entirely—will the minister assure the House that he will have his officials investigate these abuses and put an end to them?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, I want to give that assurance. I do not intend to tolerate harassment where I find it. I thoroughly agree with the hon. member that there should be equity and fairness in the application of the law. Fishermen are no different, in that sense, than any other people in this country. I intend to see

that the law is applied with fairness. With regard to an arbitrary pay-back, we do try to come to an accommodation with the individual, depending on his ability to pay. In that way there is a certain amount of arbitrariness, in the sense that it is based on the ability of the individual to pay off what is owing. But generally speaking, the law must be applied with fairness and equity, and I intend to see that that is done.

Mr. Crosbie: Fascist tactics!

REQUEST FOR AUDIT OF HIGH INCOME NON TAXPAYING INDIVIDUALS

Mr. Edward Broadbent (Oshawa): I am pleased to see that the minister will stop the harassment, but he has just referred to fairness and equity. The average fisherman's income is in the neighbourhood of $12,000. Considering that in Canada today there are more than 2,000 Canadians whose incomes are in excess of $50,000 a year who pay not one penny in income tax, will the minister undertake to audit their returns?

Some hon. Members: Hear, hear!

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, it is important to note that the industry is being audited, and there is not simply an audit of fishermen. There is an audit of the industry, and the companies are being audited as well. However, I do give the undertaking, as I did before, that the law certainly must be applied with fairness and equity, and we do not intend to single out those in the low income brackets.

TIMING OF AUDIT

Hon. James A. McGrath (St. John's East): Madam Speaker, I would like to ask the Minister of National Revenue if he can tell the House whether he consulted with his colleague, the Minister of Fisheries and Oceans, before he approved that audit in the late spring of last year? Furthermore, can he tell the House why he authorized the audit to take place in the fishing industry and the 35,000 fishermen of eastern Canada at a time when they had just come through a bad year of bad markets and low returns?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, the planning for this audit was begun under the previous administration and was in motion at the time that I took office.

Some hon. Members: Oh, oh!

Mr. Bossy: St. Stephens strikes back!

Mr. Rompkey: I am not saying that the thing was fully in gear by the time I took office, but certainly the groundwork for it was laid and the planning was done, and it was ready to go when I took office.

Mr. Baker (Nepean-Carleton): No, it wasn't. No, sir.

Mr. Rompkey: I want to make the point again that there is no singling out of industries except in the sense that the audit capacity is limited, and we do try to apply it to various industries in any one year. I appreciate the point the hon. member makes with regard to the seasonality and the unpredictability of the fishing industry.

AUDIT OF FACILITIES USED BY FISHERMEN

Hon. James A. McGrath (St. John's East): The minister can try to squirm out of it all he wants, but in fact he authorized the audit after he became Minister of National Revenue.

Mr. Baker (Nepean-Carleton): That's right!

Some hon. Members: Hear, hear!

Mr. McGrath: He did so against the advice of his colleague, the Minister of Fisheries and Oceans. If the minister is going to conduct an audit of fishermen's incomes, is he prepared to recommend to his cabinet colleagues that they also conduct an audit of the facilities that fishermen have to use, which are the responsibility of this government, and which have fallen behind because of repeated cutbacks in the budget of his government? Is he prepared to do that?

• (1430)

Hon. William Rompkey (Minister of National Revenue): Madam speaker, with regard to cutbacks, it was the previous administration that took about $10 million of the small craft harbours program. That is the reason facilities are in the state they are today. As soon as this administration took office it added $10 million or $11 million to the small craft harbours program—

Mr. Clark: All in Westmorland-Kent.

Mr. Rompkey: —to bring those facilities up to standard. Those are the facts and they are on record. With regard to the individual situation of fishermen, my officials have been instructed to ascertain exactly what can be claimed as far as exemptions are concerned for premises and fishing property.

TRADITIONAL BUSINESS METHODS IN FISHING INDUSTRY

Hon. James A. McGrath (St. John's East): Madam Speaker, because serious charges of intimidation by officials have been coming in from fishermen, especially in Prince Edward Island and Newfoundland, is the minister prepared to issue instructions to his officials that they should take into account the traditional way of doing business in the fishing industry, where a man's word is still his bond? They should take that into account.

Hon. William Rompkey (Minister of National Revenue): I agree on the point that there have been traditional ways of doing things in the fishing industry. Indeed, in the case of receipts, for example, I have given instructions that where

receipts were not kept, at least 25 per cent, and in some cases more, of gross income is to be taken as a guideline. I think we have accommodated, to the degree that we can, the traditional way of doing business in the fishing industry. There is to be no harassment and I certainly will not tolerate that. Where I hear of individual cases, and I can really only deal with them on an individual case basis, I certainly will take action.

Mr. Baker (Nepean-Carleton): Hit them with a flounder!

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THE ADMINISTRATION

CONFLICT OF INTEREST GUIDELINES

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is directed to the Acting Prime Minister. It relates to the conflict of interest rules brought down by the Prime Minister in April, 1980, part of which reads as follows:

> Ministers must also take care to avoid placing, or appearing to place, themselves under an obligation to any person or organization which might profit from special consideration or favour on their part.

That provision also applies to executive assistants and principal secretaries, in order to get around the Sherman Adams vicuna coat syndrome that occurred under President Eisenhower.

The principal secretary to the Prime Minister accepted a free ride to and from Washington over the weekend in order to participate in a function at the Canadian embassy. I know there is provision in the conflict of interest rules for disclosure of gifts over $200, and this would be worth considerably more than $200. I want to know from the Acting Prime Minister whether instructions have gone to principal secretaries in the Prime Minister's office and all ministers' offices, which indicate that this is not a proper activity on their part, to put themselves in that position with private corporations in this country.

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): No, Madam Speaker. I heard about it just at this moment; therefore no instructions could have gone out.

Mr. Hnatyshyn: The minister is ever vigilant.

USE OF AIRCRAFT BY CABINET MINISTERS

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, I should like to direct my supplementary question to the Minister of Transport. He will certainly be aware of the fact that Department of Transport planes are being used by cabinet ministers for electoral purposes in the byelections that are taking place today, and in other byelections. Is he asking the ministers involved, who are flying into the byelection territories on government planes, for a contribution toward the actual cost of those planes from the Liberal Party of Canada? Are we going to carry on this kind of pork-barrel operation in the department? Is the minister not going to crack down on this?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, members of cabinet can use the planes of the Department of Transport on government business. One of the articles that I read during the weekend made that point very clearly and indicated that, as a matter of fact, members of cabinet were doing just that. I have no reason to believe that they are not.

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ENVIRONMENTAL AFFAIRS

ALICE ARM, B.C.—DUMPING OF TAILINGS BY AMAX—REQUEST FOR REMOVAL OF REVIEW PANEL CHAIRMAN

Mr. Jim Fulton (Skeena): Madam Speaker, on March 24 of this year the Minister of Fisheries and Oceans responded to a question that I raised about the tragic Alice Arm situation. He said "To ensure that my department does not examine itself, I have recommended that a scientific panel of distinguished outsiders look at the matter and give me their advice."

Since it was revealed on Friday that Dr. McInerny, who was appointed by the minister as chairman of this now famous Amax panel, in fact set the levels for the January, 1979, permit on the advice of Mr. Littlepage, who was paid approximatey $1 million by Amax to prepare their case, a situation that has clearly put Dr. McInerny in a conflict of interest situation, will the minister immediately, in this House today, remove Dr. McInerny from that panel?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): Madam Speaker, my experience with the hon. member's allegations is that the first thing you do about them is check them very carefully.

Mr. Fulton: Madam Speaker, the minister's comments will no doubt come out in the wash in the coming months.

REQUEST FOR PUBLIC INQUIRY

Mr. Jim Fulton (Skeena): Madam Speaker, I will put my supplementary question to the Minister of the Environment. Dr. McInerny is also Mr. Littlepage's boss at the present time, which adds substantially to the conflict of interest situation. Since the chairman of the Environmental Health and Safety Committee of the B.C. Medical Association—a group which I am sure the Minister of Fisheries and Oceans would call kooks or quacks—has put on the record that the lives of Canadians are endangered by the Amax dumping, will the minister put an end to this shameless cover-up in Canada and at least call a public inquiry into the health and safety of this situation?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, my view is that expressed by my colleague. The important thing in this situation is to find from outside government and independent review which will establish exactly what the scientific implications are and that is being done by the government.

Oral Questions

RESEARCH AND DEVELOPMENT

FUNDING FOR NATURAL SCIENCES AND ENGINEERING RESEARCH COUNCIL

Hon. Flora MacDonald (Kingston and the Islands): Madam Speaker, my question is for the Minister of State for Science and Technology. It concerns funding to the Natural Sciences and Engineering Research Council. I would refer him to the action taken recently by his colleague, the Minister of National Health and Welfare, who followed the example set by the previous Clark government and significantly increased the funding to the Medical Research Council.

I should like to ask the Minister of State for Science and Technology whether he will follow the same course with regard to NSERC. Can he say when he will increase the meagre funding, from the 11 per cent increase already allocated, to something approaching the 35 per cent increase that had been allocated to NSERC by the previous Conservative government?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, the hon. member and the House should know that, as a government, we confirmed the very significant increases for NSERC funding for the first year of their five-year plan. We have re-endorsed the principles of that five-year plan, and the funding for the subsequent years is now before the cabinet. I expect that in about a month's time I will be able to confirm the increased expenditures for the NSERC funding for the subsequent years.

Miss MacDonald: Madam Speaker, I am sure the minister knows that what I am trying to do is to offer all the assistance possible to get that funding through. That is why I referred him to what his colleague, the Minister of National Health and Welfare, has been able to achieve with a little bit of prompting. Perhaps he will be able to do the same.

I would point out to him that he, in fact, told us in committee a month ago, that he would be in a position by mid-April to indicate to the House the new funding quotas for the Natural Sciences and Engineering Research Council. Now he says it will be the middle of May. I am afraid he will go on and on putting it off, leaving the research councils in a state of uncertainty both about their funding and about the five-year plan. Can he give us an absolute guarantee that mid-May will be the deadline by which he does increase the funding to the Natural Sciences and Engineering Research Council and that it will be an increase amounting to the 300 per cent that has been allocated to MRC?

Mr. Roberts: Madam Speaker, I recognize the hon. member's conviction about the importance of these increases, and I welcome the urgency she attaches to them and the urging she is providing to me and my colleagues. I hope she will continue with those efforts to support us.

Miss MacDonald: I will.

Mr. Roberts: Clearly, I cannot give absolute guarantees until the spending has been confirmed by cabinet. It is true that about a month ago I said I expected to be able to do so about this time. I regret that there has been a further slippage due to factors beyond my control. As the hon. member knows, periodically the government assesses the outstanding claims against expenditures in terms of the amount of funds available. All that I can assure the hon. member is that I expect that process to take place about mid-May and that therefore I will be able to confirm at that time what the increased funding will be. I cannot give absolute guarantees for an event before my colleagues take part in that decision.

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PUBLIC SERVICE

IMPLEMENTATION OF LAMBERT AND D'AVIGNON RECOMMENDATIONS

Mr. Jim Schroder (Guelph): Madam Speaker, my question is for the President of the Treasury Board. Would the minister inform the House how he intends to implement the recommendations in the Lambert and D'Avignon reports to increase the efficiency of the government and reduce excessive government spending?

● (1440)

Hon. Donald J. Johnston (President of the Treasury Board): I welcome that question, Madam Speaker. As at least some hon. members will have noted, last week I deposited in the House a report entitled "Accountable Management" which is intended to bring Members of Parliament up to date on where we are with respect to the implementation of the various recommendations which have come forward, both from the Lambert Commission and the D'Avignon Committee.

Some of the highlights include areas such as the new expenditure management program which exists, and is sometimes called the envelope system.

Mr. Hnatyshyn: The awful system?

Mr. Johnston: We have also deposited in this House, which is of particular significance, a new form of the estimates.

Some hon. Members: Oh, oh!

Mr. Johnston: As all members know, that is a pivotal recommendation to render better accountability of government—

Mr. Hnatyshyn: Are you a pivotal minister?

Mr. Johnston: —and to bring these matters to the attention of parliamentarians. I am disappointed I have not had the commentary from members that I would like. Therefore, I would encourage all members of the House on both sides to look very carefully at the pilot projects which have been tabled in the House and referred to the public accounts committee. I welcome input from all members, Madam Speaker.

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA

Mr. Bill McKnight (Kindersley-Lloydminster): Madam Speaker, my question is for the Minister of Agriculture. On April 1 the minister reported to the Standing Committee on Agriculture that the compensation payments due to farmers in Canada arising from the embargo on grain to the Soviet Union would be paid within one week. Now that the week has passed, is the minister able to give the House a further update about that?

An hon. Member: Which year?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I do not have the minutes of the committee. I do not believe I was as specific as the hon. member stated. I did say the other day that I hoped in a few days.

Mr. Epp: A few days, a few days, and a few days.

Mr. Whelan: That all depends on what you define as a few days.

Some hon. Members: Oh, oh!

Mr. Whelan: I still hope that in a few days we will be able to make the announcement.

Mr. McKnight: Madam Speaker, the reply from the minister does not contradict anything that he has said so far.

Some hon. Members: Oh, oh!

Mr. McKnight: It is a matter of whether it is one day, two days or a few days.

In light of that, why did the assistant to the Minister of Transport, Senator Argue, last Thursday in Saskatchewan say that he could not say in a definitive way whether payments would be made to the farmers of Canada?

Mr. Epp: Get your agricultural act together.

Mr. McKnight: Would the Minister of Agriculture intercede so that the farmers of Canada would have some idea as to when they will be getting it? Anything within 30 days—

Mr. Epp: Argue with Argue.

Miss MacDonald: Argue with your colleague.

Mr. McKnight: —anything within 30 days would be appropriate.

Mr. Whelan: Madam Speaker, remembering very well just what the hon. member said, anything will be done within 30 days.

Some hon. Members: Oh, oh!

INQUIRY RESPECTING RAPESEED FREIGHT ASSISTANCE PROGRAM

Hon. Don Mazankowski (Vegreville): Madam Speaker, my question is for the Minister of Agriculture in the absence of the Minister of Industry, Trade and Commerce. It has to do with the government's refusal to renew the interim freight assistance program for processed rapeseed products. I know the Minister of Agriculture is keenly interested in this program. Therefore, could he enlighten this House as to what decision the government is going to make with respect to the renewal of the interim freight assistance program since it expired at the end of March?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, I hope that an announcement on this will be made in a few days.

Some hon. Members: Oh, oh!

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STATUS OF WOMEN

REVIEW OF ADVISORY COUNCIL'S OPERATIONS

Miss Pauline Jewett (New Wesminster-Coquitlam): Madam Speaker, I have a question for the minister responsible for the status of women.

An hon. Member: Good luck.

Miss Jewett: Last week, on Thursday, I believe, the membership of the review panel decided to conduct a review of the council's operations. The panel consists entirely, with one exception, of people who were themselves involved in those shenanigans. I wonder if this kind of internal review, being judge in one's own cause, constitutes, in the eyes of the minister, the independent external review he promised about a month ago to Canadian women?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, as I have told the hon. member and other members of this House many times before, I think it is incumbent upon members to respect the autonomy and independence of the council and to allow it to make decisions concerning its own affairs.

Miss Jewett: Madam Speaker, the minister himself recognized the autonomy and independence had been undermined—

Mr. Crosbie: He undermined it.

Miss Jewett: —by himself and others, and that is why a month ago he promised Canadian women that there would be "an independent external review of the advisory council". When is the minister going to have that independent external review?

Mr. Axworthy: Madam Speaker, the hon. member is wrong in her assertion. In a meeting with a number of representatives of women's groups, I undertook to discuss the question of a

review with the advisory council. This I did. At the same time I indicated that I would abide by its decision and that I would wait to see what kind of a report it would prepare. Once the report by the advisory council has been given to me and I see its contents, I will take what actions I think are necessary.

Miss Jewett: You promised.

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CROWN CORPORATIONS

INTRODUCTION OF LEGISLATION

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, while the President of the Treasury Board is in a mood to report on his various projects, it was one month ago today that I asked the President of the Treasury Board when the House would be seeing the much promised Crown corporations bill, the omnibus bill. The minister replied as follows, as reported in *Hansard* at page 8224:

> I assure hon. members that very substantial progress has been made and that the bill will be brought forward in the very near future.

When will we see the bill?

Hon. Donald J. Johnston (President of the Treasury Board): Madam Speaker, I repeat what I have said in the past, that very substantial progress has been made indeed.

Some hon. Members: Oh, oh!

An hon. Member: Thirty days?

Mr. Johnston: The matter is a very serious one and is one which deserves the widest consultation and maximum input from all interested parties. That is what we are doing. Again I repeat that I do hope to bring forward legislation for consideration by my cabinet colleagues at a very early date.

Mr. Clark: Have you heard from Allan MacEachen?

Mr. Beatty: Madam Speaker, the President of the Treasury Board has been promising for the last 13 months that the bill would be forthcoming in the very near future. Will the minister today flesh that out by giving us a date, or will he admit that the Minister of Finance has blocked his efforts to get the bill through cabinet?

Mr. Johnston: Madam Speaker, the Minister of Finance has been most co-operative with respect to all legislation that we have attempted to bring forth from Treasury Board.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Miss MacDonald: Stand up and take a bow, Allan.

METRICATION

INQUIRY RESPECTING TABLING OF COMMISSION REPORT

Mr. Gordon Towers (Red Deer): Madam Speaker, I have a question for the Minister of State for Small Business. When will the government be tabling the overview report of the metric commission?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I have not inquired about this recently. I will do so today and report back to the hon. member.

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[*English*]

MARINE TRANSPORT

NORTH SYDNEY, N.S. TO ARGENTIA, NFLD. FERRY SERVICE

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the multi-modal minister of transportation. Would the minister advise the House whether or not he has now rejected his own suggestion that the ferry service from Nova Scotia to Argentia, which occurs during the summers, be cancelled? Will he confirm hopefully that he has cancelled that suggestion and that the $8 million or $9 million in costs will continue to be spent on that, and that the Newfoundland government will not be asked to agree to losing that service in order to have money spent on other transportation facilities in Newfoundland?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I will attempt again to explain to my hon. friend what we are trying to do in Newfoundland—

Mr. Crosbie: I know what you are trying to do.

Mr. Hnatyshyn: You are trying to sink the island.

Mr. Pepin: —in terms of a new approach. Should the province agree to a reduction or an elimination of a service, it would not lose the money that would be saved in so doing.

Mr. Baker (Nepean-Carleton): A new approach?

Mr. Pepin: It is in that context that the ferry from Argentia to Sydney—

Miss MacDonald: North Sydney.

Mr. Pepin: North Sydney was mentioned.

Mr. MacEachen: Flora's hometown.

Mr. Pepin: The other day in the committee I assured hon. members that this was not to be done this summer. However, it is an item for negotiation between ourselves and the government of Newfoundland.

Mr. Crosbie: Madam Speaker, the people of Newfoundland know what the minister is trying to do to them, and that is to reduce their transportation services and to put the squeeze on the Newfoundland government to say "eliminate a service here and then spend the money somewhere else". These are all vital services in Newfoundland. We cannot sacrifice a ferry service for a road.

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TRANSPORT

FEDERAL-PROVINCIAL HIGHWAY STRENGTHENING PROGRAM

Hon. John C. Crosbie (St. John's West): Madam Speaker, my supplementary question is this: will the Minister of Transport tell the House whether or not he is going to enter into a new primary highway strengthening agreement with Newfoundland and with the other three Atlantic provinces this year? Or has a decision been made that the Government of Canada will not contribute to road improvement spending in the provinces any longer, that, it is merely a matter to be left to DREE or not to be done by the Government of Canada at all? The agreement expired at the end of March and it is vital for these provinces now to know whether they will have any help in improving the Trans-Canada or their primary highway.

● (1450)

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, on the new or second primary highway strengthening program, a decision has not been made. This is exactly what we are trying to work out with the government of Newfoundland. There are some savings to be made. There is a need to use whatever money is available in the most efficient way. The government of Newfoundland understands that and is willing to negotiate with us in that spirit. If more money is available by way of increasing the size of the envelope or what is in the envelope, so much the better. But we have to go at this two ways; if possible, increase the amount of money going to transportation in Newfoundland, and at the same time take advantage of any savings that can be effected by way of the best use of the money available.

Mr. Crosbie: Ten o'clock.

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NATIONAL SECURITY

MISSING TASCHEREAU COMMISSION PAPERS AND MACKENZIE KING DIARY

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, my question is for the Solicitor General who, I am sure, will know that Canadians accord considerable importance to the role the Taschereau papers and the Mackenzie King documents would have in clearing up some of the uncertainties surrounding the issues involved. I am wondering whether the minister could say why he and his colleagues appear to be so indifferent to the disappearance of these documents. Is he relaxed or indifferent because he is satisfied the documents have been spirited away somewhere, have been destroyed and hence are unfindable, or does he believe the embarrassment they might cause certain people could be avoided through some other method?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, while I am, of course, interested in this, I think it fair to note that my interest is more historical than political since the fact that these documents were missing from the material I have read was first noted by Jack Pickersgill in 1947. Their so-called disappearance has been a matter of record for a very long time.

Mr. Munro (Esquimalt-Saanich): Madam Speaker, I am not sure whether the minister was referring to the Taschereau papers or the Mackenzie King documents, because there were the two sets. In any event, I wonder whether he can assure the House that there is an inquiry going on within his department or in the Department of the Secretary of State to make sure every possible clue is being followed up to find out where these documents might be.

Mr. Kaplan: Madam Speaker, the inquiry which is under way now is one I have described in the House already. It is an examination being done of the Taschereau-Kellock material, the transcripts of the Gouzeko investigation, to ascertain whether the release of that information and those documents would violate the privacy of any individual, contrary to the government's policy in respect of personal privacy. I indicated that that inquiry would be completed, I hope, within a month or two and that the government would have the recommendations of the official doing the work and be prepared then to make a statement about whether the Taschereau-Kellock papers would be made public.

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POST OFFICE

MAIL DELIVERY TO NEWLY DEVELOPED HOUSING SUBDIVISIONS

Mr. John McDermid (Brampton-Georgetown): Madam Speaker, my question is for the Postmaster General. He has solved one of my problems and I thank him very much. I would like to ask him when people in fast growing areas such as Mississauga North and South, Brampton-Georgetown, and La Prairie, the riding of my colleague in Montreal, where subdivisions are growing at a rapid rate, can expect to start receiving this service they are paying for through their taxes, but have not been receiving at all for two years?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Madam Speaker, under the latest Post Office estimates, it will be possible to add a number of postmen to provide services in some areas in Canada

mentioned by the hon. member. The Post Office Department is, of course, subject to the restraints with regard to person-years as are all other federal departments. When the Post Office is no longer a department but becomes a corporation, it will then surely enjoy a greater freedom.

[*English*]

Mr. McDermid: Madam Speaker, the minister will pardon me if I am a little cynical. The last time we had new mail carriers in our community was the day the election was announced in 1979. If it takes an election to get mail delivery to these new subdivisions, will the Postmaster General urge the Prime Minister to call an election so we can get some mail delivery in our communities?

[*Translation*]

Mr. Ouellet: Madam Speaker, I think that service in those areas will be provided long before the next election.

* * *

[*English*]

FOREIGN INVESTMENT REVIEW AGENCY

ROCKWELL CORPORATION OPERATIONS

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I have a question I would have asked the Minister of Industry, Trade and Commerce but, I think in another context, I will direct it to the Minister of Finance.

I am sure the Minister of Finance is familiar with the Rockwell Corporation. This is the same corporation that has closed down five plants in the last five years and cut the work force in two others from approximately 1,500 to 260. Just last week it was announced by FIRA that it had been given approval to take over Wescom of Canada in Georgetown. I wonder whether the minister might explain what significant benefit we can expect from Rockwell this time?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, that is a question I would rather hand over to the Minister of Industry, Trade and Commerce.

Mr. Deans: I do not blame the minister, Madam Speaker. I would rather hand it over to him as well were I the minister. However, I am under the impression that the cabinet gives ultimate approval. Therefore that means, in my mind, that the cabinet includes all the ministers. I wonder if I might ask this minister whether this matter was in fact brought to the cabinet, whether Rockwell's performance in Canada was considered, and what in heaven's name is the use of FIRA if it is going to approve this kind of takeover by a company which has abused Canada and the people who work here.

Mr. MacEachen: Madam Speaker, the hon. member is right. Usually these applications are brought forward by the minister and considered at least in cabinet committee. There are a fair number of applications considered and it would be quite impossible for any minister to recall the details of every case. I can assure the hon. member that either the Minister of Industry, Trade and Commerce or myself will provide him with the information which led to the conclusion. He may disagree with the conclusion, but at least I will assure him of the information.

* * *

THE PERFORMING ARTS

APPLICATION FOR FUNDS TO AID ST. LAWRENCE CENTRE, TORONTO

Mr. John Bosley (Don Valley West): Madam Speaker, I have a question for the Secretary of State and Minister of Communications, but in his absence I will direct it to his parliamentary secretary. The parliamentary secretary will know that some time ago the St. Lawrence Centre for the Performing Arts in Toronto made an application to the special initiatives program for some funds to renovate and upgrade the theatre. This is a program which has already received the support and approval of the provincial and municipal governments, yet as far as we can tell to this date the federal department has yet even to acknowledge the letter of application. Could I have an undertaking from the parliamentary secretary that he will look into the matter and, beyond that if possible, will he provide some information as to when the theatre may expect both an answer to its letter and the determination of approval or refusal of its request, and I would prefer, of course, approval?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): Madam Speaker, fist of all I would like to point out to the hon. member that it is becoming a bit of a problem. The provincial governments, particularly Ontario, under the agreement in respect of Loto Canada, have said they would cover some of these expenses in the arts community. But then, after receiving the money from Loto Canada, they go back and tell these people who need the money that they should go back to the federal government for the money which the federal government has already given to the provincial governments. Having said that, I would assure the hon. member that the situation is being looked into and there will be an answer shortly.

* * *

● (1500)

METRIC CONVERSION

MINISTER'S RESPONSIBILITIES TO SMALL BUSINESS

Mr. Bill Domm (Peterborough): Madam Speaker, I would like to ask a question of the Minister of State for Small Businesses and Tourism. The subject to which I want to refer affects the Minister of Industry, Trade and Commerce and the Minister of Consumer and Corporate Affairs. We would like someone to speak for small business on the issue of the implementation of metric in the retail food sector at a time

when neither the Canadian Federation of Retail Grocers, Loblaws Corporation, IGA or Loeb approve of this move.

Would the minister responsible for small business advise this House whether he will or will not speak for small business, and address the concern of small business about forced metric conversion in Canada?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, the hon. member may have contacts with opponents of the metrication of scales in the retail food trade. As for me, I am convinced that I speak also for Canadian small businesses, and my contacts in the small business sector do not lead me to the same conclusions as the hon. member.

[*English*]

Mr. Domm: Madam Speaker, I would like to invite the minister to the press conference tomorrow morning to hear the small business people in Ottawa complain about the implementation of metric.

Some hon. Members: Hear, hear!

REQUEST FOR REPEAL OF ENFORCEMENT ORDER

Mr. Bill Domm (Peterborough): Madam Speaker, my supplementary question is directed to the same minister. I remind him that the last two ministers of small business in the Liberal government are no longer in this House because they would not listen to small business.

Will the minister intercede as a member of the Privy Council to repeal the order in council which forces metric on Canadian business people whether they want it or not? There are fines of up to $5,000, imprisonment, and business lock-ups. Will the minister speak for small business, or will he follow the same line as the last two Liberal ministers for small business, who are no longer in this House because they too did not listen to small business? No one over there speaks for small business.

Madam Speaker: Order.

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, the hon. member is quite free to hold meetings or to take part in press conferences for his own public relations. He is entirely free to take part in tomorrow morning's press conference at eleven o'clock. As concerns the question as to whether I speak on behalf of small businesses within this government, I must say that, in my opinion, the Canadian small business sector, as far as exports, the manufacture of new products and services are concerned, will benefit enormously from metric conversion in Canada.

Order Paper Questions

ROUTINE PROCEEDINGS

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,744, 1,857, 2,075, 2,127, 2,151, 2,164 and 2,213.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

[*Text*]

ADVERTISING EXPENDITURES

Question No. 1,744—**Mr. Stevens:**

For the current fiscal year, what are the estimated expenditures of the Department of Agriculture for (a) advertising (b) free or subsidized publications (c) other information conveyed to the public?

Hon. E. F. Whelan (Minister of Agriculture): (a) $179,290, (b) $2,011,200, (c) $543,950.

UNEMPLOYMENT INSURANCE—LOCKEPORT, N.S.

Question No. 1,857—**Mr. Miller:**

1. In the past year, by month, what was the number of persons in the Lockeport, Nova Scotia area receiving unemployment insurance benefits?

2. For the same period, what was the amount expended for such benefits?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): The commission does not maintain statistics on the number of persons or amount of benefits for Lockeport, Nova Scotia. To provide these statistics would entail a lengthy and costly examination of individual files and records.

VIA RAIL—PASSENGER STATISTICS

Question No. 2,075—**Mr. Cossitt:**

1. With reference to the answer to question No. 65, what are all the reasons that Via Rail Canada cannot supply the information requested?

2. Does Via Rail Canada keep any statistics anywhere on passenger travel and, if so, for what reason are such statistics not kept for Brockville, Ontario?

3. What methods does Via Rail Canada use to assess effectiveness of its service if it does not possess such statistics?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): 1. VIA Rail Canada cannot supply the requested information because the previous operator, Canadian National Railways, did not keep such information. VIA became responsible for trains through Brockville in April, 1979, and they estimate that during 1979 32,000 persons boarded and 29,000 disembarked at Brockville, Ontario.

2. VIA keeps many types of statistics on passenger train travel. With the development of a new reservation and reporting system called RESERVIA, VIA will have the capability to produce detailed statistics not currently available. The reserva-

tion portion of this work was implemented in 1980. Brockville, as an important point in the network, will be examined in greater detail once better operational statistics are available.

3. Effectiveness of the services is constantly monitored through the loads on the trains. The assessment procedures will be expanded considerably with the availability of data in greater detail.

COAST GUARD VESSEL 122

Question No. 2,127—**Mr. Munro (Esquimalt-Saanich):**

1. What was the capital cost of acquiring and commissioning Coast Guard Vessel 122 based at Ganges Harbour?

2. Where was the vessel acquired and at what cost?

3. What are the annual operating costs for the vessel?

4. What is the average cost per rescue involving the vessel (a) on its own, taking into account overheads (b) in co-operation with other rescue agencies?

5. What is the average reimbursement per rescue paid to Coast Guard auxiliary personnel, in the area where the vessel normally operates?

6. Since the vessel was acquired (a) how often was it called out on rescue duty (b) how many auxiliary vessels answered rescue calls?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): 1. $197,122.

2. James L. Reid Inc., Lachine, P.Q. at a cost of $182,752.

3 Year to date June, 1980 to February, 1981 $124,000.

4. (a) $900.
(b) $920.

5. $20.

6. (a) 175 times.
(b) 211.

SCIENTIFIC CO-OPERATION WITH CHINA

Question No. 2,151—**Mr. Herbert:**

Has the International Development Research Centre concluded an agreement for scientific co-operation with China and, if so, does the agreement provide for exchange visits between Canada and China?

Hon. Mark MacGuigan (Secretary of State for External Affairs): The International Development Research Centre replies as follows: A memorandum of understanding was signed on September 16, 1980, between the International Development Research Centre and the State Scientific and Technological Commission of the People's Republic of China. The memorandum provides for co-operative development research activities in China, in other developing countries, and in Canada. Included is provision for exchange visits of scientific personnel between Canada and China.

MINISTERS' SPEECHES

Question No. 2,164—**Mr. Cossitt:**

With reference to the answer to question No. 5 which states in part, that $62,400 was paid to H.J.M. Comm Productions Ltd., Ottawa, in a period of less than two years for preparing speeches for ministers (a) for what reasons was this particular firm hired (b) were bids or presentations obtained from other firms and (i) if so, what were the names and addresses of such firms (ii) if not, for what reason (c) what is the name and job designation of the highest ranking person who recommended the firm (d) what were the names and job designations of all other persons recommending the firm or who in any way negotiated the contract?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): In so far as the Department of Industry, Trade and Commerce is concerned:

(a) H.J.M. Communications Productions was hired in order to research and write speeches for Ministers of the Department of Industry, Trade and Commerce.

(b) Bids or presentations were not obtained from other firms as H.J.M. Communications, in the opinion of the then director of information, provided satisfactory service to ministers' requests for speech research and writing.

(c) Alan Duckett, the then director of information, Department of Industry, Trade and Commerce recommended and negotiated the contract with H.J.M. Communications Productions. Keith Gardner, the then deputy director of the information branch also assisted with negotiations.

WHARF PROPERTY, PORTLAND, ONT.

Question No. 2,213—**Mr. Cossitt:**

1. Did the Department of Fisheries and Oceans refuse to grant a lease in the 1980 season for a wharf property owned by the government at Portland, Ontario and, if so, was the refusal (a) made to the township of Bastard and South Burgess (b) on the grounds that the township did not maintain an administrative program nor collect fees in 1979?

2. Did the Burlington, Ontario office of the department at 3050 Harvester Road, receive telephone calls from an official of the township on June 16 and on August 18, 1980, making inquiries and, if so, did the township receive a reply to the inquiries and, if not, for what reason?

3. Did the same office receive a letter dated March 5, 1981, drawing the matter to the attention of a Mr. Smead and, if so, on what date will the township receive an answer to its inquiry?

4. Does the government file involved bear the number 5883-70/P669?

Hon. Roméo LeBlanc (Minister of Fisheries and Oceans): 1. No.

(a) The Department of Fisheries and Oceans issued a lease to the township of Bastard and South Burgess to administer the government wharf at Portland in accordance with the Fishing and Recreational Harbours Act and Regulations. This lease was for a period of five years effective May 1, 1979, and required the township to collect all tolls, dues and charges in accordance with the Fishing and Recreational Harbours Act and Regulations.

(b) This lease was terminated effective April 30, 1980, as the township refused to collect the toll and dues in accordance with the terms of the lease.

2. Yes, telephone calls from an official of the township were received. Written replies to the telephone conversation were not sent as it was felt that these matters were adequately answered during the telephone conversations.

3. Yes, letter of March 5, 1981, was received in the regional office on March 10, 1981, and a reply was forwarded March 13, 1981.

4. Yes.

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY S.O. 58—FUTURE FACING UNEMPLOYED CANADIANS

Mr. Jim Hawkes (Calgary West) moved:

That this House expresses its sorrow and sympathy for the more than one million Canadians who are unable to find work and who, with their families, face an uncertain future, and urges the Prime Minister to endorse this sentiment by shuffling his cabinet.

He said: Madam Speaker, I rise in this House this afternoon to debate this motion with almost a sense of tragedy about what is and what might have been. I was reading this morning the front page of the Toronto *Star* of May 23, 1979. On that page there was a headline. Hon. members might remember that that was the day after the May 22 election in 1979. The headline read: "Joe sees growth, jobs and hope". Here we are, almost two years later, and we do not have the same sense of hope. We certainly have fewer jobs and more unemployed, and it is difficult to find anywhere in the actions of this government a true commitment to growth.

It is with that sense of reality, which I think all of us in this House have had to face, that I move this motion, which urges members of this House collectively—and perhaps particularly backbenchers in the Liberal Party—to express some sense of sorrow and sympathy for the more than one million unemployed in Canada today.

I think it is necessary for each and every one of us who accept the responsibility of sitting in this Parliament to accept responsibility for our actions. Particularly members of the governing party must accept some responsibility for their actions because it is they who time after time support a cabinet which seems to be less concerned about people and more concerned about political gain than is right or good for Canada. Without the support of those quiet tin soldier backbenchers, I wonder if the cabinet would have the courage to take us into the calamities which have characterized not only the last 12 months but a considerable period, approaching 12 years, prior to the last 12 months.

Unemployment

In Canada today there are well in excess of one million adult Canadians who would like to make a contribution to this country and who would like the opportunity to work, to produce and, in return, to have an income and a sense of stability. They would like to enjoy the kinds of friendships which characterize the workplace for most of us. However, those one million Canadians cannot find jobs. The reason they cannot find jobs is to be found in the attitudes and the hypocrisy of a succession of Liberal cabinets which are and have been more concerned with political gain than with economic growth, development and a future for Canadians.

I think too often in this House we deal with the broad picture and tend to forget that we have a responsibility to legislate on behalf of the people of this country in ways which help them. When we are talking about one million unemployed Canadians, I wonder how often we in this House realize that one in ten adults who live on our blocks or in our apartment buildings is currently unemployed. Some time this year or in the year ahead one in five of those adults will face the trauma of wanting to work but not being able to find a job, at least for some period of time.

One young person in seven in this country faces the reality of wanting to get a start in life and have work experience but not being able to find a place to begin to build the kind of future they have been taught they have a right to expect and aspire to.

Hidden in the statistics of unemployment are the tragedies. How often do we in this House stop to think about the concept of work? It is easy, perhaps, to remember that work provides an income, and incomes are important. We need money to provide ourselves with shelter, food, transportation and clothing. There is a basic reason for wanting to work. However, there are other reasons that are just as important to people.

• (1510)

We sometimes forget that a great deal of our personal identity, our sense of self-worth, of who we are and what we are, comes from our relationship to the world of work. Out of that, we are likely to develop a sense of self-worth because we produce a product or a service. Hopefully those of us who sit in this House, from time to time at least, through the fruits of our labours are able to conclude that by being here it makes a difference; perhaps not every day but from time to time.

The work place is where a lot of Canadians get a great deal of their sense of self-worth. When we say to one million Canadians that they cannot have a job and be part of the work place, we are robbing them not only of the income they need and want but of that sense of self-worth, a sense of being able to make a contribution to our society.

The third element for most people, which goes along with being part of the work force, is the sense of friendship and companionship. For most people this flows out of a daily contact with fellow workers or customers, the social interactions that take place in the work force.

We are saying to these one million unemployed Canadians that they cannot have a decent income or the sense of self-

worth which would be available in a job, and they cannot have the friendships which flow out of the workplace. This is a real tragedy for those individuals as well as for our society. We are getting so used to such a high unemployment rate that when the statistics come out monthly we feel no sense of outrage on behalf of those one million unemployed.

Within that one million people I would like to identify and remind this House of are three categories which deserve special attention. First let me speak about the young people. Of the number of young males in this country looking for a job in March, 14.1 per cent, or 1.4 for every ten in your block or apartment building, could not find a job. Who are these young people? What will happen to their future if this situation is allowed to continue? At 15, 16 or 19 years of age, or perhaps after college graduation at 22, they go out and look for jobs. The first question an employer asks is, where did you work before? Fourteen per cent of them do not find that beginning work experience. The weeks go by, the months go by, the years go by. On any job application which they put forward, employers ask where they have worked before. These people have to put "nowhere". The employer probably thinks it best that he not hire those people, because experience tells him that people who are experienced in the world of work are more likely to make good employees.

Before we know it, a decade has gone by with a spotty work history. Somebody who is already 30 years of age still has 35 years to go to reach the magic age of 65. We have to predict that those people we are hurting today at 15, 16 or 19 years of age will be the victims of tomorrow and on into the second and third decades. That is what is happening in this country and it is amazing that we feel no sense of outrage about it.

The next class of people I will refer to as the breadwinners. A few years ago that was usually a male who had a wife and family. In our modern age, it could be a female just as easily as a male. These people have family responsibilities. They have children who are dependent upon them for material needs such as shelter, food, transportation and clothing. The young people are dependent on these adults for health, love, guidance, time and attention to help them, in turn, to develop into adults who have a personal sense of worth, adults who are ready and willing to make a personal contribution to the development of this country.

Do we make that job easier for those adults? Do we make the situation better for those children when we say to the breadwinners that they do not belong, that there is no job for them, that they cannot earn an income, have the sense of self-worth that comes from being a productive member of the work force, and cannot have the friendships which flow from the workplace? What does that do to the minds of those people? Not too much, perhaps, in the first day or two, a little more in the first week or two and a great deal more in the first month or two. We have a real tragedy when it spins out to a year or two.

How can those breadwinners maintain that sense of self-worth, that important component of parenthood which allows them to feel secure in their worth and, therefore, have the kinds of feelings which enable them to deal with their children in positive, developmental ways? As decades go by with extremely high rates of unemployment, are we creating a future generation who will find it difficult to find their place in the mainstream of Canadian society? I suggest we are.

What about the third class of person in Canada, which is a more recent phenomenon? These are what I call the re-entries into the work force, people who mostly have spent a significant portion of their life as parents. As they get into the mid-years of the adult life cycle, their families grow and move away and they are looking for a challenge. Perhaps they have faced widowhood or the spectre of divorce. Then suddenly, after 10, 15 or 20 years of being out of the work force, they have to look for a job for one reason or another.

Our society is very hard on people like that. In looking at an unemployment rate that in real terms in the month of March was 8.5 per cent, it is the young people, the new entrants into the labour force, who are least likely to be able to get that first job to get the experience and possibly develop the skills which will last them for the rest of their lifetime.

I could mention some of the other groups, such as the regional group, people who live on Indian reserves and face 90 per cent unemployment, or people who live in places such as the finance minister's home town, where on Cape Breton Island unemployment in the winter is characteristically very high indeed.

I draw this to the attention of the House because today we have two byelections. The people of Prince Edward Island in the consistency of Cardigan will complete their voting in just a few hours, and an hour after that the polls will close in the constituency of London West. I wonder what is going on in the minds of people who live in the ridings of Cardigan and London West. Do they realize that on Prince Edward Island one year ago, in the month of March, the unemployment rate was horrendously high at 13.4 per cent but that today it is 16 per cent? Do they realize that on that tiny island there are 2,000 fewer people working today than there were one year ago and that the money they would make, if they were still working, would be circulating through the economy and helping the people who run beauty parlors, restaurants and the service industries of the island? But they are not working today. One year ago 6,000 of them were unemployed; today 8,000 are unemployed. The rate has risen from 13.4 per cent to 16 per cent. It began over a decade ago with Liberal cabinets devoted to political gains at the expense of economic reality, aided and abetted by the red rump on the left.

● (1520)

Then let us consider the people of London West. I have data for the city of London. The voters may remember that they returned all the members from London; in 1980 they selected Liberals. One year ago they selected Liberals, and at that time the unemployment rate was 5.5 per cent. Today it is 50 per cent higher at 8.1 per cent. I wonder how many people of London West realize that their unemployment rate is 50 per cent higher than it was a year ago, when they returned every

member of that district to sit on the backbenches of the party across the way.

An hon. Member: And with good reason.

Mr. Hawkes: If one wants to be unemployed, that is good reason to vote for the Liberals; if one wants jobs or a chance to participate, one should consider voting somewhat differently. I wonder if the people of London West who may be having trouble selling their houses or finding jobs realize that in that area today there are 13,000 fewer wage earners. There are 13,000 fewer people who have incomes to spend in that community today. I wonder if the people of London West remember that one year ago there were 10,000 persons unemployed, far too many. In the month of March there were 14,000 people looking for work. I bet there is one more person on every block or in every apartment building looking for work than there was a year ago.

Not only have those people lost the opportunity for earning an income, they have lost the opportunity to develop a sense of self-worth which comes from being a productive member of society. They have lost the opportunity to develop friendships in the work place. The tragedy is not only economic; it affects all aspects of our lives.

Could these effects have been predicted? I bring to the attention of the House one little example which people might remember because it occurred not long ago. The Minister of Finance, aided and abetted by the Minister of Energy, Mines and Resources (Mr. Lalonde), brought down a budget last October 28 and gave us the National Energy Program. Those of us from the province of Alberta who were sitting in the House were quick to bring to the attention of the government, in question period and on every possible occasion, the fact that the program would produce greater numbers of unemployed people in Alberta who work within the oil industry and also create a problem for Canadian industry. We said to the Minister of Finance and the Minister of Energy, Mines and Resources that it would not happen right away, that next spring was the time.

March is the first month for which I have statistics. In the first month of Spring the unemployment rate in the province of Alberta went up 14 per cent. At the same time the Canadian economy lost 10,000 jobs in the manufacturing sector. Are the effects of a bad budget and of a bad energy program predictable? We predicted those effects in late October, early November, and today they are a reality. Unemployment in producing provinces is up 14 per cent; 10,000 jobs have been lost in manufacturing. That was predictable last October because Liberal backbenchers chose to support a cabinet which is more concerned with polticial gain than with economic reality and jobs for people.

Some hon. Members: Hear, hear!

Mr. Hawkes: I should like to take a minute to refer back to the headline of May 23, 1979 entitled, "Joe Sees Growth, Jobs and Hope". Let me contrast the job side of our nine months in office with the 12 months of the government opposite. During our nine months in office, even though women have a tough time in Canada getting jobs, an average of 23,000 women per month obtained jobs. In the last 12 months the average is down to 15,000. Our record on behalf of the women of the country, in terms of helping them obtain jobs, was 50 per cent better than the record of the present Liberal cabinet.

As for those young people who are facing a 14.1 per cent unemployment rate, our average increase was 6,000 young people per month who obtained jobs; under the present Liberal cabinet the figure is 2,400. Our record was 150 per cent better than the present Liberal cabinet in terms of creating an economic climate which produced jobs for our young people.

Then there is a special group, those who find themselves unemployed at 55 years of age or over, a forgotten minority in our society. In our nine months in office, 3,000 more people in that category per month obtained jobs. Under the present Liberal cabinet the figure is down to 833 people. Our record for people 55 years of age and over was 300 per cent better than the record of the government.

Looking at the available statistical data for the goods-producing sector of our society, which includes agriculture, manufacturing and construction, our record was 13,000 jobs per month, whereas the record of the Liberal cabinet is 4,000. Our record was 300 per cent better in the goods-producing sector that produces the real wealth, which is the first step toward a decent sharing program. It is awfully easy to share nothing equally. It is an easy equation; everyone gets nothing. Politically it is more difficult to talk about reality and the need to create real wealth before it can be shared.

In terms of tax spending on the creation of public sector employment, under our regime 667 jobs per month; under this cabinet, 4,750. There was 700 per cent more spending on public sector jobs than there was under our government. We created jobs in the goods-producing sector; that is, manufacturing, construction and agriculture. The government is creating job programs through tax spending. Under our government there were fewer taxpayers but more tax spending. The amount of taxes goes up for those who do work and the results in our society in the long term are not positive.

• (1530)

If you look, Mr. Speaker, at the figures for the regions of our country, you will see that the region which has been in the most trouble under this government in terms of job creation is the Atlantic region. Under our Conservative government there was a 3,444 increase per month in jobs in the Atlantic region. Under the present government the figure is 1,250. Our record was 300 per cent better. Why is this? It is simply because the people had a sense of confidence that they had finally elected a government which understood that Canadians want jobs. They want an economy that grows at a rate where jobs are created so that they can earn a decent income, develop a sense of self-worth and build the kinds of friendships that tend to go along with the work place.

In the face of nine months of demonstration, this government has taken us far away from concern for those people and

their future and has confronted us with the constitution, and not even honestly. The government wants the members of this House to adopt an equalization clause which will enshrine in the law of this country the reality that the federal government can bypass provincial governments when it comes to making fiscal payments. This government is destroying the tradition which has been part of our attempt to develop a stronger Atlantic region and a stronger province of Quebec. This government wants the constitutional right in perpetuity to ignore those provinces when it comes to equalization payments. I wonder how the members from Newfoundland and some of the 20 members holding seats in the other Atlantic provinces feel about that. I wonder how the 74 who represent the province of Quebec feel. I wonder how the people of Quebec would feel if they really knew what was happening.

This government tells us about mobility rights. There are two important groups that we should keep in mind when we talk about mobility rights. The first group involves secretaries who live in eight of the ten provinces, in Yukon and the Northwest Territories. They still cannot work for the Department of External Affairs. Then there are the pilots who want to fly airplanes for the Department of Transport. They cannot obtain a job unless they live in the province of Quebec. This government in its day-to-day behaviour is the single largest employer which puts mobility problems in the way of Canadians who want to work in different parts of the country. It also wants a Constitution which enshrines the right of the government to deny the provision of social services to any Canadian who moves across provincial boundaries. This government threatens disadvantaged Canadians by telling them that if they move from province to province they run the risk of not being able to receive health care, family allowances or pensions, or of not receiving a decent education. It wants to deny the provision of social services to the people who need it most.

As this debate continues today I hope that members in the House will listen closely and underline those one million unemployed Canadians who need our help. Maybe after today we will see the kind of cabinet change needed to start on the road to being able to help those people.

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I have read the motion put forward by the official opposition, which is as follows:

> That this House expresses its sorrow and sympathy for the more than one million Canadians who are unable to find work and who, with their families, face an uncertain future, and urges the Prime Minister to endorse this sentiment by shuffling his Cabinet.

Mr. Knowles: Not many here to shuffle today.

Mr. Deans: Mr. Speaker, if that is the answer, then God help us! I want to read to the House something said by a young woman in Toronto. It is an excerpt from the "Metropolitan Social Planning Council Study—Layoffs". She says:

> My Dad is unemployed
> And I hate it
> It isn't his fault he hasn't a job
> He tries hard enough
> His company had to let somebody off
> Guess who got picked?
> I hate his employers for what they did
> For the quarrels and tension
> But especially for making my Dad feel
> So useless, unwanted, unneeded
> I hate them for it.

Mr. Speaker, this little girl expresses a sentiment far closer to the truth than an expression of sorrow and sympathy and a shuffle of the cabinet would. Surely that kind of situation justifies more than the idle nonsense expressed in this motion. Even if the Prime Minister (Mr. Trudeau) were to accept this motion and shuffle his cabinet, we would still have the same people. It would not change the cabinet's direction or create a plan or economic strategy. It would not create any kind of vision for the development of this country on behalf of Canadians. Therefore, what would be the use of shuffling the cabinet? What is required is a dramatic change in the attitude of the government toward the needs of the people of Canada and the way in which the natural strengths of this country can and should be used in the interests of all Canadians.

That young 13-year-old girl who says that she hates the people who took the action which created unemployment for her family, created hardship, tension and quarrels, does not need sympathy. She does not need an expression of sorrow. What she and countless other young people who see exactly the same circumstances affecting their families in many communities right across this country need is a plan of action, not an expression of sympathy and sorrow. I want to suggest that there could be no less appropriate motion than the one we have before us.

Earlier today I was asking the Minister of Finance (Mr. MacEachen) about an approval given by FIRA which will allow Rockwell to acquire Wescom Canada in Georgetown, and therefore give Rockwell control over the lives of yet another group of employees. Rockwell's record in this country is abysmal. This is the company which from 1975 through 1980 closed down five plants in five different communities in the country. In addition to that, it reduced the work force in two other plants from a combined total of approximately 1,500 to 260. This is a company which says in its application to FIRA that there will be significant benefit, including increased employment, if it is allowed to take over yet another small company. The Minister of Finance told me that he would rather pass that question over to the Minister of Industry, Trade and Commerce (Mr. Gray). I cannot blame him; he must be embarrassed. I could see the embarrassment on his face. I could see in his eye the horror as he realized that he had approved something in cabinet which is inexcusable. The minister sat there while this measure was approved, and today he did not even remember it because he did not pay sufficient attention to what was before cabinet at the time. He did say he would go out and try to find the detail for me, which at this point is simply an explanation of something which can hardly be explained. It would certainly be an excuse for taking an inexcusable action.

● (1540)

I suggest that it is that kind of action which undermines the viability of the Canadian manufacturing sector. It is that kind of action which makes it possible for that young woman, 13 years old, to speak with such feeling about the effect of a company lay-off on her family. That kind of action does not require sorrow or sympathy. It is the kind of action which requires immediate attention.

This government has absolutely no plan. It has no strategy. It has no vision of Canada. The government does not even have an understanding of the greatness or the potential of this country. Where else in the world would one find a country with resources like ours? Where else in the world would one find a country which has unused manufacturing capacity in excess of 20 per cent? Where else would one find a group of employees laid off in such a vast number, which now exceeds one million? If one would take into account hidden unemployment, the number of unemployed is probably close to 1.4 million, Canadians who should be working, who want to be working, who have been out in the work force looking for jobs, knocking on doors, trying to provide for their families. Where else would you find all of the natural benefits that this country has? Canada, relatively speaking, is self-sufficient in energy; it has the ability to harness its energy, together with its resources and people, to build employment opportunities and a better life for everyone. Where else would you find neglect of such resources? There is no other place. Given that these resources could be mismanaged in the way they have by years of Liberal government and a brief interlude of Tory government, just for seasoning, one wonders just where we are going.

I was looking at some devastating statistics for the first half of last year which show that, in the province of Ontario, 130,000 people were laid off; people were being laid off at the rate of 1,000 for each working day. When we brought this to the attention of the government, the government shrugged. I mean, after all, what could they do? It said: "Well, we'll do the best we can. We'll make some temporary, makeshift work programs. We'll throw a few dollars into each constituency. We'll hire a few people." But did the government bring forward an over-all strategy? Did it do anything about the bank profit margin, the ever-increasing interest rates which undermine consumer purchasing, and the very manufacturing sector which was laying these people off? No, there was just an apology.

The number of people on indefinite lay-off reads like a "Who's Who" in terms of the municipalities of the province of Ontario. In Brantford 750 people were laid off in July; in Chatham-Sarnia, 2,440 people; in Hamilton, 275; in the Kitchener area, 2,950 people; in London-Stratford, 450 people; in Montreal and Quebec—to go outside of Ontario—485 people; in Niagara-St. Catharines, 2,700 people. In northern Ontario, another 115 people; in Oakville, 2,130 people; in Oshawa, 1,320 people. Ottawa-Kingston might interest some hon. members; there were 415 people laid off. These are indefinite lay-offs. In Toronto, 10,335 people were on indefinite lay-off in July of 1980. Most of them have not yet been recalled to work. In Woodstock, 500 people were laid off.

One must ask oneself, how can it be in this country that these statistics are staring us right in the face yet the government can sit and talk about its Constitution? How can it be, with statistics like this and the people of this country suffering as they are, that the government can fail to come forward with an economic program which would make some sense and stimulate consumer purchasing power to allow for a regeneration of the desires and the hopes the people?

I want to relate the most recent statistics, those which dealt with the first half of last year. In *The Financial Post* dated April 11, 1981, under the normal categories for measuring progress in the economy, average weekly earnings were down from the previous month from $329.37 to $324.97. That means that purchasing power went down. However, the consumer price index in February went from 224.1 to 226.4. Bank loans in February went from 96.80 to 98.57. Housing starts were down from 179 to 177. The all-industry output shows a marginal increase of .2 per cent. The labour force increased .08 per cent. Then one finds that manufacturing capacity usage—taking into account how much we produce and how much of our capacity we are using—has gone down this year to 79.9 per cent from 84.3 per cent last year at this same time. Why? Because the very things I am talking about—consumer purchasing power, the ability of people to go into the marketplace and buy, their wages, every measurable item—are under pressure. There is less being manufactured and less manufacturing capacity being used.

I note with interest that in the month of January manufacturing shipments were down 2.2 per cent; new orders were down 3.5 per cent; inventory was up .8 per cent—all of these facts speaking to an even worsening economic situation in this country and to even greater numbers of people being unemployed.

Where is the government's program? The Tories suggest we shuffle the cabinet. I must ask you, Mr. Speaker, do you not think that in this country it is possible to take advantage of what we have inherited, of what we have by virtue of the strength of the country itself? Surely it is possible for us to take advantage of that and build a society which is second to none. Surely it is possible to harness our energy and other resources, take advantage of industrial capacity, build a nation in which everyone will be able to have a job and where no child will ever have to say what the young child I have quoted said.

I look at plant closings in the province of Ontario in the year 1980. They occurred in every community: Beach Foundry in Ottawa; Bendix in Windsor; Canada Ferro in Brampton; Chrysler in Windsor; Crown Fab in Oakville; Essex Wire in Dunnville; Firestone in Whitby; Ford (Engines) in Windsor; Gabriel in Orangeville; Houdaille in Oshawa; Rockwell in Parry Sound—the same Rockwell I mentioned, incidentally, only a little while ago; Sealed Power in Stratford; Vulcan Equipment in Fergus; Winchester Western in Cobourg. And it goes on and on; one could read for 20 minutes and still not come to the end of the list. We are supposed to feel sympathy

and sorrow for the people rather than demand of the government that there be in place the kinds of requirements which make it necessary to take into account the effect of plant closures and shutdowns on the people in those communities.

When other countries in the world were faced with the kind of economic restructuring that this country is now going through, they began to set up the necessary consultative programs to allow the change-overs to take place. They put in place the requirements which made it necessary for companies that were under economic pressure to still live up to their obligations to their employees and to the communities in which they were located. In Canada, legislation regarding labour standards is generally considered to be within provincial jurisdiction, but in truth that is not necessarily so. There could be and should be an over-all strategy in Ottawa which ties together the strengths of the nation, enables the people of Canada to move freely and to find new employment, and requires that people who receive FIRA approval and government grants live up to their commitments.

● (1550)

What was apparent 30 years ago in places like Sweden is only beginning to become apparent in Canada. Labour-management groups were established in major industry to prepare workers for redundancy two years in advance and to finance relocation and retraining. Unemployment was held down despite massive shifts in the economy. Now that we are faced with the same thing in Canada, why are we not moving ahead? Why do we not require a pooling of resources and that there be the money up front to guarantee employees will be retrained and be able to maintain their families during periods of dislocation? Why do we not require that such communities be repaid for the investment they made in providing the necessary site for the location of those companies? Why do we not put in place the kind of economic strategy that puts the Canadian people first? We should insist that one of the costs of doing business in Canada is that attention be paid to the effect of a particular enterprise on the people employed in it and on their families, and that attention be paid to the effects of relocation and dislocation on the communities involved.

I suggest to you, Mr. Speaker, that the answer is not easy, but neither is it impossible. It can be found. Others have found it; others have faced it and succeeded. I cannot for the life of me understand why we should be offering sympathy and sorrow in place of action.

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Mr. Speaker, I am pleased to have the opportunity to respond on behalf of the government. I believe all members of the House share the degree of sympathy and concern on this issue that is expressed in the resolution. Where we differ is on the kind of approach that we would propose to take.

I shall begin by saying that I think it is important, when discussing unemployment, to shear away much of the mythology and mystique, and sometimes the misrepresentation, that surrounds the topic. I do not think any of us in this House gain anything by going through the monthly ritual of bringing out the employment statistics as a weapon for battering the government over the head. I think this matter is so important that it should engage all of us in an effort to discover answers to the problem. In order to do that, we must share a sense of the reality of economic conditions, shear away some of the more florid and flamboyant rhetoric—with apologies to some members who preceded me—and give an accurate portrayal of what is taking place in this country. In this way we will have a road map to guide us.

I do not think any of us gain by constantly shooting into the air great clouds of smoke and fog in an effort to cause confusion. I will try to dissipate some of that fog and smoke generated by the hon. member for Calgary West (Mr. Hawkes). I do not think he was as relevant with his remarks today as he was two weeks ago, when he spent half an hour of the time of the House trying to decide what time it was. His remarks were far more relevant in that debate than they are in this. He did not do his party or this House a service by bringing forward a convoluted tabulation of statistics which was obviously geared to certain election proceedings taking place outside this House, and he totally obscured the reality of what is taking place in this country.

It is interesting to see how people use statistics in different ways. I think it is necessary to provide some correction to the position taken by the hon. member in the propositions he put forward. First of all, he tried to indicate that unemployment is uniquely and solely the problem of this country. He suggested, as did the hon. member for Hamilton Mountain (Mr. Deans), that Canada had the worst employment problem in the world. As you and I know, Mr. Speaker, that is totally contrary to the truth. Over the past decade, even over the past year, we have had the highest growth in employment of any industrial country with the exception of Australia, which this year had a rate .1 per cent higher than ours. In the period 1973 to 1979, the employment growth rate in Canada was 3.2 per cent, compared to the United States where it was 2.5 per cent, Japan, 1 per cent, West Germany minus .6 per cent, Italy 1.5 per cent, Sweden 1.1 per cent and the United Kingdom .4 per cent.

For all the flourish of the hon. member opposite, he does not deal with the facts. Last year 326,000 jobs were created in this country. In the last three months 140,000 jobs were created. In the last year 178,000 jobs were created for women alone. The employment rate for women has dropped from 7.5 per cent, when the Conservatives took power, to 6.2 per cent this year.

We can take some satisfaction from those facts, Mr. Speaker. They are not the total answer, but we should not be running our country down and denying the progress made in the light of very serious and negative world-wide economic conditions.

It is crazy to talk about the employment picture while avoiding what is going on in the world around us. Does the hon. member for Calgary West, the oil-producing centre of Canada, forget that oil prices have gone up 500 per cent, 600 per cent, 700 per cent, 800 per cent since 1973? This has generated huge profits and enormous inflationary pressures on our economy and every other economy. Is the hon. member not

aware that, in order to fight those highly inflated pressures, all governments would have had to introduce stronger monetary and fiscal controls in an effort to keep down the rate of inflation?

I have heard the hon. member and other members of the Tory opposition speak with great fondness of the economic posture taken by the Conservative Party in Great Britain. Does he know that the unemployment rate in Great Britain today is 11.3 per cent, 4 per cent higher than ours? That is the result of the very kinds of policies that are advocated by the hon. member for York-whatever-it-is, the "hon. slasher" and other members, in the Crosbie budget.

I have heard the hon. member for Calgary West speak at great length about the injustices of the National Energy Program. He said it is going to ruin the economy. Let me point out for his interest a second statistical fact, that every time a dollar is added to the price of a barrel of oil, it has an impact of 0.1 per cent reduction in the employment growth of this country. That adds up to 11,000 jobs. If we compare the pricing put forward in our National Energy Program with the proposal advanced in the Crosbie budget, we see that we would have had an additional 140,000 people unemployed in this country by 1984. This is the kind of hypocrisy and double standard that hon. members opposite are trying to perpetuate. They proposed an economic policy that would lead to higher unemployment, less sharing of the wealth of this country, and a greater and more serious impact upon the non-oil producing areas.

Let me point out another fact which I frankly find funny. The hon. member for Calgary West has a hobby-horse that he rides about the growth in public service employment. Day in and day out he castigates this awful federal government for adding to the employment rolls of the public service and letting the private sector go free. If he were to look at the Statistics Canada reports a little more carefully, he would see that the growth rate in the public service at the federal level was 1.5 per cent. The real growth in public service employment came from the provincial governments. Over the last quarter it reached 14 per cent. It was the provincial premiers, upon whom he daily lavishes his fondness, who contributed to the growth of the public service in Canada of 14 per cent versus the federal 1.5 per cent.

• (1600)

It is time we got down to the real facts and realized what is taking place regarding the employment situation in this country. It is time we forgot the fol-de-rol and the fog which the hon. member from Calgary is trying to create. He stands in this House with all the drama at his command and says "Think of the poor people in Prince Edward Island. Think what they face today as they go to the polls, comparing the records of the Liberal and Conservative governments."

I would like to make one comparison which the people in Prince Edward Island, I think, would find interesting. It was the Conservative government which cancelled and decimated the direct employment programs which provided hundreds of jobs for people in Prince Edward Island. In fact, close to $45 million has been spent this year alone in direct employment grants. This has provided for the development of new wharves and harbours and new programs for long-range economic development. As well, it has provided for the introduction of the new, innovative program to develop long-term community employment.

That is what the people of Prince Edward Island gained by the defeat of the Conservative government a year ago. They gained the assistance of government in ensuring there would be employment wherever it was necessary. The Conservative government cancelled the direct employment programs which are absolutely necessary in the provinces of Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, northern Manitoba and northern Alberta. If the hon. member for Athabasca (Mr. Shields) had asked for more money to create jobs for the Indian bands, he would have been in a sorry pickle if there had been a Conservative government sitting on this side, because there was no program from which he could have received money.

Let us not get involved in this great gnashing of teeth; instead, let us get down to the real issue of employment, which is: How do we direct government programs in the most effective way? That is the question. The hon. member for Hamilton-Mountain said that we do not have a plan of action, that there is nothing there.

Miss MacDonald: That is absolutely right.

Mr. Axworthy: I take issue with the hon. member for Hamilton-Mountain and point out to him how we have a well devised strategy, one on which we are working and which is having success. It is pointing in the direction we have to go in the 1980s. We have tried to do a careful analysis of who it is that is unemployed. The hon. member from Calgary kept talking about the other person in his block. In Alberta that is not much of a problem because the unemployment rate there is 4.1 per cent. For males over 25 in Canada the unemployment rate in Alberta is only 4.5 per cent. By most economist's standards, that is virtually full employment within that specific group. You must take into account that a lot of people change jobs.

Mr. McDermid: Changing jobs?

Mr. Axworthy: The hon. member from Brampton obviously has economic training, which is something to be desired. He should know that each month 300,000 people come into the work force and 300,000 people leave the work force. People do change jobs, you know. They look for improvement. They provide for new opportunities. People try to go where the jobs are. There is obviously a constant flow in and out of the unemployment ranks.

The hon. member talks with great pride about his government's record concerning jobs for women. I will tell the House what our record is. His mathematics are not very good. We created 182,000 jobs in the last 12 months; in other words, 15,000 jobs per month for women in Canada.

Miss MacDonald: You do so much for women.

Mr. Axworthy: That is true. I will talk to the hon. member for Kingston and the Islands (Miss MacDonald) because she has a bad memory when it comes to what we are doing.

Miss MacDonald: I have a great memory.

Mr. Axworthy: She prefers to latch on to the sensational. I cannot be responsible for the sensational tactics of the hon. member for Kingston and the Islands.

Miss MacDonald: You find it tiresome, I know.

Mr. Axworthy: She is far more interested in her publicity and press clippings than in actual performance and progress, as we saw in the record of her own government.

Some hon. Members: Oh, oh!

Mr. McDermid: Look who's calling the kettle black.

Mr. Axworthy: The record speaks for itself.

Mr. Jarvis: It is despicable.

Mr. Axworthy: I do not have to get on the soap box, as does the hon. member from Kingston to proclaim her intent. Our record proves what we have done. Our record shows the kinds of achievements we have made.

Miss MacDonald: Some record.

Mr. Axworthy: It goes back to the analysis that we made that hard core unemployment is concentrated on people in certain regions and groups.

Mr. Jarvis: You cannot believe this?

Mr. Axworthy: If you really look at who is unemployed, it is not most Canadians. Unemployment is concentrated among certain people in regions of Canada where there is no economic development. That is one reason this government in its early days established a DREE program. We have spent $600 million on DREE this year. This was to try to bring economic development to the poorer regions of Canada, to make sure they would have an equal opportunity. That is why we put the concept of equalization into the charter of rights in the constitutional package, so disparagingly talked about by members opposite. It was done to ensure that the poorer regions of Canada would have a fair share of the revenues. The hon. member for Calgary ignores that resource revenues for the people of Alberta are 15 times what they are for the people of Prince Edward Island. This concept of equalization in the charter of rights can somehow rectify that disparity so that there can be some kind of common standard across Canada. We think a charter of rights is important because of the need to equalize opportunities in this country.

Miss Jewett: That does not have a thing to do with it, Lloyd.

Mr. Axworthy: Let us talk about the necessity to equalize those opportunities. That is where the unemployment issue really resides. Our strategy was to begin to allocate our programs and resources to meet hard core unemployment. First, we reintroduced the direct employment programs. They were geared in terms of allocation to the poorer regions and areas of Canada. It may be of some interest to the hon. member for Kingston and the Islands, who has such a scoffing attitude toward the record of this government, that over 50 per cent of the participants in those programs were women. That is because we introduced an affirmative action program, something which her government never had the guts or ability to do.

Some hon. Members: Hear, hear!

Mr. Axworthy: The hon. member can laugh, but that simply shows how committed she is to the issue. Rather than standing up and promoting the development of affirmative action programs to reduce the work barriers faced by native people, women and those who are disabled or handicapped she scoffs at it. That shows her commitment to the problems of women. She scoffs at our attempts at affirmative action programs.

Mr. Jarvis: You are beginning to take yourself seriously again.

Mr. Axworthy: That just shows how really committed the hon. member is.

Miss Jewett: Talk to your colleague.

Miss MacDonald: Find out from other women, Lloyd.

Mr. Axworthy: Let me talk about the non-traditional training programs which we brought in for women to assist them to move into new occupations which they have been prevented—

Miss MacDonald: You are getting tiresome.

Mr. Axworthy: We may be getting tiresome, but frankly, I find the hon. member opposite really demonstrates her true colours, which have nothing to do with the causes she espouses. She does not support real efforts to bring about improvements, progress or reform. All I ask is that the people of this country look at the record of her government in these areas, at the cancellation of employment programs, the refusal to move toward an affirmative action program, and find out whose record really stands up under scrutiny.

An hon. Member: Are you smarting under it?

Mr. Jarvis: Where is Bud Cullen?

Mr. Axworthy: Let us go to the issue which was raised by the hon. member for Hamilton-Mountain, namely the issue of lay-offs. He reamed off page after page of lay-offs. He asked why we did not do something about them. Somehow in his flow of rhetoric he forgets the introduction of the industrial adjustment program. That programs has been geared exactly to the very problem he pinpoints. This country is going through

technological change. Industries do go through transitions. We cannot as a government stop progress. We cannot say to industries which have been producing products for 30 and 40 years that when some new innovation comes along they should not produce, that we should subsidize and support false economies. Of course, when industry changes, jobs change too. We must provide some support for those communities which are hard hit.

It is not just government alone that has this responsibility. As a member of a party which establishes close alliances with trade unions, it might be helpful if the hon. member spoke to some of the unions about the kind of immobility which is built into certain agreements in the areas of pension plans and seniority rights. For instance, people who are laid off from work in Windsor refuse to go 100 miles down the road where there are jobs because they lose their seniority. I sympathize with them because that work is their basic right. That is why we have built into the industrial adjustment program ways of trying to promote mobility of workers so they can move their families and bring their talents and skills to areas where there are jobs.

The paradox being faced in Canada right now is that in certain regions of the country we are short of skilled workers. In western Canada alone we are short of 35,000 to 40,000 workers. It is difficult to provide a flow of people from areas where jobs are disappearing. Mobility is one of the real issues we must face in Canada. A worker in a community will build the home in which his family resides and will, of course, be reluctant to move. These workers have a vested commitment. It is their form of property rights. There has to be some support and protection of the rights of those workers.

● (1610)

That is why the industrial adjustment program provides retraining assistance for those who want to be retrained, provides mobility assistance for those who want to move and provides industrial grants for bringing new jobs into areas. We admit this is an innovation. It is a new program. But we think it important to try this program in order to determine its effectiveness. If it works out we can begin to apply it in other communities across Canada.

The hon. member for Hamilton Mountain is wrong when he says there is no strategy. Of course there is, and it is there in the programs. It has been announced and is now being implemented. I suggest to the hon. member that rather than standing on his feet scorching the earth with the flame of his remarks, he might be far more effective if he looked at what is happening in Sydney, Windsor and Sorel and found out just how effective that program was for people in those communites. He would find out how important it was to give them some hope and opportunity for the future, to give them some choice as to the kind of future they want to face. It gets you nowhere to engage in false rhetoric. We would ask members of the parties opposite, particularly the New Democratic Party which has such a concern for the labour force in this country, to provide support for these kinds of initiatives, and to give us the kind of backing we need to develop and expand further programs. We will not get it from the Tories, we know that. They cut programs out. They do not provide that kind of assistance. The record shows they were not doing so. We might be able to look to members of the NDP for some assistance in this area.

Finally, we should also look at some of the efforts we have made in terms of training. There is no doubt in my mind that the one way to break through hard core unemployment is by providing new training skills and new opportunities.

The composition of the work force is changing. We are now going into the era of the 1980s when there will be far more demand for blue collar skills, for technical skills, for manufacturing and construction skills. We must prepare people for those opportunities. During the 1970s the major growth was in the service industry, in areas which provided tremendous opportunity for women and young people because they were the easiest to move into.

However, in the 1980s the work force is going to change. Job opportunities will be in the manufacturing, goods-producing and construction areas. Those are the areas from which a lot of people up to this time have been excluded. This is why in the revised critical skills training program we have tried to bring about a different combination of support, so that people can get on-the-job skilled training while having the opportunity to go to an institution to improve their academic skills. This is why we introduced the non-traditional program for women. They have found difficulty getting into new occupational areas. We are now providing major subsidies for people moving into areas to which they have been denied access.

Hon. members ask what we have done. On May 1 a brand new employment program will be introduced which gears the resources of this country toward assisting the disabled and handicapped, one of the groups which finds it most difficult to get employment. We will also be gearing our employment program toward the economically disadvantaged, those who have been out of the work force for 20 weeks. It will provide an 85 per cent subsidy to employers to bring them into the job market and will provide the re-entry about which the hon. member for Calgary West talked. He must have missed his mail or has not been looking at the paper on his desk, because there was an announcement that this program will be commencing on May 1.

This again is an attempt to target our employment training program at those groups which need help most. We want to zero in on exactly where help is needed. We want to get to the chronically unemployed, bring them in to the work force and supply the support needed to do that. We want to get the private sector employers interested in overcoming some of the biases or discriminations which have faced economically disadvantaged persons. We want to provide not only the subsidy rate for the handicapped person, but incentives to employers to change equipment and facilities; that is, to build ramps and bring in new equipment.

I do not consider this is necessarily all we can do, but it is a beginning. We have other important programs, like the eco-

nomic development program in respect of which we have received close to 80 applications from across this country. This is a way of providing long-term employment, working with community corporations in low employment areas.

If the hon. member wants to know what we are doing, those are the kind of efforts we are making. We still believe more can be done. That is one reason we have a parliamentary task force, and why in a matter of a very few short weeks we will be tabling in this House and presenting to Parliament the findings of the reviews we have been undertaking in our own department in respect of unemployment insurance and labour markets. In this way we can provide a further new direction which can be debated in this House, by labour and by business, in order to establish a different approach to employment, training efforts and initiatives for the decade of the 1980s.

I think we are trying to make an effort to respond to the changing composition of the work force and of unemployment. We are doing it in the context of what is real, what is practical and what is effective, not what is purely rhetorical and irrelevant.

Mr. John McDermid (Brampton-Georgetown): Mr. Speaker, we have been treated this afternoon to three entirely different speeches. We have just finished listening to the hon. minister of hoodwinking. I guess I am one of those terribly cruel, uncaring Progressive Conservatives who does not care for the little people or the unemployed, who wants to see them unemployed. That is a complete and utter falsehood which he travels around the country spreading. I want it to be known right now that this kind of nonsense will not be swallowed by the people of Canada. The people of Canada are too smart to accept that kind of gobbledygook.

The minister went on to say how cruel our budget was. The National Welfare Council said it was the fairest budget it had seen for the poor people in Canada. The Canadian people will not accept the minister's nonsense, and I want to tell him that the Progressive Conservative Party does not run Canada down. We like to build it up. We are a party of builders. For him to stand and say we do nothing but run it down is utter nonsense; and he should know better than to stand in this House and spread that sort of nonsense in the hope that the Canadian people will accept it from him.

Let me read a motion that was presented to this House. It reads:

> That this House deplores the complete inaction of the government, after six months in office, with regard to the creation of jobs, regrets the inhumane cutbacks in the Canada Works program that have eliminated hundreds of communities across Canada that have been suffering from high levels of unemployment and condemns the government for its failure to date to bring forward a comprehensive employment strategy for the coming year.

That might sound like a Progressive Conservative motion, but it was not. It was one brought forward some time ago by a well known Liberal, I think the Secretary of State and Minister of Communications (Mr. Fox). At that time he was condemning the government for a number of things. Let us see what he is recorded as having said in *Hansard* last December. He was extremely critical of the government at that particular time for inaction on programs. Yet the amazing thing is that the statistics he brought out showed that the unemployment rate would go from 11 per cent to 11.4 per cent by the year 1981. Indeed this is a novel way of looking at job creation in this country. The unemployment rate, as we now know, is well over 12 per cent. This minister is not saying anything about that today.

The hon. member for Longueuil (Mr. Olivier) said on December 6, 1979, during the same debate:

> Mr. Speaker, in an affluent society such as this, suggestions that a 7 per cent or 8 per cent unemployment rate is acceptable are simply shameful.

● (1620)

I have to agree. The figure is up to 11 per cent or 12 per cent. I believe he is the chairman of the Quebec caucus. Where is he now? Why is he not standing up and being heard by the Canadian people? Where is he? Why is he not condemning the government for its inaction?

I take umbrage at what the minister has been saying. He has been going around saying 130,000 jobs would have been lost if the energy policy of the Progressive Conservative Party had been implemented. Yet I find that the province of Ontario is losing jobs every day because of inaction in the energy field. People are being laid off because they are not getting the contracts from out west which they should be getting. Those contracts would be going to Canadian companies. Canada's potential is unlimited and phenomenal. I have travelled, and I find that the only country which comes close to Canada is Brazil. Brazil has a great future. It has resources and people, and so does Canada.

The problem of the shortage of skilled labour should have been addressed years ago. Instead of training Canadians to do Canadian jobs, this government has seen fit to bring skills in and not train our own young people. Today the statistics on unemployment among young people are shameful. Among young people aged 15 to 24 there are 452,000 unemployed. A year ago 439,000 were unemployed. The figure is up 3 per cent. Unemployment among men in the 15-year to 24-year age group is up 4.2 per cent, and among women it is up 1.1 per cent. Those percentages may not sound extremely high, but if we look at our population as a whole, we can see that the problem is getting much worse, not better.

Among people in the 15 to 19 age group, 7,000 more are unemployed. This means that young people coming into the work force—about whom the minister brags all the time—are in fact not getting jobs. They are not getting the meaningful jobs they should be getting. A report by Statistics Canada recently said that 25 per cent of the young people who are getting jobs are under-employed. The ministry is forecasting 13 per cent to 14 per cent unemployment among young people this summer. That is completely unacceptable.

The minister talks about his various programs. I like to call them make-work projects. There is nothing permanent about them. In my community over the winter the Canada Works program provided 12¼ jobs. They were not permanent jobs; they will last perhaps 40 to 50 weeks, but no more. These are

strictly stop-gap measures, but they look good to the public. They throw out a little money; they provide 12 jobs in the riding of Brampton-Georgetown, 14 jobs in Oakville and 10 jobs in Mississauga; and on it goes. However, they just do not provide meaningful employment, especially for young people.

We spent Friday going over applications for summer employment. There were 24 applications submitted in my constituency. I think we accepted 11 applications. Those were all we could accept because of the limited budget. Summer jobs were provided for 20 young people. The minister brags about how wonderful this program is and about what a great job it does for young people. I say that is nonsense. If we had a program which provided incentives to the private sector to hire young students for the summer, we would see many more employed and much more meaningful employment.

The Progressive Conservative goal was to create a climate which would encourage the private sector to have confidence in the government. That is very important. Employers are skeptical of government programs. They cannot face the paper work involved. Private industry and government must work to solve this problem, but for some reason the Minister of Employment and Immigration (Mr. Axworthy) does not trust the private sector. He wants to do everything through grants and special programs.

I can give an example of how the small business person is skeptical of the government. Recently a tender was sent out by the Minister of Supply and Services (Mr. Blais) to 52 small businesses in Canada. Only ten applications were returned to him. Twenty-eight tender calls were sent out in Ontario, but there were only four responses. Why? A couple of the small businessmen came to me and explained why; it was the paper work. They have to go through an absolutely horrendous amount of paper work to tender on jobs. That is ridiculous. My point is that the private sector does not trust the government. That is a shame, because it should and they should work together. However, they do not.

The minister continues to create little programs to throw a few dollars here and a few dollars there in the hope that that will solve the problem. Private employment incentive programs introduced by the Progressive Conservatives would have stimulated employment by allowing employers to claim $80 weekly tax credits for providing jobs. They would have had the option of carrying unused portions of the credits forward. That policy addressed a couple of problems. It addressed itself to the employment of youth, which is very important. Youth is a very major target group. I would say almost half a million youths in this country are unemployed. The statistics say the number is a little smaller, but those are the ones we know of. The Progressive Conservative policy would have led us away from the trend, which the Liberals have established, toward creating a society in which young people are frustrated with the job market. What we are creating is a generation of unemployment insurance and welfare recipients. Young people—and they will tell the minister this—are fed up. They want continued employment, and they want futures they can plan.

What do we do in our apprenticeship programs? There are ten months of on-the-job training—hands on training—and then two months of classroom work. What do they do in the two months? They apply for unemployment insurance. The first thing we teach in an apprenticeship program is how to apply for unemployment insurance. That is a ridiculous approach. There must be better ways. As a matter of fact, I recommended one in this House to the minister of state responsible for student loans which would make far more sense than teaching young people to become dependent on unemployment insurance during an apprenticeship program. That is completely unacceptable.

We hear horror stories about how terrible our employment plans would have been and about how they would not have created any jobs. That, of course, is complete nonsense. Up to 105,000 young people could have been placed in meaningful jobs, 89,000 of them in the private sector. We proposed a youth employment secretariat, which would have zeroed in on youth employment programs, monitored existing programs and co-operated with the private sector and provincial governments to harmonize programs. Right now governments are going off in all directions. There are some good provincial programs, but the federal programs are not in any way tied in with what is happening in the provinces. That situation must change as well.

Our national youth service program would have placed 14,000 young people in Canada with the volunteer sector. They would have been working on federal, provincial or community projects. They would not have had to depend on unemployment insurance. That would have been a very important program.

● (1630)

According to the present minister, $100 million would have been spent to create jobs for 49,000 students. That means that in my constituency 20 students will get jobs. Under our program we proposed to set aside the same amount of money, which is rather ironic. But it would have created 70,000 jobs, 21,000 more than is planned by the present government. That is poor planning. I grant that money is being spent on job creation, but it is not being spent wisely.

I wish to point out a couple of other matters the minister raised during his criticism of the use of statistics which I found rather interesting. He talked about how the federal government will increase its staff by only 1.5 per cent. I note with interest that the energy minister has been given permission to increase his staff by 507 bureaucrats this year, bringing the department staff to 4,269.

To let one department grow by 13 per cent and still maintain that 1.5 per cent level, other ministries must shrink. The health department will have to say goodbye to 354 employees this year and Indian affairs will lose 398 people this year. I ask the federal government, who cares for the people? So much for the social service field. Heaven knows there is a great deal of work to be done in Indian affairs. I am sure my colleague will

have some comments on that later. Obviously the social policy field is the clear loser.

Again we hear how devastating our budget was, how hard it was on the poor people. However, a professor from Ottawa's Carleton University says that this government's failure to count the effect of higher oil and gas prices on lower income groups through an energy tax credit, which had been the feature of the 1979 Conservative budget of John Crosbie, indicates the relative abandonment of social priorities.

The minister likes to say that by the time the next election rolls around the baby boom will be moving through and we will be very short of labour in the not too distant future. A few years ago that might have been the case, but recent studies suggest that that is really wishful thinking. For example, in *Executive* magazine of December, 1980, John Kettle wrote:

> At the end of the 1980s, the labour force should still be growing at around 2 per cent a year, and this is most unlikely to precipitate a labour shortage.

I therefore say to the government that it is time they took a long, hard look at their programs and policies. They should zero in on the young people of Canada who are experiencing unemployment rates of 13, 14 and 15 per cent. In a country with a future like Canada, that is completely unacceptable. In fact, it is a national disgrace.

I hope the minister will zero in on this area and present some policies which will give the young people of Canada some long-term, meaningful employment, jobs and careers they can count on for years to come.

[*Translation*]

Mr. René Cousineau (Gatineau): Mr. Speaker, I want to thank the hon. Minister of Employment and Immigration for the honour he is affording me, especially today, by inviting me to speak to this motion of the official opposition concerning employment in Canada. I did say "especially today" because an election is being held today in Quebec. I did my duty this morning and I take a few moments to invite and urge the people of Quebec, particularly in my federal riding of Gatineau, to exercise their right to vote so that tomorrow morning the electors will not look at themselves in the mirror while shaving and say: I should have gone out to vote. In my opinion, Mr. Speaker, the best way to safeguard the right to vote is to exercise it.

Mr. Speaker, a debate such as this one is indeed what we need, for it will enable us to set Canada's employment situation in its true and full perspective and to point out—and this will be the thrust of my speech—how and to what extent the federal government has contributed to create jobs throughout Canada. Of course, in a system of free economy such as ours where people choose to do what they want and where we experience difficulties which affect certain regions or certain industries, there is unemployment. But we should not forget that in spite of that our workers enjoy one of the highest standards of living in the world. Unfortunately people do seem to forget that Canadians, be they in Quebec, Ontario or Alberta, have one of the highest standards of living in the world. Should it be recalled as well that in our economic system the main responsibility for creating jobs rests with the private sector? The role of governments, including the federal government, is to help private industry and create a more favourable climate for growth and expansion through budgetary or other measures.

Mr. Speaker, hardly a few weeks ago the federal government selected five regions, including Tracy-Sorel and Sept-Îles, both in Quebec, where it launched a $350 million assistance program to help regions and industries going through particularly hard times. Incidentally the federal government's job-creating role has undergone tremendous changes in recent years so that it could make a larger contribution in the creation of employment. Mr. Speaker, former manpower and immigration ministers used to hold responsibilities which were limited to placing and training workers.

During the seventies, the government launched various schemes, including the Local Initiative Program and the Opportunities for Youth Program, which once developed and improved became, for instance, the Canada Works Program, and now the community development projects which benefit Canadians by the thousands who are happy to be involved in useful projects hundreds of millions of dollars.

● (1640)

The integration of the Unemployment Insurance Commission into the Department of Employment and Immigration has favoured also a better co-ordination of the services to the benefit of the workers. Finally, we should not overlook that, at the same time, the federal government shares with the provinces the cost of workers' training to the tune of $800 million. I would be remiss not to mention that in the areas of training and retraining as well as job creation, the department pays special attention to the particular needs of the young, the women, the Indians and the handicapped. But today, Mr. Speaker, I should like to deal with the Federal Government's employment programs, namely, the Community Development Projects, the Community Services Projects, the Local Economic Development Assistance (LEDA), the New Technology Employment Program, and finally, the Summer Youth Employment Program.

Under the community development program, government assistance is granted to all areas of the country, with special emphasis on areas of high unemployment. Last fall, for example, $1,400,000 were committed to special projects in the Windsor area where many auto workers were laid off. Also, $7 million were committed to programs set up by natives in various regions. This was in addition to the $32.6 million provided through the local economy development assistance program and aimed at native communities across Canada. Also, Mr. Speaker, $10 million were added to the worker training program budget for special native requirements.

With regard to the community development program which, as we all know, is aimed at helping local organizations which develop and administer temporary job opportunities for the unemployed, I am pleased to report that as of April 2 last, 3,842 projects had been funded through federal grants for a total of $100,249,400. A little over $40 million were earmarked for community renewal and development projects, $11 million for fish breeding and related industries, $9 million for tourism, over $7 million for long term local economic development, with the remainder being split between conservation, housing, environmental clean up, and other local or regional economic initiatives.

The purpose of the community services program is to help support projects lasting up to three years and aimed at creating jobs for the unemployed, especially the young, the handicapped women, and native people. Among the organizations which have actively supported this program, let us mention the Chambers of Commerce, the YMCAs and the YWCAs, as well as other organizations serving the handicapped and other special needs groups of our society.

There were 456 projects approved, for a total of 1,080 jobs, and some 336 of those projects will last almost three years and, in many cases, will lead to permanent jobs. This program is still at the experimental stage, but has already been enthusiastically received by many social groups. The purpose of the program is to help such non-profit organizations as day care centres, distress centres, and senior citizens agencies, as well as to promote the development of voluntary services and help them become independent.

Particular attention is paid to programs for native people, women and immigrants. About a quarter of the projects will be directed to women, 14 per cent to native people and 12 per cent to immigrants. The federal cabinet has approved allocation of $11 million for this program during the fiscal year 1981-82. Mr. Speaker, the new technology employment program is designed to provide employment for the graduates of specialized courses in technical and scientific areas who have trouble finding employment in their field. It allows small businesses, research centres, as well as associations, community organizations and even individuals to receive salary subsidies to create jobs in research and development. The department has already received 647 applications which could result in the creation of 1,225 jobs. Sixty-two percent of applications come from small businesses and 72 per cent are directly related to research and development.

Mr. Speaker, the federal contribution to salaries can go as high as 75 percent up to a maximum of $290 per week per job for a maximum period of 12 months. The maximum amount that can be paid to an individual employer is $150,000. As I stated earlier, most of the recipients under this program are small businesses, but there are also other major employment sources in universities and colleges (13.14 per cent) and research centres (6.33 percent). Funds amounting to $6.6 million have been allocated to this program for 1980-81, and it is expected, Mr. Speaker, that the federal contribution for 1981-82 will exceed $7.4 million. Since the end of the current fiscal year, 56 new applications have been received and are now being processed.

Mr. Speaker, I would also like to tell this House about another important job creation program known as LEDA, or the Local Economic Development Assistance Program, which is administered jointly by the Commission of Employment and Immigration of Canada and the Department of Regional Economic Expansion. This program innovates in the field of community development. Its purpose is to assist small and medium size semi-rural communities which unfortunately always have a high unemployment rate, on the condition, Mr. Speaker, that these communities make themselves some effort to ensure the success of their economic development. This program is in two stages. During the first stage, the community can receive up to $50,000 for planning purposes. Acceptance of a development project leads to the operational stage, during which a LEDA Corporation can receive $250,000 a year for three years. This can be used to develop economic projects or studies or to support existing or even planned businesses. The projects of 13 communities have already been approved for an amount of up to $50,000 since they are only at the initial phase. It is expected for the fiscal year 1980-81 that approval will be given to 874 projects in which about 10,195 people, including 42 percent of young people and 32 percent of women, will take part. Finally, Summer Canada will provide this year $76.7 million to create employment for about 32,800 students.

In addition, Mr. Speaker, I am pleased to point out that in my riding, that of Gatineau, the department spent over $250,000 to create jobs for students. Those students must all be listening to this debate, and it is important that today's youth should listen to this debate; they will get jobs through the Canada manpower centres. A part of the $21.7 million allotted this program is redistributed by various federal departments and organizations. Past experience as well as unemployment rates and regional job opportunities for students are taken into account. The same criteria will be used for the other part of the $46 million program administered by the Employment and Immigration Commission on which hon. members will be consulted to find out whether or not they are in favour of setting up local advisory committees. The projects to be given priority will concern parks, recreation camping grounds and services, health and social services, energy conservation and renewable energy, tourism, arts and culture, as well as services for the handicapped.

• (1650)

Mr. Speaker, I close on these words. I am optimistic about the future of our country. The minister and his department have made efforts and much has been undertaken. I congratulate the minister on the programs he has introduced, and I feel

I can use the words he has used time and time again: This is only a start and not the end; it is only the start towards a better future.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Ethier): Order. It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for North Vancouver-Burnaby (Mr. Cook)—Housing—Effect of inflation on industry and home owners; the hon. member for Vaudreuil (Mr. Herbert)—Royal Canadian Mounted Police—Possibility of compensatory payments to Ontario and Quebec; the hon. member for Brampton-Georgetown (Mr. McDermid)—Supply and Services—Re-opening of contract to construct F-18 fighter aircraft.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY S.O. 58—FUTURE FACING UNEMPLOYED CANADIANS

Consideration resumed on motion of Mr. Hawkes.

Mr. Jack Shields (Athabasca): Mr. Speaker, it gives me a great deal of pleasure to address the motion which is before the House at the present time. I know that a number of things have been said about the rising unemployment, which is increasing right across Canada.

In his remarks the minister compared unemployment conditions in Canada with those in Great Britain. I suggest it is a real fallacy to compare a country such as Canada, a relatively new country with boundless resources from coast to coast, indeed offshore as well, with a country like Great Britain, with its economic conditions and hardships. I suggest that the government is not addressing itself to the problems that face us today in Canada right across this country. The number of programs which have been introduced by this government, notably the National Energy Program in the budget of last fall, have clearly done nothing but put a damper on the economic growth which could be taking place in this country from coast to coast.

I would like to limit my remarks to a problem which I see increasing very drastically. It is borne out very clearly in documentation from the Department of Indian Affairs and Northern Development. Before I continue I would like to provide a bit of the background. In the past two weeks members of the Bigstone band, which is a small reserve in northeastern Alberta led by Chief William Beaver, walked 240 miles from the reserve to the city of Edmonton, specifically to the Department of Indian Affairs office, to draw attention to their plight. I am talking about living conditions but, more important, their walk has been termed "a walk for economic equality". Their chant has been: "We want jobs, we want jobs." There is a fallacy abroad in our land, and unfortunately some people believe it—one wonders if members of the government believe it as well—that Indians are lazy and do not want to work. I would like to remind the government that Indian people who walk 240 miles to demand jobs are not lazy. These people are sincere in their efforts to gain economic equality with their white brothers.

Mrs. Appolloni: On a point of order, Mr. Speaker. The hon. member opposite has just accused Liberal members of saying that Indians are lazy. No Liberal member has said that.

The Acting Speaker (Mr. Ethier): Order, please. The hon. member for Athabasca.

Mr. Shields: Thank you, Mr. Speaker. It is obvious that the hon. member who rose on a point of order was not listening to my remarks. I suggest that rather than stand behind the curtain she remain in her chair; then perhaps she will hear what I have to say.

Some hon. Members: Hear, hear!

Mr. Shields: I would like to talk about social conditions on Indian reserves. My statistics come from a survey conducted by the Department of Indian Affairs and Northern Development. Life expectancy is a reflection of health standards or living conditions. For Indians, life expectancy is ten times less than it is for the rest of the population. Violent deaths on reserves are three times higher than the national average. Suicides, and in particular suicides in the 15 or 24 years age group, are more than six times higher than the national rate.

Can you imagine, Mr. Speaker, a 15 or 16 year-old waking up some morning and seeing abject poverty, total futility in their lifestyle and living conditions, lack of opportunity, and deciding that he or she will commit suicide. The situation has reached almost epidemic proportions on Indian reserves. You cannot go to a reserve where the people have not experienced the tragedy of a young person committing suicide. In a country like ours, in the year 1981, that situation is absolutely atrocious. The strength and stability of family units appears to be eroding. There is a higher divorce rate, more births outside of marriage and more children in care. These are the social conditions which exist.

The next statistic I want to give you, Mr. Speaker, is probably the most significant one since it alone comments on

the programs which have been offered by the government to assist native people. In 1964 an estimated 36 per cent of the Indian population received social assistance or welfare. In 1977-78, between 50 per cent and 70 per cent received social assistance. In a matter of 13 to 14 years the number of Indian people who received social assistance increased from 30 per cent to between 50 and 70 per cent.

• (1700)

One must then draw the conclusion that we are not actively providing economic opportunity, training or jobs. In the past ten years, there has been a total investment in the Indian communities across Canada of $250 million, creating 10,000 jobs. We must create 20,000 to 30,000 new jobs in the next 10 years. What is happening? Economic development funds are being withdrawn and budgets are being reduced. I will give the House a comparison. In the fiscal year just ending, in Wabasca, the people of Chief William Beaver of the Bigstone band said enough is enough and decided to walk from northeastern Alberta to Edmonton, a distance of 240 miles, suffering severe hardship. Indeed, some women were in their fifties and sixties and had arthritis. Little children also joined the walk. But they completed that march because last year alone $1.5 million was spent in that community on social assistance and welfare, but only $40,000 was spent on economic development. That shows the priority that the present government places on economic development in native communities.

The Minister of Employment and Immigration (Mr. Axworthy) has now been given the responsibility, through the western Canada development fund which gives priority to the economic development of native peoples, to search out and develop the economic viability of various reserves so that native Indians people on the reserves can be gainfully employed. We hear stories from the Secretary of State (Mr. Fox), from Indian affairs, from manpower, about various programs that the government are throwing out all the time to create employment.

Certainly, some programs were developed. There was the Canada development program where communities submitted projects and said: "These are the things we're going to develop in our communities and it is going to create so many man-hours of employment." But they are stop-gap measures. They are like frosting. There is nothing underneath. They remind me of the great big cake one sometimes sees in the lobby of a hotel, with candles and frosting, but if one cuts through the frosting there is nothing but a cardboard shell. There is nothing inside; there is no substance.

We must project a five or ten-year program and say, "This is what we are going to do with economic development."

I hear the comment that we are spending too much money on Indian people. Federal government expenditures for Indians increased 14 per cent per capita in real terms between 1970-71 and 1978-79, a period of nine years. At the same time, there was 128 per cent per capita growth in other federal social programs. Other federal social programs increased 128 per cent, but programs and expenditures aimed directly at the Indian people in that same period of nine years increased only 14 per cent. We know that that 14 per cent does not even keep up with inflation.

By all conservative estimates, Indian unemployment in Canada reaches anywhere from 35 to 75 per cent, depending on the locality. I ask all hon. members to think for a moment. What constituency would accept an unemployment rate ranging from 35 to 75 per cent? Not one. There would be such a furore developed in the community that hon. members opposite would not be sitting in the House of Commons; they would be thrown out on their ears.

The same would be said of any government which allowed that kind of unemployment to exist in any community. I am talking about white communities. However, it is an accepted fact that there is 35 per cent to 75 per cent unemployment right across Canada in Indian communities. We create situations where we are prepared to spend, on one band, on one reserve, $1.5 million in welfare, which is destructive, rather than spend $40,000 for economic development in a community which would create jobs. These are not my figures. These are figures that come right out of the survey prepared by the Indian affairs and northern development department. I have more copies if hon. members want them.

Let us talk for a moment about the human misery of an individual who must go home day after day to his wife and children and knowing he cannot provide for them because he is unemployed. Must he not say to himself periodically, "I wonder what my children think of me because they know I am not working and cannot get a job?" Is it any wonder that violence breaks out in the community? Is it any wonder that there is an abnormal amount of alcoholism on many reserves? Is it any wonder that young children—and I mean young children, 14, 15, 16 years of age—who should be looking forward to great opportunities, wake up some morning and decide that they do not want to live any more, that life is not worth living and they take their own lives? It is something to which we must all address ourselves. It is too bad that the hon. member who raised a point of order would not stop talking long enough to listen to what I have to say, because I think it is important.

Is there a way to stop this erosion which is taking place on reserves in Indian communities? Certainly there is. Many of the people living in Indian communities today are illiterate. Others have minimal education. What is the difference? We are prepared to spend from $30,000 to $100,000 educating young people raised in white communities so that they can become productive citizens. The Department of Employment and Immigration buys training positions in educational institutions. Indian people do not take advantage of these because the entrance requirement in vocational schools is usually grade nine education at least, and they do not have that.

• (1710)

The Acting Speaker (Mr. Ethier): Order, please. I regret to interrupt the hon. gentleman but his allotted time has expired.

Unemployment

[*Translation*]

Mr. Gilbert Parent (Welland): Mr. Speaker, I am pleased to see that the debate has taken a new turn, because the last three speakers have spoken more constructively than the first ones I heard.

I should like to deal this afternoon with five areas, and I hope to make suggestions and recommendations to my colleagues so that they will know that positive measures are being taken in Canada in connection with the employment of Canadians.

[*English*]

The five areas that I should like to touch on are employment service, industrial and labour market adjustment, training, direct job creation and, if possible, disadvantaged employment.

Il va sans dire, Mr. Speaker, that the provision of an effective employment service is one of the main responsibilities of the Minister of Employment and Immigration (Mr. Axworthy). I suggest to you, Mr. Speaker, that it is also a responsibility for every member of Parliament in this House.

I am fully aware of those aspects of the Canadian Employment and Immigration Commission service that can and should be improved. I am impressed with much of its performance to date and its plans for improvement. Just last Friday the Minister of Employment and Immigration presided at the official opening of the metropolitan order processing system in Toronto. This is a computerized method of recording all job vacancies and unemployed clients in a metropolitan area. It is a far cry from the paper-based technology which quite often resulted in an employment centre knowing very little about its clients or the job openings in its immediate area.

What is the significance of this innovative system? First, it has proved that the CEIC process has had a dramatic effect on the quality of service provided to employers and to workers. For example, MOPs, as it is called, the metropolitan order processing system, was installed in metropolitan Vancouver two years ago and was a major factor contributing to the 50 per cent increase in the number of vacancies listed and people placed by Canada employment centres in greater Vancouver.

The second and perhaps most important consequence that should be associated with the launching of MOPS in Toronto is that it signifies and is symbolic of a quiet revolution that according to international experts in such matters will result in the finest employment service in the free world within three or four years.

This may surprise you and some of my colleagues a little, Mr. Speaker. At first blush, I must say it took me happily by surprise. As I thought it over, I realized that the expectations against which we and the public measure the performance of Canada employment centres is really quite unrealistic. The centres are considered to be ineffective if they have not found a job for our sons, daughters or neighbours, whether or not there are any job openings for persons with their skills. Similarly, they are considered to have failed if they have been unable to find a skilled worker for any employer, whether or not the employer has fulfilled his or her obligations to train people.

What is the basis for this international opinion that Canada's employment service is emerging as the finest in the world? Partly, of course, it is a reflection of its performance to date. I will note a few of the positive results. Between 800,000 and 900,000 placements are made per year; people who go through the CEC route find jobs three weeks sooner than those who do not; 60 per cent of the people who look for jobs use the CECs as a job search vehicle. Partly, too, the international view is a reflection of our new national job bank, whereby all jobs which cannot be filled locally are entered into a national computer system and made known to all CECs across Canada.

Just as MOPS creates a "metropolitan" labour market, the national job bank has, since its inception 12 months ago, created a truly national labour market.

It sometimes happens that people in my riding have skills for which there is no demand at a particular time. The hon. member for St. Catharines (Mr. Reid) knows that we had to import people with welding skills for the naval shipyard. We were able to fill some of these jobs by going to the national job bank and bringing in people from as far away as the west coast. That bank was a great help in my previous riding. Some of the people now in that riding are currently being trained under that program.

Experts in other countries are similarly impressed with the work the CECs are doing in developing an effective employment counselling service. Counselling is the core or heart of an employment service's ability to assist people who have difficulty entering or staying in jobs. Canada is recognized internationally as a leader in the development of effective employment counselling. This is reflected in the fact that last September the first world seminar on employment counselling was held in Ottawa and attracted some 600 people from more than 15 countries.

These are just some of the reasons why the Canada employment service is so highly respected. We should take pride in the service and the people who staff its offices. It is a system which brings job seekers and job vacancies together effectively and efficiently for the benefit of all concerned.

I am putting great stress on the development of an effective counselling service. As hon. members know, while many of the people who come to CECs are fully job-ready, many are not. These range all the way from those who need training in how to conduct their own job search, to those who require a great deal of counselling on how to prepare themselves for the labour market and even how to retain employment. Of course, such counselling assistance is labour-intensive. However, consistent with the government's policy of helping those who need it most, this is a function that will receive priority attention.

For those members of our population who need more specialized assistance than that provided by a nominal CEC—I am thinking more of women returning to the labour market after raising their families, or natives, or the blind and the handi-

capped—it is vital that the CECs should organize themselves to meet the needs of such clientele.

What I have tried to do is give a brief "*tour d'horizon*" of the changes that are being made to help make the CECs more responsive to the needs of clients and employers. It is work that is most gratifying because it is people helping people, and it does help. Between 800,000 and 900,000 people find jobs annually.

I turn now to industrial and labour market adjustment. The hon. member for Brampton-Georgetown (Mr. McDermid) mentioned earlier that we would spend our money better if we gave it to small enterprises to train apprentices and prepare them for the job market. One of our priorities is to ensure that we reap the employment and economic benefits of changes in technology and trade patterns. Such changes have brought immense benefits in the past and will do so in the future, but—and I emphasize this—only if we make them work for us.

• (1720)

That is one of the key reasons for the $350 million industrial and labour adjustment program. It provides industrial and labour incentives to help make the shift toward the industries and jobs of the future, not only those of today. It has several broad features. First, it has provision for the enhancement of our critical trades skill training program, which assists industry to train many of the skilled people we need, such as millwrights, industrial mechanics, heavy duty equipment operators and industrial electricians. We need these people in about 27 key occupational areas. In addition, it is to make provision during slack times for the continuation of the training of laid-off apprentices in key trades, even if they are not in institutions or industry, and it provides for stepping up skill training in trade centres across the country.

A second broad element is the provision of industrial incentives in key industries. Both the critical trades skill training and the industrial incentives will help industry to expand and take advantage of new opportunities.

A third, very important element is the community-based portion of the program. Here I digress a moment to explain the community-based program we have in mind. It is to be used for the revitalization of industry by the designation of communities for one year with possible six-month extensions. We expect that there might be five or six such communities at any given point over the next three years. We have already moved to designate four: Sept Îles-Port Cartier; Tracy-Sorel; Windsor and Sydney.

In the communities selected a range of incentives will be available to help existing firms expand or change and to help new firms to come to the community. Just as importantly, there will be a range of measures to assist workers to adapt, including critical trades skills training, enhanced training allowances for workers training in labour-short occupations and portable wage subsidies to assist the re-employment of workers 46 or more years of age. There will be early retirement benefits for workers over 55 years old who have extreme difficulty adapting and cannot realistically expect to find new, high-paying employment. We will also be providing community employment programming to stimulate the local job market during the period of transition. For those who choose to move elsewhere, we will provide for a tripling of mobility benefits.

We now see a great number of workers going from the Atlantic provinces, Ontario and Quebec, to the west, specifically to Alberta and British Columbia. I visited the tar sands project around Fort McMurray last summer. At that time I spoke to many people who had taken advantage of the mobility grants which were put forward by the government. These people were the ones who benefited greatly because they got jobs. But I suggest to you, Mr. Speaker, and to all hon. members in the House that the people who run the tar sands, a project which will benefit all Canadians, also benefit because those men and women brought their skills with them and contributed to the over-all betterment of that area.

Another area I want to address this afternoon concerns training. Canada has one of the most substantial and significant adult occupational training systems in the world. It consists of basic training for skill development and occupational training in institutions, industrial training, apprenticeship training and critical trade skills training. Although training does not itself create jobs, it can and does enable people to fill them. It is crucial both for economic and employment growth. The availability of a skilled worker is often crucial to the employment of several other people. For example, how many times would you see one bricklayer, because of his particular skill, create three or four labour-intensive jobs? The same could be said of electricians and plumbers.

We are awaiting the results of the work of the special parliamentary committee and other bodies on the direction the training program should take for the future. In the meantime, we have moved to make better provision, through critical trades skills training, for training people in high level skills, mostly in apprenticeable areas, people who are needed in the economy now and whose skills will be required three to five years down the road when their training is completed.

I submit that training programs are very important. Financial provision for the industrial training program, including apprenticeship, will be at least $196 million this fiscal year, providing training for 132,500 people.

Provision of occupational, prerequisite, basic educational and immigrant language training will cost at least $362.7 million this fiscal year. In addition, $96 million will be provided to pay basic support allowances to people taking this training, and up to $190 million will be made available to continue the unemployment insurance benefits of others while they take this training. Altogether, we expect that about 170,000 people will receive training in institutions this fiscal year.

Direct job creation is worthy of study. Direct job creation is being used as a flexible, targeted approach to create jobs in areas where they are needed, with particular focus on the needs of those groups of unemployed with the greatest need. The fundamental purpose is to provide employment at times

and in areas where the private sector is either contracting or is unable to expand rapidly enough to keep unemployment rates at an acceptably low level. The funding levels cannot themselves illustrate the second main purpose of job creation programming namely, to utilize the skills and energy of the unemployed to produce goods and services of benefit to the community at large.

Direct job creation is a quicker, more effective and less inflationary policy instrument for intervention on the demand side of the labour market than tax cuts, increased general government expenditure, or increased transfer payments.

A recent OECD study of direct job-creation programming in a number of countries, including Canada, gives positive recognition to this country's ability to create needed employment in a targeted and relatively inexpensive manner which responds to needs at the community level. The study estimated the program's net cost at between one half and two thirds of its gross cost. As noted by OECD, the relatively low wage levels do not contribute to upward pressure on wages generally and thus have little or no inflationary impact in times of economic slack. Because of their flexibility, they can be targeted on individuals and areas which benefit least, or not at all, from more traditional measures.

A key aspect of the evolution of direct job creation programming has been focused on sponsorship of projects by responsible organizations and the establishment of clear federal priority areas of activity.

● (1730)

I direct my final statements to current job creation programs which are providing in excess of 50 jobs for the young people in my riding. I think this is an innovation which is good not only for the community but for the country at large. I should hope that all hon. members will be very diligent in making sure that the young people who are employed under these projects this summer in their areas will have the opportunity to develop those skills needed to fill the jobs they will no doubt be filling in the future.

Mr. Bob Corbett (Fundy-Royal): Mr. Speaker, I wish to express my appreciation for the opportunity this afternoon of taking part in the debate on this opposition motion. It involves a topic which is extremely critical in Canada today. It involves a matter with which members and others in areas directly responsible for the economic interests of our country should be concerned.

The motion states in part:

> That this House expresses its sorrow and sympathy for the more than one million Canadians who are unable to find work and who, with their families, face an uncertain future—

The fact of the matter is, those words are only too true. The future of those Canadians certainly is, at the very best, uncertain. We all must feel compassion and we should be expressing our sorrow and sympathy to those people who would be in the work force if they just had the opportunity of finding employment in this country, employment denied to over one million employable Canadians.

These Canadians want more than our sympathy and sorrow. They expect more and, in my opinion, they should receive more. These people want the consideration of the Minister of Employment and Immigration (Mr. Axworthy). They want the consideration and affection of the people who work in his department. They expect members of this House of Commons, their elected representatives, to address themselves to the plight they are currently facing; the difficulties they are having in providing a living for their families, education for their children and in coping with day to day inflation, higher food costs, higher energy costs and higher clothing costs. Most of them seem to think, and rightfully so, that the present minister and his government are certainly not addressing themselves to these problems.

As a member from Atlantic Canada, I intend to deal specifically with the problems being faced by the people of that area. I intend to deal with the tremendous difficulty they are experiencing in trying to find places for themselves in the work force. On a per capita basis, Atlantic Canadians experience one of the highest unemployment rates in Canada. It is my opinion and the opinion of many other Canadians that this intolerable situation should not be allowed to exist; that it is a situation which, indeed, need not exist.

Let me just give you some background statistics which indicate the real current difficulties in Atlantic Canada. My comparison will be made in respect of unemployment in March 1980 and March 1981. Realistically speaking, we have to work with the unadjusted estimates because they more closely and clearly reflect the true unemployment picture in Atlantic Canada.

In March of 1980 the unemployment rate in Newfoundland was an astounding 15.7 per cent. In March of 1981, after all the efforts of this minister and this government which, they maintain, they have expended to assist employment in this country, that rate dropped only .3 per cent to an unacceptable figure of 15.4 per cent. That indicates just how ineffectual are these programs which have been developed by the minister and this government.

The unemployment situation in Prince Edward Island is also appalling. In March of 1980 the rate was 13.4 per cent. Can you imagine an astounding unemployment rate of 13.4 per cent on an island with such a small population? Just one year later, unemployment in Prince Edward Island had increased by 2.6 per cent to an incredible 16 per cent rate. In spite of all the successful programs and efforts this government and the minister maintain they have made and have implemented to the benefit of Canadians, the unemployment rate in Prince Edward Island rose by 2.6 per cent to an intolerable 16 per cent rate in just one year.

Nova Scotia is one of the more fortunate Atlantic provinces. It is vocally and ably represented in this House by several members of the government party. Despite the fact that the government has several members in its party representing Nova Scotians in this House, the unemployment rate in that

province in one year jumped one full percentage point, that is to 12.5 per cent of the total work force.

We are not proud of the fact that in New Brunswick the unemployment rate has remained fairly static at 13 per cent. Actually it went down .4 per cent during the year. It is certainly an unemployment rate from which the minister can take little comfort.

The unemployment rate in Atlantic Canada in comparison to that in the rest of Canada is unacceptable. This government should be condemned for its callous and uncaring attitude toward the difficulty Atlantic Canadians face in finding work.

The unemployment rate in Canada during the 12 month period of 1979 was 7.5 per cent, while in Atlantic Canada that rate was 11.7 per cent. Those are shameful figures. In 1978 Canada had an unemployment rate of 8.4 per cent. In the Atlantic region it was 12.5 per cent. The litany goes on and on. I could recite figure after figure, which would not be very encouraging to the people of Atlantic Canada, but suffice it to say that today, in 1981, the unemployment rate is still as intolerable as it has been in previous years. The government does nothing about it. The Department of Employment and Immigration does nothing about it. It is a disgraceful situation.

● (1740)

There have been no meaningful programs developed by the government. Let us not forget that this government has been in power since 1963, with the exception of a brief interlude. This government has to take responsibility for the fact that the country has been mismanaged and misgoverned. It is an economic calamity and an economic chaos that no economic development measures have been taken in Atlantic Canada, either in the short term or in the long term. There has been increasing inflation; we have seen unemployment skyrocket; Regional growth has stagnated to the point where it has ceased to exist. The difficulties in Atlantic Canada caused by inflation coupled with unemployment are just intolerable. What we require is some imagination. We require the government to implement programs which will be meaningful and create lasting jobs.

What do we get instead? We get makeshift programs which are meaningless. There is nothing of any substance. The hand-out attitude of this government toward Atlantic Canada obviously continues to be its solution to the problems of Atlantic Canada. The attitude of the government seems to be that DREE is there, that it will create part-time jobs, that the government will give Atlantic Canada equalization dollars and that that will make up for the 12.5 per cent unemployment rate which is being experienced in that area. However, that is not what Atlantic Canadians want. Atlantic Canadians want to contribute, as much as any other Canadian across this nation, to the future and to the economic stability of this country. We do not have those opportunities because this government has lacked initiative and imagination. We require the people who control departments, beginning with ministers and on down, to come up with proper policies which will create jobs and situations in which people will have the opportunity to produce and be involved in the permanent work force. We require a policy which would provide basically full employment opportunities for Altantic Canadians, or at least to the same extent as the rest of Canada has them. Obviously the minister's department is highly inefficient to the detriment of Atlantic Canadians. There is no basis on which we can pin our hopes for the future.

Various programs have been implemented. I refer, for example, to the educational programs to train people. I suppose that the fundamental idea behind them is good but they have not worked. It seems to me that the minister and his departmental officials do not really have any idea about what the programs themselves are supposed to be accomplishing.

I have received representation after representation from constituents who have experienced the frustrations of attempting to deal with the minister's department. They have attempted to enrol in some of the special programs and have been frustrated to the point where they just have not been able to fulfil their ambitions. There is a program in place called the vocational educational program. It is supposed to be assisted by the fee-pay scheme. It was created to try to draw people into the work force and to give them special training so that they can go out and train others, but in order for them to take advantage of this program they must be able to support themselves. What is happening in the meantime? People who are enrolling in these programs are finding that their applications, although acceptable to universities, are not acceptable to the Employment Insurance Commission. These people are extremely frustrated. I want hon. members to know that when people write to me and say things like "I am in a situation now where I am becoming a beggar in my own home," things are extremely serious.

I have documentation from various parts of Atlantic Canada and from various parts of my constituency which indicates that our young people, who so desperately need a foundation and a future in this country, are leaving the region literally in droves because there are no opportunities for them to upgrade their training or to better themselves so that they can qualify for jobs.

In my constituency there are the three small communities of Albert, Alma and Hillsborough. In one of them a young lady was looking for a job but was unable to find one. She was drawing unemployment insurance and trying to repay a student loan and another $500 she had borrowed from the university. She said, "My unemployment insurance has just about run out, and I am getting desperate". That just typifies the attitude of young people in this nation who are having problems in obtaining employment, and there are hundreds of thousands of them. This young lady provided me with a list of 69 young people in those three little communities to which I have referred who have left the region to seek employment outside Atlantic Canada because of lack of opportunities there.

These are frustrations people experience, and as we sit in this House of Commons we have no idea of how frustrating it must be for people who are attempting to feed their families and educate their children but cannot find jobs.

I urge the government to take this resolution very seriously indeed because it indicates that there is a desperate need in the community known as Canada for people to obtain employment, but employment is just not available.

• (1750)

The government can talk all it likes about external reasons for the desperate economic situation in our country. Ultimately they must accept the responsibility, for they are the ones who create a climate in which the country either prospers or becomes a pauperdom. Under the present administration, the future for young people in this country looking for jobs as well as for the rest who are on unemployment rolls is indeed very bleak.

Mr. Ted Miller (Nanaimo-Alberni): Mr. Speaker, it is my privilege to speak on this important topic which is important not only to the unemployed who are dependent on tax dollars coming through government funds, both federally and provincially, which will provide some of the social benefits Canadians expect and should be able to obtain in this resource rich nation.

We are dealing with a topic that has had expression ever since I have been a member of this House and long before that. Over the years, the topic of unemployment in Canada has occupied much of the time of this House. However, the problem has not been resolved. In fact, over the last decade the unemployment rate has doubled.

Each month we hear over national television, radio, and the other media, the monthly proclamations of Statistics Canada on the unemployment rate in this nation. It talks about 900,000 or one million unemployed. Each month we expect the unemployment rate to increase. Despite the comments of what a great job the Department of Employment and Immigration is doing, we do not see a slackening off in the unemployment rate. In fact, it is rising.

As a former member of a profession in which I dealt with young people at the high school level, I have often thought that we cannot reflect in statistical terms the damage that unemployment does to the young people of this nation. I was pleased to hear the member who immediately preceded me talk about young people. The hon. member for Athabasca (Mr. Shields) talked in terms of native people, the young people on the reserves who, out of frustration, a forlorn feeling and a lack of hope, are resorting to the tragedy of suicide, which occurs on the reserves in this country.

I cannot express strongly enough the frustration felt by young people in grades 8, 9 and 10 when they look at the rate of unemployment in this country. Those a little older in grades 11 and 12 try to choose a career for themselves. We hear about the numbers of people who have university degrees and are unemployed or underemployed, which is tragic for both the individual and this country. The young people in our high schools experience a feeling of hopelessness. They would like to have their choice of employment. They are not sure what their opportunities are. The government cannot give them any guarantees. It does not seem to be able to overcome the high rate of unemployment being experienced in Canada.

The problem with this government is more than policy. I am not sure that every member on the government side has the callous attitude of regarding the rate of unemployment as a mere statistic, although it appears that those who hold positions in the government prefer to deal with unemployment in terms of a statistical analysis. Not all are willing to accept 8 and 10 per cent unemployment, as suggested in the last budget. It is also suggested in programs initiated by the Minister of Employment and Immigration (Mr. Axworthy), such as summer youth employment programs, that he accepts a rate of about 8 per cent. Your riding does not receive very much in the way of funds and programs unless there is a certain amount of unemployment among the work force in that community. Programs suggested by our constituents show a need in our communities for recreational facilities, care for native people and young people, and work opportunities for our young people in our communities. The response we get indicates that there is a willingness on the part of people to work. In my riding in British Columbia, the young people have grown up with the idea that this government accepts 500,000, or one million, unemployed. It surprises me that they accept the fact that they will have tremendous difficulty in finding employment in the careers they choose.

What about the effect on the family? What about families that must support members who are perfectly capable and willing to work but find themselves in the growing reserve army of unemployed workers, an army into which the Liberal government drafts more people each day? These family members are often young and ready to work, but they are forced to remain dependent on their families because of a system that places profits and dividends ahead of job creation.

We must develop an attitude in this nation whereby we will use our resources to provide jobs for yound people. All too often we see our raw resource being exported at the cost of job and employment opportunities which go to other nations. Unemployment is left here. With today's rising costs and prices, those families supporting youngsters who are able to work could use all the income that is coming to them and more. What about the employment, income and hopes for the future of young people? What about families who live on the reduced earnings of breadwinners who are constantly out of work? Do you not think they would be better off if they could plan for the future without thinking that they might lose their home and their furniture and become unable to give their children an education because there are suddenly no more jobs? Of course they would.

What about older workers? Our society disregards people who have given years of service to the work force by allowing them to suddenly lose their job. There are very few provisions for retaining such people, despite what the hon. member for Laurier (Mr. Berger) says. They are thrown on the job market where they have to compete with young people. How do they feel?

What about Canada's native people? They have always been the last hired and the first fired. When there are fewer jobs all around, they are not hired at all. Unemployment on some reserves in my riding on Vancouver Island, next to fantastically resource-rich oceans and forest lands, is 80 or 90 per cent. The opportunities do not present themselves to our native people. How do they feel about unemployment?

The government talks about what it is doing to help women, but we see very little being done to effect those programs which help women. Official statistics show that last month unemployment among women was 8.1 per cent of the working population, compared to 6.3 per cent for men. Working women are paid less than men, and when they do not work, they draw smaller unemployment insurance payments than men. Many women who are unemployed live below the poverty line.

May I call it six o'clock, Mr. Speaker?

[*Translation*]

The Acting Speaker (Mr. Ethier): Order, please. It being six o'clock I do now leave the chair until eight o'clock p.m.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

[*English*]

Mr. Miller: Mr. Speaker, at six o'clock when we adjourned for the dinner hour, I was commenting about the fact that unemployment affects particularly young Canadians, native Indians and women in Canada. I would like to speak about some of the ways in which the New Democratic Party thinks the unemployment picture could improve if the government took the proper attitude toward unemployment, rather than acquiescing to it and using programs under the Department of Employment and Immigration to try to justify unemployment or to give some solace to Canadians.

In my riding of Nanaimo-Alberni, there are two very important renewable resource industries which provide opportunities for many of my constituents. One is the fisheries industry which comes under the jurisdiction of the federal government, and the other is the forestry industry which is under the jurisdiction of the Canadian Forestry Service. I think the service has responsibility to try to co-ordinate activities among the provinces, the industry and the federal government and encourage an objective look at our forests to ensure that such renewable resources continue to provide the economic stimuli they have provided in the past. We are not doing the proper job in forestry, either at the federal-provincial level or in the private sector. Indeed, we are finding that our forests are becoming a depleted resource rather than a renewable, long-term one.

We should see some leadership from the federal government in the field of intensive forestry management and in reforestation and regeneration of some of the 70 million hectares of forest land in Canada which is now lying fallow and unproductive.

W. G. Burch, the vice-president of Timberlands and Forestry company in British Columbia, at a forestry conference in Toronto last September spoke about intensive forest management. He suggested that there are some very large benefits to be gained if Canadians, through their provincial governments and with some direction from the federal government, started an intensive forest management program. He suggested that an increase in employment would be one of the main advantages of such a program. He said:

> Most forestry projects are labour intensive: in fact, it is conceivable that at certain periods of the year, a logging operation practising a full range of intensive forestry projects could employ more people on forestry work than on logging. A recent study by Les Reed indicated that an intensive forestry program across Canada would involve nearly 25,000 new jobs.

This is a productive way of employing Canadian people. Perhaps it would be more productive than some of the ad hoc programs the Liberal government likes to bring up each fall and summer which involve a few people over a few months of time. They establish a need in a community, and funding is often cut off without the demand being satisfied. The federal government could direct some of its attention toward that important field at the moment.

Fishing on the Atlantic coast, in British Columbia and inland is a very important industry in Canada. At the moment in British Columbia a very serious situation is developing in the fishing industry where people are being driven out of the industry rather than being attracted to it. Young people are not being encouraged to become involved in the fishing industry because of mismanagement on the part of the federal government and of the Liberal minister who has neglected the fishing industry in British Columbia. He has disregarded the potential employment of native people in the processing and fishing industry and of young people looking for employment opportunities along a coastline with which they are acquainted, a coastline which has a long history of salmon fishing, coastal traffic and transportation routes. However, what has happened is the result of mismanagement and the inability to control the size of the fleet. We now have a capital intensive fishing fleet which is probably overcapitalized to the point of being four or five times what we need. What that has done is to work against the young people who may wish to buy a fishing vessel and enter the industry, since the value of the licence, what people will pay for the privilege of fishing in British Columbia, at one time reached $10,000. It has been considerably reduced over the last two years, I might add, because of the poor fishing conditions.

• (2010)

What is happening to a renewable resource in British Columbia is that through mismanagement on the part of the government it is not implementing and enforcing some of its own fishing regulations, which attempted to stop the environmental degradation of rivers, streams and estuaries. These regulations are being totally ignored by the federal govern-

ment. There are large coal port projects in Prince Rupert and off Tsawwassen in southern British Columbia which are not undergoing environmental studies by the Department of Fisheries and Oceans. There are large coal thermal generation projects which will add to the acid rain problems in the very important Thompson River basin which is essential to the salmon industry. Up and down the coast there are coastal community groups fighting to preserve estuaries where salmon require a period of rearing, feeding and resting on their way to sea or, indeed, on the way back into streams for spawning purposes. We see the gradual erosion of the salmon habitat which has been reflected in the smaller runs of salmon and in the lower incomes which Canadian fishermen receive.

We have a government which has not met the challenges of providing a clean environment for our salmon resource.

The answer of the federal government is to allow those streams to be used for dumping mining and municipal wastes. We will allow our rivers and streams to be logged, debris deposited in those rivers and spawning channels ruined by logs and wood. The answer of the Liberal government will be to develop a salmon enhancement program. The Canadian taxpayer will contribute to this program which will provide hatcheries and small projects on streams which could have been raising their own salmon. The government says that it will develop this program and tell the public in British Columbia how marvellous it is and how it will project the salmon resources. If you do not deal with the real problems of environmental concerns, then it is simply a program to conserve what little salmon we have left in the province of British Columbia.

The attitude of the Liberal government to these two renewable resources is the kind of attitude it has toward most of our resources in Canada. What we need is a government which favours the protection of these renewable resources as well as of our non-renewable resources. The government should be using these resources in Canada to provide jobs. We cannot leave it up to the Minister of Employment and Immigration to come up with makeshift programs over the next ten years to solve our unemployment problems. The challenge for this Liberal government is to manage the resources in this country on behalf of the population and to provide jobs for Canadians.

Some hon. Members: Hear, hear!

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, I am glad that the hon. member who just finished speaking left off by saying that he was worried about the fact that this government would only come up with makeshift policies to deal with what I view as long-range trends which have taken place in North American economies in the last ten years. I say that because I am convinced that the federal government is in the midst of coming up with a number of policies which, in my view, are not makeshift but, rather, perhaps for the first time, are very realistic with respect to the changes which have taken place in the economy in the past decade.

Principally, in three particular areas, I believe the government will go a long way to addressing the long range implications of changes which have taken place in the western economies in the past decade. Basically, I would like to deal with three particular policy directions which have been taken by this government in the past nine or ten months. The first direction is in the area of industrial restructuring and labour adjustments. I believe the minister alluded to this point this afternoon. I think most members in the House are aware that on January 19 of this year the minister of immigration and unemployment—

Mr. Knowles: The truth came out.

An hon. Member: It must be Freudian.

Mr. Frith: The Minister of Employment and Immigration (Mr. Axworthy) decided to announce a federal commitment to industrial restructuring which would involve some $350 million worth of federal moneys going into this endeavour. The second thing that the federal government has done in the past year, by paying more than lip service to it, is to announce the government's long-range plans in increasing moneys to be placed into research and development in this country. The third major area where I think there will be a significant impact on industrial restructuring in North America will be announced in the next few months.

In my remarks tonight I would like to put forward two points. One stems from having a personal involvement in the community of Sudbury, which I now represent and have represented since February of last year. I think Sudbury can serve as a model for this nation in terms of how it came to deal with the need for this kind of industrial readjustment as a community. I think most members in the House are aware of the strife over the last three or four years in the Sudbury area. In 1977, because of changing markets on the international scene, we found that the companies required an adjustment of the total number of workers involved in the mining industry, particularly the nickel mining industry. This resulted in a fairly massive lay-off in 1977, by both the International Nickel Company and the Falconbridge Company, of some 3,000 workers. In my four-year term as the chairman of the Regional Municipality of Sudbury it meant not only a loss in terms of people from the Sudbury region but in terms of the severe hardships endured by the families concerned when this kind of massive lay-off occurs in their community. At that time there were no government policies in effect to deal with communities hard hit by massive lay-offs which would increase significantly the unemployment rate in a particular community.

Now that three years have passed I believe that the lay-offs which occurred were a precursor to a number of events which will begin to affect other sectors in Canada's economic structure. At that time, since we did not have any industrial restructuring policies, we were not aware of the need for some basic rethinking on the government's part to deal with these long-range problems. The only choice left to the unfortunate Sudburians who were laid off was to find employment elsewhere in Canada.

Over the three and a half to four years since the lay-off in 1977, the population of the Regional Municipality of Sudbury has dropped from somewhere in the neighbourhood of 170,000 people to 163,000. The majority of those 8,000 who went in search of employment elsewhere in Canada mostly had to go to western Canada to find employment. This was because their skills were largely in the mining industry. As a result of the economic boom which was and still is occurring in Alberta and Saskatchewan, those skills were needed in that part of the country.

The people who were left unemployed in the Sudbury area were perhaps fortunate in that at least they did have skills which they could use in other parts of Canada to find employment. That does not hold true for every community in this country. We often find in areas of the country which have significant lay-offs in other industries, whether in the manufacturing sector or the primary resource area, that the skills utilized in those areas are not easily transferrable. As a result of that, the Minister of Employment and Immigration has come in on January 19, with a program which at least allows these workers to adjust to a new kind of economic environment. By and large, that adjustment means that the workers who face this unemployment have to realize that they must be retrained in a different area.

● (2020)

In addition to my personal experiences in the Sudbury area and having sat on the special joint task force, the all-party committee of this House, on North-South relations, I have learned a great deal about changing trends in other parts of the world. Often in Canada perceive most of the countries in the Third World as heeding the pumping in of foreign aid, as if they were charitable organizations. But the Third World is no monolith. Within the Third World there are countries ranging from the poorest of the poor, such as Bangladesh, to what I would call the middle-income countries, which would include countries such as the Philippines.

Most important to Canada and most of the other countries within the OECD are the countries which are presently called the NICs, the newly industrialized countries. These newly industrialized countries, such as Korea and Singapore will, in the 1980s, become very significant threats to Canadian industries. For example, when we recently travelled to Singapore, we met with the minister of education and the minister of employment in that country. Singapore, for a number of reasons, has some very deliberate government policies to retrain its work force to deal with the realities of the 1980s. What it has done is to mobilize all of the resources in that country to retrain its workers from labour intensive industry to areas in which high technology is required. Countries such as Korea and Singapore have realized now that the route to follow in the 1980s will not be to attract labour intensive industries, but to work upon the strengths which they have developed within their own economic structures so they would have, one, a competitive edge in the international markets and, two, at least a reasonable access to the resources required to retrain their people for these high technology areas.

Just let me cite an example, to bring us back down to the Canadian level. Often, too often I think, Canadians are pessimistic about our past performance in the economic field. I happen to disagree with hon. members of the opposition who say that this government has mismanaged the policies which will directly affect Canadians in the 1980s, because the same hon. members of the opposition who complain about the size of the federal deficit are the ones who blame us for not giving enough priority and enough moneys to retraining.

I would just like to remind opposition members of the Conservative Party that when they were on this side of the House for their brief period in office, they did not address this whole problem of industrial restructuring. It has taken a Liberal government to talk about the need for the increased commitment to research and development, and it has taken a Liberal government to talk about, and place within the realms of the federal government's expenditure program for the years 1981-82, some $350 million in the whole area of industrial restructuring and labour adjustment. That is something that we have done on this side of the House. The hon. members of the opposition cannot complain that we have not taken our responsibilities seriously because if one followed some of their arguments about the need to reduce the size of the federal deficit and if one took account of the remarks made by other hon. members opposite about the high rate of unemployment, one would find that they do not fit with the facts which have evolved in the last year in Canada.

First of all, everyone recognizes the major reason for inflation. It is the rapid rise in the world-wide price of energy. Once those oil prices began to have their effect on the international economy—it became very evident, particularly to finance ministers in the OECD countries, that they would have to take some fairly severe restrictive measures to reduce the inflation rate caused by the rapid rise in energy prices.

Canadians, rather than being pessimistic, should be very optimistic because since these rapid rise in OPEC prices, or since 1973, our record has been fairly good. There are only two countries among what we call the seven industrial giants in the western world that have kept their oil price increases below that of Canada and those two countries happen to be Japan and West Germany. So I think that that record speaks for itself; but because of the impact of OPEC prices on our economy in Canada, the finance minister has had to deal with some of the realities. As a result, Canada is not alone amongst the OECD, these major seven industrialized countries, in terms of having to come to grips with the impact that those prices have on the world economy.

I have said, first of all, that we are not that badly off compared to other countries. However, what is more important, as the minister explained this afternoon, in terms of job creation among those seven industrial giants our record is excellent. He has mentioned that somewhere in the neighbourhood of 140,000 jobs have been created in the first few months of this year.

An hon. Member: Hear, hear!

Mr. Frith: In addition, since this government took power after the February election in 1980, some 326,000 new jobs have been created in Canada. Although there will be no easy way out of the problems which are besetting the whole of the industrialized world, Canada is no longer isolated. We have to relate to ourselves and relate to the international economic order.

With that in mind, I think that the government has finally come to the realization that it will take at least the better part of this decade to face this high unemployment we are experiencing and the need for high technology training. We will have to begin with policies which, in the short run, will alleviate the unemployment situation somewhat, but, in the long run, will mean a whole readjustment of our economic order in Canada.

When we finally bring in the third part of this whole program upon which the Canadian government has embarked—which involves, first, as I mentioned before, the industrial restructuring and labour adjustment program and, second, an increased commitment to research and development—the industrial strategy will focus on what I consider to be the winning industries in this country. That is how we will find the long term solution to our unemployment. As a recent example of that, in Saturday's *Globe and Mail*, some analysts are now predicting that the Falconbridge Nickel Company will probably write off most of its involvement in the Dominican Republic. I use that as an example because often we say, "Well, how can we ever compete on an international basis with countries which have such low wage rates?" The fact is that Canadians have done very well in terms of adjusting to the new economic order.

It was pointed out in the article in the *Globe and Mail* that it costs roughly $3.05 for a pound of nickel to be developed from the lateritic deposits in the Dominion Republic, but only $1.70 a pound for the same mineral to be extracted from the sulphide ores here in Canada.

I am using the mining industry as an example, but there are other ones throughout our economy. What that tells me is that the International Nickel Company, despite the fact that it pays very high wage rates for its work force, has also, because of commitments to research and development, developed a technology which makes its operation here in Canada the most efficient one in the world. It is a lesson from which other sectors of the Canadian economy should learn.

I have mentioned the mining sector. There are other ones, such as the communications field, where Canadians are the furthest advanced in terms of the new technology which is being developed. As long as we have this commitment on behalf of the government and on behalf of private business in this country to continue to place high emphasis on the amounts of money spent on research and development, we will develop new technologies to which Canadians who will be displaced from labour intensive industries can be retrained to find new employment.

That is the basis and the thrust of the Liberal government's policy over the decade of the eighties. It means that Canadians will have to become accustomed, as many other countries have done in the past two decades, to the fact that workers will probably have to go through six or seven employers and will be required to retrain themselves four or five times during their lifetime in the work force.

● (2030)

I recognize that it is not an easy policy to sell to Canadians. If we have learned anything from the success stories in the Third World about these newly industrialized countries, it is that those that were the most successful in adjusting to the economic order on the international scene were those that have actively pursued industrial restructuring and labour adjustment.

I should like to explain some of the government's criteria for the new Industrial Restructuring and Labour Adjustment Program. I think that most members of the House were aware of the four communities which were to be the initial recipients of moneys under that $350 million program. They were Sydney, Nova Scotia, Sorel and Sept-Îles in Quebec, and the Windsor area in Ontario. I do not think that many members would argue against the need to have that program put in place in those four communities, knowing the kind of dislocation that has occurred in them whether in the primary metals sector, or in the case of Windsor, the massive disruption in auto production in North America.

With that in mind, the government introduced the program to ensure that the employment and economic benefits of changes in technology would go to people in those areas. That was one of the key reasons for this $350 million fund which would involve both the industrial and labour adjustment programs. It would provide industrial and labour incentives to help make this shift toward jobs in the future. This brings me back to what I said before, that if we are going to have an active program of retraining, along with retraining those people laid off, for work in areas where they could become productive, moneys would have to be made available to industries in the surrounding area. This would enable them to absorb the workers displaced from the other industries.

Some people may say, skeptically, that this is just another program on which the government cannot possibly deliver. I should like those people to consider some of the recent experiences in the textile industry in Canada. This industry is probably the most vulnerable to imports from Third World countries. Of people employed in the textile industry who suddenly found themselves out of work; within a year 56 per cent had found new jobs in the same area as that in which the textile manufacturing company had been located. This was largely because of the policies introduced by the government for industrial retraining and the incentives provided to other industries in the area enabling them to expand and absorb the work force.

I should like to point out some of the other criteria for the Labour Adjustment Program which has several broad features. The first is provision for enhancement of our Critical Trades Skills Training Program which assists industry to train many of the skilled people we need. I refer to millwrights, industrial

mechanics, heavy duty equipment operators, and the like. It is to make provision during slack time for the training of laid-off apprentices in key trades, even when they are not either in institutions or industries, and it provides for stepping up training in key skills in trade centres across the country. That is one of the bases for the program of industrial adjustment.

A second broad element is the provision of industrial incentives in key industries. Both the critical trades skill training and the industrial incentives will help industry to expand to take advantage of new opportunities. The third and very important element, particularly from my own experience, is the community-based portion of the program. This will bring together the companies, the workers and two levels of government in order to overcome these problems that have been created by the past changes in the world economic order.

Some hon. Members: Hear, hear!

Mr. Stan Schellenberger (Wetaskiwin): Mr. Speaker, as I join in the debate on the motion of the hon. member for Calgary West (Mr. Hawkes) and as I see the person named at the end of the motion shuffle his cabinet, I can think of one minister that we in Alberta would like to shuffle out pretty quickly, and that is the Minister of Energy, Mines and Resources (Mr. Lalonde). There has been some talk about the jobs created in this country. Mr. Speaker, I can tell you about some jobs that are being lost in my constituency because of the energy policies of this government.

In the one little community of Nisku alone, there were over 100 Canadian companies operating in the oil industry. People learned skills in the past from large companies, then they bought a piece of land, put up some buildings, developed an industry of their own and hired Albertans to work for them in the oil industry. These people are now losing their jobs because of the National Energy Program inflicted upon this country too rapidly. The industry did not have time to readjust. In Nisku alone, there will be $40 million worth less work this year for 40 Canadian companies, and 450 people will be laid off. The forecast for the coming year is that $100 million worth of work will be lost because of the non-renewal of contracts. We can speculate how many people will be put out of work. Extrapolate that to the oil industry as a whole and you will see how many jobs will be lost because of a policy which was imposed upon the oil industry too quickly for the small Canadian companies to adjust. Even the large companies cut back some 40 per cent of their budgets due to the tax of 8 per cent. That does not sound very much, but when it is 8 per cent of the total budget and all the other taxes and royalties are taken into consideration, it cuts back on the amount of work that can be done and it hurts those Canadian companies a great deal.

I can think very quickly of one minister whom I would like the Prime Minister (Mr. Trudeau) to shuffle so that we can get ahead in a very important sector. This is one of the largest growth industries in the country, but it is being hurt very badly now and things will get worse because those March contracts will not be let this spring.

Unemployment

The hon. member for Sudbury (Mr. Frith) said that we were doing "fairly well" in the job creation area. He gave examples of seven countries in the OECD. If some of those countries had our resources and our population, I think they would be showing much better results than we have shown. There are tremendous resources in this country but there is just a small group of people who have the ability, through our vocational institutions, and our research and technology, to develop them. If only the government would set goals in the food producing sector and in the energy sector that Canadians could work toward, we could put thousands and thousands of people to work. We would not be exporting dollars to pay for oil imported from Mexico and Saudi Arabia, dollars which are used to create jobs in those countries. We lose almost $6 billion per year in the food-producing industry. Most of that food could be produced in Canada, and it is a labour intensive industry. The transportation sector also needs to be improved. These are job-creating industries. Our governments should quit fighting each other and settle on some goals that Canadians can reach toward.

I should like to put on the record some statistics that we forecast some time ago. We predicted that unemployment would increase as the result of the National Energy Program. The figures for March show that in Alberta unemployment has increased 14 per cent for the month of March. Some 10,000 manufacturing jobs have been lost this month. These are reasons why we put this motion forward today.

In the few minutes available to me tonight I want to speak about an area of unemployment that concerns me greatly. I represent the riding on Wetaskiwin which is largely a rural riding. It has a number of small communities and a large native population. I should like to speak about what I call rural unemployment and the problems that rural people have in dealing with a very serious situation. Of course, people in the cities are concerned about this problem as well. When you consider that over 80 per cent of the country's population lives in large cities, you can see that this is a relatively small segment of our society, but one that is very important. One of our problems is that we are not establishing policies to keep people in the rural parts of this nation. All of the policies we are working toward tend to levitate from the rural areas into the urban sectors. All we have to do is look at what is happening in the farming industry. In the 1960s almost 20 per cent of the people used to live on farms. Now less than 6 per cent actually live on farms and we have only 326,000 farmers.

• (2040)

Because of the policies we have followed, many of the people who used to live on farms have moved to the cities. As well, many small hamlets, villages and towns are dying because there is no payroll to support them. Farms have become larger. As a result, farmers do not shop in those towns as much as they did in the past, and the communities are dying. The young people, the ones who used to stay and work on the farms, are now moving into the cities. There is unemployment in those areas. As people try to find jobs in other areas, they seek unemployment insurance but the Unemployment Insu-

rance Commission states they cannot restrict their job area. They are told that if they live outside the community, they should drive into the cities where the jobs are. It is very difficult to argue that point. However, how far should they be expected to drive for another job? Should they drive 50 miles or 100 miles? Then, they find there is no choice: either they go on welfare or they move to the cities. Again, that is something which is forcing people to move into the cities.

In my opinion, we have to address this problem. All through what we call the industrialized world today, policies are established which move people out of rural areas into urban areas. We have not developed the policies or the ability to deal with the problems that occur when people live on top of each other. Along with that go all the social problems of increased crime and family problems. This situation occurs right across the nation. The costs of operating large cities are enormous. For instance, take the cost of transportation and the budgets for protection. All we have to do is to look at the city of New York and what has happened to it over the past few years.

Canada is a very large country. We have a vast north with an abundance of resources which have not yet been tapped. Canada has large rural areas. We must now try to establish programs which will help to keep people in the rural areas. In fact, we must try to attract people from the cities into the rural areas. This can be done partly by decentralization. Government is a large part of society today. I wish it were smaller. We could move government offices and people, where possible, outside of the big cities into the smaller areas. My province of Alberta has had a great deal of success in taking the Alberta Development Corporation, the Alberta opportunity company; the dairy board and the Athabasca University, to name just a few, out of Edmonton and Calgary. These entities have been moved to the smaller communities where payrolls have been established so that people can stay there. That is important. We must be able to establish those kinds of policies.

Perhaps transportation subsidies can be considered. Subsidies such as that will enable small businesses to move into the small communities of this country. Many small companies have expressed their desire to establish in smaller towns but they are concerned about whether there will be enough people to supply the work force required. Perhaps we can encourage people to move to those areas if we provide jobs and transportation subsidies to get the products to market.

It is necessary to continue policies which will encourage a viable, agricultural industry. In the past, the agricultural industry supported these communities. The policies that have been established over the years have encouraged larger farms. The return to the farmer has not been of the order to allow him to maintain a small operation. If he intends to continue farming, he must keep on expanding his operation. This is an area which requires a great deal of thought. This is something which governments, not only the federal government but provincial governments, must put their minds to. Otherwise, we will continue to see rural communities dying. Also we must encourage people to live in the northern part of this nation.

Next I want to talk about the people for whom I have a great affinity. There are 1.2 million of them in this country. They are classified as status Indians, non-status Indians and Metis people. This group has the largest unemployment rate of any group of Canadians. In many cases, the unemployment level is at 50 per cent, 60 per cent and 70 per cent. In some communities, it is even up to 90 per cent at times. This is an unacceptable situation in most communities in Canada, and yet we allow it. In some cases, we turn a blind eye to the high unemployment figures among these people. We have many statistics available for the status Indians. Some were put on the record by the hon. member for Athabasca (Mr. Shields) earlier today.

Recently many representatives of the status Indian communities have come to my office. They have told me that almost 70 per cent of their people are under the age of 21. These status Indian communities have tremendous difficulty providing the educational facilities and the jobs necessary for those coming on to the job market.

The department of Indian affairs, manpower and a number of other ministries are creating approximately 3,000 jobs a year for status Indians. From the statistics of the department of Indian affairs we find that 4,000 to 6,000 of these people are coming on to the job market each year. Those people range between the ages of 15 and 29. Hon. members can see that we are creating for them only 50 per cent of the jobs needed. Some of those jobs are only short-term jobs under such programs as LIP and others. These jobs are created for only a few months. When I say 3,000 jobs, I question whether that statistic is valid. Perhaps it is in the sense that there are 3,000 man years. But just the same, many of those jobs are short-term jobs.

As I said before, the Indian working-age population, that is from 15 to 64, which was realitively stable between 1966 and 1976, will expand rapidly in the early 1980s to about two-thirds of the Indian population by the mid-1980s. This increase in the working-age population is taking place in an on-reserve area. The employment market is not satisfactory to meet that increase. As I have said, there is 70 per cent, 80 per cent and 90 per cent unemployment on these reserves. This kind of situation is driving many of the people away from the reserves into the surrounding cities or communities where they try to find jobs. At the same time, the same increase in population is taking place among status Indians and non-status Indians who left the reserve because there was no work for them there. They are competing in a job market already saturated by the baby boom generation, those born in the late 1940s and early 1950s. We see a very serious problem developing. In my opinion, the reserves are not sufficient to meet the requirement for the minimum of 40,000 to 50,000 jobs needed today. Just to reduce unemployment right across this country to 8.5 per cent, we need to create some 50,000 jobs on reserves. This will only let us catch up, and it does not take into consideration some 4,000 to 6,000 young people coming on the job market this year. As I have said before, we have a serious problem which the government must start addressing now or

we will be way behind. It is almost like a cone with the narrow part at the bottom, and it takes off as we enter the 1980s.

● (2050)

I would also like to deal with the low levels a labour force participation reflecting a continuing reliance on traditional pursuits. What I mean by that is that a number of status and non status people across this country have attempted to continue their original way of life, trapping, hunting and fishing. As the years have gone and the population has increased, this has just not been an adequate way of life to provide for all the young people coming forward. There are simply not enough trap lines and not enough available fish for large families to sell and make a living. The traditional way of life is no longer an adequate way of employment on those reserves and in those communities in the north.

There are ways to deal with this situation, and I want to go into them. One way is by job training close to the reserve areas. Any attempt to bring these people off the reserves into the cities to train them is successful only in very few cases. It is essential to have training programs close to the reserves.

The minister will be aware of a program that was conducted in that fashion at Meadow Lake, Saskatchewan. It was on-the-job training for carpentry which worked very well. Many of the young people attended that training program. They stayed day after day until they learned the trade. That is just one example of the success rate which can be attained when you take the training to those areas where the people have some skills, or at least to a community close by, so they still have some affinity with their own area, instead of trying to draw them out of those communities into already established on-the-job training programs generally located in cities or larger communities. That is one way we can entice young people into this kind of work.

The other example, of course, is the oil industry in the tar sands where companies have been able to draw people from the reserves for on-the-job training in their communities. This has been very successful and is another example of how the problem has been dealt with.

Despite the improvements in education and the shifts toward more active involvement in professional pursuits, Indian earnings are still way below the national level, as the young population increases in size more and more emphasis is placed on the educational aspect of those young people. As I said a few minutes ago, it is impossible with the budgets they now have to provide that kind of training. As a result, a large percentage of the native people in this country do not even have high school education.

If we are to draw these people into the job force, the Minister of Indian Affairs and Northern Development (Mr. Munro) must expand the necessary educational facilities. Also, our colleges must train more Indian teachers who can then go on the reserves and teach many of the necessary skills in the people's own language, with an emphasis on their culture, so they might retain some affinity with the past and some way of going forward into the future to work in jobs which are there for them.

I see you rising, Mr. Speaker. Is my time up? I was just getting started. There are many other things I have to say.

Miss Aideen Nicholson (Trinity): Mr. Speaker, on a number of occasions in this House when I have spoken about problems connected with unemployment I have stressed the links with the economy, because quite clearly when the economy is buoyant and there are more opportunities, people are also apt to be more generous and more ready to try innovative programs.

I was interested to see the same point being made in an article in *L'Expansion*. It was an interview with two French Members of Parliament.

[*Translation*]

Lionel Stoleru, who is Secretary of State for the Promotion of Manual Work, said, and I quote:

> Whether in the field of employment, income distribution or social protection, a slowdown in economic growth creates a need for imagination in social matters.

[*English*]

This dearth of imagination may be particularly painful if it prevents us from trying new and imaginative approaches to the problem of achieving full employment in the 1980s. We are in a strange situation at the moment in that we have both high unemployment and a great shortage of skilled workers. We have many young workers who are highly educated but lack specialized skills. The French, faced with a similar problem, have emphasized a return to skilled training and apprenticeship training. In the same article from which I have already quoted, Mr. Stoleru, having stated that he had increased the participation of youth in apprenticeship programs by some 40 per cent, and having described the measures which were taken to enhance the status of apprenticeship trades, went on to say:

[*Translation*]

> We must therefore pursue the effort to make school more life oriented with a schooling program where towards the end studies would alternate with on-the-job training.

[*English*]

To take that idea a step further, it seems clear that, in the future, people will have to train and retrain a number of times in the course of their lives, and that a broad base of education which gives certain flexibility, a knowledge of science because the future will be increasingly science based, will be essential together with great flexibility on the part of both employer and employee.

There are tremendous opportunities here for co-operation between labour and union in a way we have not seen before, but which indeed we are seeing in Europe. The most successful schemes of dealing with relocating workers, displaced as a result of improved modern technology. The most successful plans, those which have gone most smoothly, have been those where labour and management worked collaboratively on problems of displacement, retraining, changing hours and so on.

One of the opposition members who spoke earlier had some harsh things to say about direct job creation. Experience has shown that the fastest and most effective way of creating jobs is, indeed, by direct job creation. If this is done intelligently, the job which initially is created by the state, if it fills a need, will continue in some form or other supported by private enterprise. Two countries which have had particular success with this are Belgium and France.

● (2100)

The role of small business is also a very important part of an ongoing employment strategy because the experience, both on this side of the Atlantic and in Europe, has been that the smaller and medium-sized enterprises have greater flexibility, are more successful in job creation and are generally more innovative. This applies particularly to the information-type businesses, which may be the business of the future, in a special way.

According to the demographic studies which have been undertaken in Canada, there are a number of factors which it is important to take into consideration in our planning, one of them being that during the 1980s the labour force will become increasingly mature, with a substantially lower proportion of new, young entrants. This means that industrial adjustment programs will depend increasingly on redeployment and retraining of workers already in the labour force. This also offers the promise of more opportunities for the housewife who is returning to the labour force, having stayed home to raise children.

Growth in the service sector, which has traditionally provided the bulk of new employment opportunities for women, however, will taper off. Large numbers of clerical workers are now employed by banks and insurance companies and automation will replace many of the existing jobs, so that women will have to be prepared to take different kinds of training and different kinds of jobs, and it is important that the planning be done now.

The growth sectors in the economy in the future will probably be business services, manufacturing and construction. These are the pursuits for which young people will need to be prepared.

It seems likely that, in the very near future, the full integration of women in the labour force—that is, in the non-traditional occupations as well as in the occupations which have traditionally been filled by women—will become desirable on economic grounds and not only, as is the case now, for reasons of social justice and equality of opportunity.

Progress in training women for trades and in increasing the proportion of women in non-traditional occupations has been and is slow. The Government of Canada now spends more than $800 million a year on training, and in 1979-80 about 42 per cent of those taking Canada Manpower institutional training courses were women.

However, only 862 women took training in such non-traditional occupations as those of machine operators, computer programmers, welders, drill operators and metal workers, as compared with 35,000 men. The majority of women who were taking training courses were taking clerical-type courses, which may offer them very limited opportunities in the future.

The employment barriers faced by women are pervasive and interrelated, and, even in 1981, comprehensive and integrated federal programs are required. Counselling is required to encourage women to consider non-traditional occupations. Training and appropriate support services are required so that skills can be learned quickly, because the woman returning to the labour force does not usually have a lot of time or money to spend on a lengthy training program. She wants to be able to earn a salary quickly, and the methods of training must be those which are appropriate to an adult. Incentives are needed to ensure that employers hire and promote women in non-traditional fields. In fact, a systematic approach to the widespread problems of bias and discrimination and to counter myth with fact is necessary. This again will require an ongoing and concerted co-operative approach on the part of educators, business, unions, government and employers' associations.

We still see high schools allowing girls to drop sciences without consulting parents, and yet in the science-based world of the future, students, whether male or female, who have not had an adequate background in the sciences will be severely disadvantaged.

Among the factors which encourage women to enter non-traditional occupations will be higher wages, more chances for advancement and social support systems like daycare. Daycare means flexible arrangements. Not every child is happy in group daycare. Not every parent is happy with group daycare, but for parents who wish to have this particular method available, the whole question of trade unions and employers sponsoring daycare is one which has been discussed for the last 20 years but on which we have seen very little action.

Another approach to the care of children is subsidized parental leave. We have seen recently some trade unions include the question of parental leave in their contracts. I think this is an important development for the future. There are many parents who prefer to stay home and care for young children themselves. This surely is an option which society should encourage as much as institutionalized daycare. The choice should surely be available for parents based on their own personal choice and also on the parents' assessment of the needs of their children. Some European countries have gone very much further than we have in providing maternity leave or, as it is increasingly being called, parental leave, because in some cases it may be the father who would choose to have six months at home caring for young children.

If we really believe that the next generation is important, and if we as citizens really feel that we have a stake in the next generation, then surely all of us, including employers, employees, trade unions and those of us who are involved in law making, must be concerned about offering more options and more support to young parents who may leave the labour force for a period. Young parents who leave the labour force should be able to have assistance when they are ready to return—with retraining, if it is necessary—and certainly some kind of special protection.

One of the chief program instruments now available to the Government of Canada to provide training is the Adult Occupational Training Act. In discussing new federal-provincial training agreements, it is the intention of the government to include the expansion of women's employment in non-traditional fields, and I hope that part of this discussion will also include measures to facilitate the return to the labour force of women who have been out of it for some time because of child-rearing responsibilities.

Another lever that the federal government has is to give greater emphasis to on-the-job training through the industrial training program. There are obvious advantages to encouraging on-the-job training. Employers increasingly have more sophisticated and up to date equipment than do educational institutions. There has traditionally been some skepticism on the part of unions and others. Some fear that on-the-job training may be misused by employers to get cheap labour and that production needs may be put ahead of the employee's need to learn. However, these are problems that can be solved. There are many known ways of measuring and monitoring so as to ensure that on-the-job training is really that. In any case, surely an enlightened employer will consider it in his interests to ensure that on-the-job training really is a fact.

● (2110)

The government has instituted a new initiative for employers. It has been reimbursing up to 75 per cent of the wages of women taking on-the-job training in occupations which were traditionally reserved for men. For on-the-job training and apprenticeship courses, the concept of establishing pooled funds to persuade employers to hire apprentices has possibilities. Granted, apprenticeship training as such is under provincial jurisdiction, but there are methods, such as the one I mentioned, which would allow the federal government, in co-operation with the provinces, to provide additional incentives for apprenticeship training. Such funds could be created through payroll tax deductions or voluntary contributions in order that firms could be fully or partially reimbursed for training costs. In this way, all companies would share the costs and benefits of training. Management and labour representatives could help governments assess training needs so that apprenticeship policies are consistent with requirements.

Affirmative action programs which now exist in three federal government departments, provide a useful demonstration of what people can do who traditionally were not considered for certain jobs. In our time it is very important to move away from fixed ideas and to see what people can do, given the opportunity, and to build on these experiences to get greater flexibility. If there is anything that is sure about the eighties, it is that nothing is sure. It is therefore very important to be flexible and creative.

With an affirmative action program in place within the federal public service, we can begin to apply the same provisions in the private sector through contract compliance legislation. We have been talking about contract compliance legislation for a long time. I remember discussing it in 1974 and 1975. There has been little or no progress in that area. Surely now is the time to act.

I notice, Mr. Speaker, you are at the edge of your chair. That must mean that it is time for me to stop.

Mr. Fred King (Okanagan-Similkameen): Mr. Speaker, I believe that it is entirely fitting that this House should be considering this opposition motion in the name of the hon. member for Calgary West (Mr. Hawkes). Allow me to read the motion which we are debating this evening. It reads:

> That this House expresses its sorrow and sympathy for the more than one million Canadians who are unable to find work and who, with their families, face an uncertain future, and urges the Prime Minister to endorse this sentiment by shuffling his cabinet.

This motion, without a doubt establishes the most significant debate on bread and butter issues in this House since the all-night debate of December 18 which was focused on the economic plight of the nation we are so honoured to serve. It is important to note that the debate in this House on that occasion—the December 18 debate which established a record for longevity in this House—was also prompted by a motion from the opposition "for the purpose of discussing a specific and important matter requiring urgent consideration, namely the economic crisis in Canada".

It is unbelievable, unexplainable and an undeniable fact that while the nation suffers the worst economic crisis since the thirties, the Liberal Government of Canada chooses to spend the time, the energy and the substance of this Parliament on a matter which is of indifference to the majority of Canadians concerned with the hard core facts of life, food, clothing, shelter. It is irresponsible of this government to impose on this House and upon this country a debate which has absolutely nothing to do with the provision of life's basics to the citizens of Canada. This is the strange priority of a government out of touch with the realities in Canada.

It is not just interesting, but it is a fact that will be long remembered, that it is the opposition party's initiative which is seeking to force a reluctant government to take cognizance that this most blessed nation in the world is suffering from a severe and crippling malaise in the form of mismanagement of the economy.

There is no one to blame for this situation but this government which has been in power for most of three decades, far too long a period, this government that attempts to blame every other factor in Canada and in the world for our economic difficulties, every other factor except its own ineptitude, its own blind devotion to party well-being before the welfare of Canada and its people.

This is the reason that we are called upon to debate in this House tonight an expression of sorrow and sympathy for the more than one million Canadians out of work, unemployed, disillusioned, disheartened, faced with an increasingly bleak future at a time of the year when Canadians, like the season, should be anticipating growth, productivity and prosperity.

It is indeed symbolic that in the midst of the gloomy forecasts put forward by economists from all sectors of the

Canadian business scene, this opposition sees absolutely no indication that the present members of cabinet are prepared to acknowledge and address the issue. Without this purpose on the part of the cabinet of this Government of Canada, there can be no recovery undertaken. Without this purpose, the unemployed of Canada can only expect more, not less, in the way of personal distress in the form of unemployment.

This is the reason that the motion has been phrased to include in the national solution to the unemployment crisis, the urging of the Prime Minister (Mr. Trudeau) that he take the first necessary step in the difficult road to economic recovery by rooting out the insensitive cabinet incompetents who hold such power to do damage to Canada. This is why this motion urges the Prime Minister to shuffle the cabinet—after all, it is his cabinet—and put in place some of the talent that must be hidden somewhere amongst the 140 or so members opposite.

I spoke of the distress being produced in the nation through the critically high unemployment rate inflicted upon Canadians by a government insensitive to the ordinary laws of market place economy and of good judgment. It is comparatively easy to express distress in statistics because you avoid coming face to face with the impact in the form of personal trauma and disaster which result from the individual circumstance behind each statistical entry. Statistics are a very comfortable way of dealing with problems that affect people deeply and disastrously. It is comparatively easy to acknowledge that unemployment rates are up 1 per cent or 2 per cent, but 1 per cent of Canadian employables is more than 100,000 citizens. This implies the possibility of more than 100,000 personal tragedies. This is the measure of the damage which the government is doing to Canada. It is not included in the drab, depressing statistical evidence stated as the percentage of Canadians seeking employment. The measure of the damage being done is seen in the individual case histories of those earnest, conscientious, ambitious Canadians who cannot find targets for their energies and talents.

● (2120)

This tragedy has been defined and quantified in a study by the Johns Hopkins University in the United States which was concerned with deep social consequences inherent in policies which produce situations where able, worthy people are unable to find work, are unable to put their energies and talents to constructive purpose, are frustrated in their attempts to be self-reliant, are faced with personal loss of assets, such as homes and automobiles, and, worst of all, of family and dignity. The Johns Hopkings University undertook a study of the implications to individuals involved in these situations. It is now widely accepted as the valid analysis of what happens to persons across Canada so affected, such as those who write daily to their Members of Parliament expressing their distress.

The Johns Hopkins University study concluded that every 1 per cent increase in the unemployment rate in the United States kills 37,000 persons. It is not through starvation. That does not happen in our western democracies any more; we are much too civilized for that. There are 37,000 persons who lose their lives through suicide, homicide, heart attack and stroke. Crime rates increase, violent crimes proliferate and family break-ups increase. These are the attendant personal disasters which walk hand-in-hand with unemployment. The study concluded that the social pathology of unemployment has been swept under the rug. The government has been unscrupulously lifting the rug to avoid focus on its failures. Lift the rug; sweep under a few more statistics!

I should like to read some of the statistics contained in the study to which I referred. Appendix 2 is entitled: "Relationship between Economic Conditions and Social and Family breakdown". It estimates the social costs of national economic policy and the implications for mental and physical health and criminal aggression. It refers to the impact of the 1.4 per cent rise in unemployment during 1970 in the United States of America, and it reads as follows:

> —the 1.4 per cent rise in unemployment during 1970 is directly responsible for some 51,570 total deaths, including 1,740 additional homicides, for 1,540 additional suicides, and for 5,520 additional mental hospitalizations. These are not major portions of the total number of deaths, homicides, suicides, and mental hospitalizations which occurred during 1970 through 1975. But, unlike most other factors which contributed to the statistics, rising unemployment can be readily avoided.

Using this methodology, one Canadian researcher estimated the following social impacts attributable to a level of 175,000 unemployed in Ontario over the next five years: total deaths, 8,830, of which 2,920 will result from heart disease inspired by concern for unemployment; 120 suicides and 20 murders; incidents of mental illness, 11,200 and prison sentences, 2,400. If that is translated into figures for Canada as a whole, we will have a total of some 50,000 deaths attributable to the trauma of being unemployed over the next five years.

In Windsor, Ontario, earlier this year, the mayor's committee on services for the unemployed reported that the inability to make credit payments or to make unemployment or welfare payments stretch to the end of each month has brought about uncontrollable stress and pressure and has resulted in increased use of alcohol, tranquilizers and other drugs to ease stress. Also the mayor's committee found that social agencies in Windsor have experienced increases in case loads ranging from 25 per cent to 377 per cent. The human tragedy associated with unemployment is also reflected in the committee's statement that having to go on welfare, after other benefits are exhausted, is having a devastating effect upon individuals and their families.

The Canadian Council on Social Development obtained the following comments from individuals across Canada on the relationship between high inflation and unemployment and increased levels of social and family breakdown. Don Peirce, executive director, Social Planning and Research Council of Hamilton, said:

> I can't believe that any one would seriously suggest there's not a relationship between unemployment and other social problems. It is so ridiculous a statement it doesn't merit an answer.

Ed Smee, former director, Ontario secretary of state, said:

> If you don't think there's a relationship, resign your job, and go look for an alternative. Before you do, however, you might like to know that the last time we

had an open competition for six positions in our department, over 1,400 people applied, and all of them had at least a BA degree.

Angela Julien, social planning department, city of Halifax, said:

There is a direct relationship between unemployment and social problems. Our department has believed for years that there is a tremendous waste of human resources when governments try to fight inflation by increasing unemployment.

There is a close correlation between increased unemployment, declining family incomes, increasing stress and social problems. When families have inadequate incomes, you can expect to find increased mental problems, increased use of medication, increasing child abuse, family violence, and marital breakdown.

There is an increasing number of testimonials in this report, but there is a further insult to the Canadian intelligence and integrity which is being encouraged by a government that seeks answers to the problems it creates. It seeks answers always by the creation of another government program or another government agency. This further expands the bureaucratic empire which strangles us all in red tape and taxes.

● (2130)

Unfortunately, governments do not provide answers for economic problems. Governments produce economic problems by not measuring the implications contained in their acts of intervention in the business, economic and social life of the nation. The National Energy Program is a prime example of incompetent, almost criminal disregard for sense and responsibility in this most important area of Canada's present and future. This bankrupt policy—and I think we give it credit and dignify it by calling it a policy—is the sole cause of thousands upon thousands of Canadians being unemployed today. If common sense does not soon take over from the present direction by the Minister of Energy, Mines and Resources (Mr. Lalonde), the number of unemployed in Ontario alone, as a result of this government's National Energy Program, will reach more than 100,000. That is what we are talking about. According to the Johns Hopkins study, of those 100,000 unemployed in Ontario some 4,000 will die through suicide, homicide, heart attack and stroke.

Additionally, we are in the process of teaching a generation of Canadians that smart persons faced with a circumstance of mass unemployment will use the system to their own end and for their own benefit. Fortunately, the majority of Canadians appreciate honesty and effort. But we have a minority, and I think an increasing one, which views the system as theirs to beat.

I would like to read from an article which appeared in the Pentincton *Herald* entitled "The Cheques Roll In". Under the heading "Unemployment insurance: ticket for a long holiday" is the testimony of two young Canadians, one by the name of Sam, who says:

"I never feel guilty when I rip off the government," he said. "It makes me feel good. How much did they spend on this metric thing? I just took $5,000 or $6,000 from them.

"Every time I worked I knew they couldn't find out. I mailed my report card every other Friday afternoon exactly at 4 p.m. I get my cheque every Wednesday or Thursday morning—depending on what mail box I used."

He said he never had any problem keeping his claim running.

"As long as you make your appointment (with Canada Employment officers) you're all right."

The article continues:

"I went out of town too. As long as they get their report cards they think you're in town."

A person collecting benefits is supposed to be available for work any time.

Sam said he didn't really look for work until he thought his claim might run out.

Toward the end of the article it says:

He first collected unemployment insurance when he was 17 so by age 21 he knew the ropes. With $1500 in the bank and a desire to travel to Europe, . . .

He and a friend went to Europe and they mailed in their forms and received their cheques. There was no need to look for work as everyone, including government officials, realized there were no jobs.

All is not despair in Canada. We can look at the record of the province of British Columbia, the province in which I am privileged to live and call my home. I would like to read a brief résumé of what is happening in British Columbia under a government which is intent on encouraging the private sector to grow and to be a productive partner in the economy. This is what Mr. Bennett said in a recent speech:

In five years, we have achieved those goals, and our success is directly attributable to that private enterprise spirit and drive that pervades all parts of our vast and diverse province.

I submit that is quite in contrast with the drive of this government.

Some hon. Members: Hear, hear!

Mr. Norman Kelly (Parliamentary Secretary to Minister of Supply and Services): Mr. Speaker, as a parent and long-time observer of the Canadian scene I hope that I will be considered qualified this evening to speak on one of the most challenging problems facing our nation today, that is, the upgrading of our labour force. Before looking at the present situation and what may lie ahead for Canadians, I believe it would be useful to have an historical perspective on training.

Technical and vocational education in Canada today is the product of evolution. Our early settlers learned by watching and practising, and during the nineteenth century such practical instruction became formalized as it was embodied in the school curriculum.

Federal government involvement in the field of education began with the proclamation of the Agricultural Aid Act in 1912, followed by the Agricultural Construction Act in 1913. And there have been various federal acts and agreements made under their authority since then, except for the period from 1929 to 1937.

The federal government has played an increasingly important role in this field, particularly since the passing of the Technical Education Act of 1919 which clearly defined the responsibilities of the provinces and the federal government. This act stipulated that the federal government would share up to 50 per cent of the provincial expenditures for technical education. This federal involvement was justified on the basis

of the need of a rapidly industrializing nation for an adequate supply of skilled workers, provision of equality of educational opportunity, and the high cost to local and provincial authorities of providing adequate training programs and facilities.

It is also interesting to note that in 1919 the federal government's contribution to technical education was $700,000 compared with its contribution of $800 million to adult occupational training in 1980-81.

The Adult Occupational Training Act of 1967 marked a significant new departure for Canada. It clearly separated the occupational training of adults from the education of the young. The then newly-established Department of Manpower and Immigration was given responsibility for implementing the provisions of the AOT Act through the Canada Manpower Training Program. This act allowed the federal government to purchase training services from the provinces and private schools on behalf of its adult workers and to enter into contracts with employers. A striking feature of the AOT Act was its linking of occupational training for adults with the needs and opportunities of the labour market. The federal and provincial governments committed themselves to a co-operative determination of training needs and the development of training plans. Budgets and guidelines were set nationally, but the focus was on local needs and conditions.

In 1972 the act was amended significantly to increase its flexibility. The program was made available to more adults, some of the restrictions in the provision of industrial training were lifted and certain sections which were no longer relevant were repealed.

While it is very easy to sit back and criticize the training carried out under the AOT Act, the fact of the matter is that there are hundreds of thousands of Canadians who have benefited from the program. Without it, many of them would not have had the opportunity to learn a skill or improve their skills. As in any program, there is always room for improvement. At the present time two task forces are studying it and their recommendations may have a great influence on the future direction of training in Canada. These two task forces are the Parliamentary Task Force on Critical Skills for the eighties, headed by the hon. member for Notre-Dame-de-Grâce (Mr. Allmand), and the other is a high level task force reporting to the Chairman of Employment and Immigration, Canada, which will work to develop a comprehensive employment strategy for the eighties. As a result of these studies there will no doubt be proposals made to increase the effectiveness of the training program.

For many years I have had an interest in the way that young Canadians are prepared for their careers. That interest has increased since I became a Member of Parliament and have had the opportunity to discuss with other hon. members the relationship between education and employment across the country. It is my opinion, and I am sure that many other hon. members will agree, that on balance we have not been doing a good job of preparing students for the labour market. Not only have we failed to give students the technical skills that the jobs of the future will require, we have also failed to provide them with an elementary understanding of the world of work and the ways in which working life is different from the lives they have so far known—family life and school life. We have not told students about the jobs of the future and we have not found ways to give them the hands-on experience that will reveal their strengths and weaknesses, their likes and dislikes, and what in general they can expect of work.

● (2140)

Too many students are making decisions about their education and the career they hope to pursue without adequate information and without much thought. Too many students are graduating without any thought to the labour market and the places in that market where they may find a niche. I have heard estimates that one-third of our graduating students cannot say what occupations they would like to follow. I suspect that another third of our graduating students, although they can say what jobs they would like, have only the most elementary knowledge of the world of work.

There is a lot that could be said on the subject of the needs of students and the problems that have so far hindered our attempts to prepare them for the working world. There is a big job to be done, and those who tackle it—employers, educators, governments and students—deserve every support and encouragement.

The experts tell us that the next decade will be marked by considerable industrial and labour market adjustment and that shifts away from traditional approaches to training will be inevitable. New initiatives and innovative methods responding quickly to local and regional needs, will have to dominate future training systems. Obviously, everything cannot happen at once. But where we can, we must move quickly to bring about meaningful changes to existing situations.

Before closing, Mr. Speaker, I would like to compliment the government and, in particular, the Minister of Employment and Immigration (Mr. Axworthy) for the special efforts being taken to make training more readily available for those who have traditionally been relegated to dead-end jobs. I refer, of course, to the vast majority of women workers and our native people. Now thanks to such programs as non-traditional training for women and training opportunities for natives, they are being exposed to the type of training which will enable them to break out of their particular job ghetto.

Finally, Mr. Speaker, the generous reimbursement package the government offers employers who train workers in highly skilled fields should have a considerable impact on reducing labour shortages which hamper economic growth. It costs a tremendous amount of money to train such workers, but it is a sound investment in the future prosperity of this country.

Hon. Bill Jarvis (Perth): Mr. Speaker, I am pleased to participate in the debate because of the nature of the motion, and I am doubly pleased to find such a distinguished colleague in the Chair this evening. I might say immediately that one would be tempted, and sorely tempted, to respond to some of the remarks of the Minister of Employment and Immigration

(Mr. Axworthy). Frankly, Sir, it is simply not worth it. The minister—I do not know why—is so preoccupied with his political detractors that I think he has lost all sense and all perspective of the portfolio. I was a critic of the then minister in a previous Liberal government, now the hon. member for Sarnia (Mr. Cullen), and I thought he had some faults; but I will tell you, sir, the present minister makes the hon. member for Sarnia look like an absolute genius in that portfolio.

Earlier today the minister indicated, in a flash of brilliance, that there was hard core unemployment in the regional sense. He grasped equalization to his bosom as if it were a newly found phenomenon. Equalization is so much part of this Confederation that the minister could well have ignored it.

I remember the Kingston communiqué of a group of Conservative premiers and the leader, some years ago, on the subject of equalization; but I am sure it was not until 1979 that the present minister had ever heard of it and went on to talk about youth unemployment. I am delighted that the minister of National Revenue (Mr. Rompkey) is here, because I just saw an article about the terrible difficulties that well trained young people in Newfoundland have who wish to enter the teaching profession. There is a great surplus of them.

The minister does not need to tell us about this problem. This is a very longstanding, serious problem of young people, and even, for heaven's sake, of lawyers. There is an article in the recent edition of *McLean's* which talks about this enormous surplus of lawyers. If we have a problem with lawyers and well-trained Newfoundland teachers, can you imagine the problems of the untrained trying to get into the job field?

My colleagues have indicated the problems in those two areas and have covered them well. While I am tempted to reply to the minister, I will not do so. I want to talk about what this government and this minister ignored, in a very narrow sense, because maybe he and they will understand that. They talk about the general economic pressure, and it is true. They talk about it more as an excuse than anything else. They talk about, for example, the depreciation in the automobile industry. Given that situation, let us accept the argument that they can do absolutely nothing about the general economic pressures and the depression of the automobile industry. Let us accept that, as hard as it might be, just for sake of argument.

What could a government do? The minister talks about this great record of job creation. The issue is not the number of jobs created; the issue is: did we achieve our potential in job creation? That is the issue. If we created 300,000 jobs, and our potential was to create 600,000 jobs, we are a dismal failure. If, on the other hand, the potential was for 350,000 jobs, and we created 300,000, then we would have something to brag about.

Let me cite one example. I was interested to hear the remarks of the Parliamentary Secretary to the Minister of National Health and Welfare (Mr. Frith) when he talked about OPEC and the international oil situation. If I interpreted his remarks correctly, all of a sudden he lumped us with all industrialized countries: France, Germany, Italy, Spain, and particularly western Europe. We are the same, he said. That is absolute nonsense. We are not part of that group. We have the potential not to be at the mercy of OPEC. We have the potential to be major energy exporters.

Some hon. Members: Hear, hear!

Mr. Jarvis: If we achieve that potential, we do not need to worry about that threat from the Middle East. I do not speak only of Saskatchewan, British Columbia and Alberta. I speak of the Atlantic provinces and the enormous potential for export of hydroelectric power, for example. But look at our potential in the last year and in the immediate future. The potential was in the energy field. The Prime Minister (Mr. Trudeau), in his talk about the depression in the exploration activity, said there are no unemployment lines in Alberta or in Saskatchewan. What garbage! Do you know where the lines are, Mr. Speaker? They are in my riding and in ridings all over Ontario and Quebec. That is where the unemployment lines are because this government failed to achieve its potential in energy development.

Some hon. Members: Hear, hear!

Mr. Jarvis: My riding is a 60 per cent rural and only 40 per cent urban. The city of Stratford is a small city of 26,000 people. In that city we manufacture all types of products in small plants. I do not have any big business, fortunately or unfortunately. They are all small plants. We manufacture a multitude of products which would have found their way into western Canada had this government acted intelligently and aggressively to achieve the potential in petroleum exploration.

I am told, and I accept it although it surprised me, that the petroleum industry is the largest user of trucks. I thought it might be forestry construction or mining that used trucks the most. However, I am told, and I accept it, that the largest industrial customer of trucking is the petroleum industry.

What do they make in these small plants in Stratford? They make brake cables; they make upholstery; they make oil filters; they make fan belts. These are the places that are laying off their employees.

• (2150)

If the minister is right and we cannot do anything because of the general economic condition, because of the international situation or because of the depression in the industry—and I do not think he is—surely, in the name of reason, we should grasp what we have. Therefore, when the Prime Minister says "I do not see any unemployment lines in Alberta and Saskatchewan,"—and I am not so sure that is true, but let us assume that is right—I wish he would visit Stratford or Woodstock or St. Thomas and the multitude of small Canadian cities in Ontario and Quebec. The unemployment lines there are a direct result of the National Energy Policy.

It was months before the minister of Energy, Mines and Resources (Mr. Lalonde) would admit that any rigs were leaving the country although my colleagues had been screaming about it for weeks and weeks. But I do not think that the rigs leaving is the tragedy; the tragedy is that we are not

doubling and tripling the number of rigs in Canada. We should be exploring like crazy out there. If we were, then there would be no unemployment lines in Stratford and my colleague from Oxford (Mr. Halliday) would not have them in Woodstock and my colleague from Elgin (Mr. Wise) would not have them in St. Thomas. These are not great industrial centres, but small viable industrial cities, the heart of any employment strategy in any country.

The problem does not lie just with the automobile industry. In my riding we make industrial boilers, we make turbines and compressors. If one tarsands plant went ahead, I think we would have the potential for 300 jobs in one plant in the city of Stratford for welders, boiler makers, tool and dye makers, machinists and as well, there would be all the feeding plants that would supply that one industry. And that is from just one tarsands plant. Other members from central Canada and Quebec have similar ridings, and I am sure they would say exactly the same thing.

I know that would not solve the job problem in the region or the job problem of young Canadians who want to get into the labour market, but surely we could do that at the very minimum. It would take at least some of the pressure off.

The minister spoke about the program for the mobility of workers. They should be moving into Stratford, St. Thomas, Woodstock and St. Catharines. If we had achieved our potential last year and could achieve it next year, a mobility program for workers could be applied by moving workers into those ridings. But let us not hear talk about the mobility of workers when an area which could absorb them is being strangled.

The Parliamentary Secretary to the Minister of National Health and Welfare (Mr. Frith) spoke about the $350 million industrial restructuring program. He talked about research and development and about incentives to increase exports. I want to tell him and the House a few facts of life Mr. Speaker.

I received the minister's press release about the industrial retructuring program and I sent it to every manufacturer in my riding. I become very nervous when I sent out this minister's material, but I felt an obligation to tell my corporate constituents about the new program. I had several inquiries about it. But I found out shortly afterwards that ours was not one of the four designated areas. When I consider the areas that were designated, namely Windsor, Sept-Iles and the steel industry in Nova Scotia where there is very high unemployment, I am not going to argue about that. Before that designation, however, I had one very serious inquiry. The situation is as follows.

A company had to decide whether to install capital equipment in its U.S. plant or in the Stratford, Ontario plant. The material produced by this equipment comes into Canada tax free because it is of a kind not manufactured in this country. There is no tax on the $2 million or $3 million worth of this material which flows into the country. The machine would supply all of Canada's needs, so immediately it would stop imports coming into the country. It would produce $1 million worth of goods per year for export. The machine would provide 40 jobs, ranging from highly skilled to unskilled and would provide a viable research and development program once it was installed. I indicated that we were not one of the areas designated in the program but that there may be other programs such as the R and D and programs to increase exports of manufactured goods.

First of all, we do not come under the $350 million program, so we can forget that. There is no way the company can receive a loan or assistance for R and D because that would not start until after the machine is installed. If the company wanted to hire 40 engineers for some fantastic new product development, it is likely they could do so under the R and D program, but they do not qualify under this program. They do not qualify for incentives to increase the export of manufactured goods because about two thirds of production is for domestic supply which would stop $2 million or $3 million worth of goods coming in from the United States. The company does not qualify for anything.

The minister talks about his government's program, but I do not think that he ever talks to the Minister of Industry, Trade and Commerce (Mr. Gray). I do not think one has any idea what goes on in the other's department or that they have any idea of working together.

Earlier today I had to laugh because the minister talked about Canada Works, Young Canada Works and the program before that. I forget what it is called this year. Every time we change the minister we change the name. I mean the summer job program for students. In the nine years that I have been in this House, we have received the minimum allocation for each of those programs.

In a very parochial sense, certain things which enriched the life of the community to some degree, did take place. In some years, however, we did not have enough applications in the riding to use up the minimum amount we were allowed which I think was $50,000. The people in my riding are not keen on the hand-out idea. It was up to them to decide. It costs every bit as much to administer and audit a $50,000 program as it does a $5 million program in a very high unemployment area such as the province of the Minister of National Revenue. I got $50,000; he probably got $5 million and he deserved it, but the administration costs would be the same.

In the last nine years, if I had saved up the LIPs, the Canada Works Programs, and the community services program or whatever this one is called, it is likely I could have had a machine for one small company that would provide 40 permanent jobs, a whole research and development program, would stop $2 million or $3 million worth of imports and would increase our exports by $1 million.

Sometimes I wonder what on earth we are doing. What do I say to the small businessman? I cannot send many of these small business people to the Federal Business Development Bank, Mr. Speaker. The people who want to buy an extra machine or hire a couple more people are not in the league in which the Minister of Employment and Immigration and the Minister of Industry, Trade and Commerce move. When I talk to the Minister of State for Small Businesses (Mr. Lapointe), I

might as well talk to that clock, Mr. Speaker. He has no authority. I do not think there is even a cabinet committee that considers a strategy for achieving job potential. If there is, I wish someone on the treasury benches would stand up on a point of order right now and tell me.

I see you are becoming restless, Mr. Speaker. May I close by saying just one thing. The great tragedy here is not that the government defies the facts of life; it is that it fails to reach out to the potential that exists, not just in our region and not just among our young people, but among the small businessmen all over Canada.

Some hon. Members: Hear, hear!

[*Translation*]

Mr. Deputy Speaker: Order, please. It being 10 p.m., it is my duty to interrupt the proceedings on the motion pursuant to Standing Order 58(11).

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

• (2200)

HOUSING—EFFECT OF INFLATION ON INDUSTRY AND HOME OWNERS

Mr. Chuck Cook (North Vancouver-Burnaby): Mr. Speaker, I have been trying for some time to get some kind of reasonable answer from the minister responsible for housing in this country. In British Columbia, we have one of the toughest housing situations which has ever faced any area in the history of Canada.

First, let me go over some of the facts relating to my own riding of North Vancouver-Burnaby and what is taking place there. In the last quarter of 1979, the median price for a house in North Vancouver was $94,000. In Burnaby the median price was $79,000. One year later, those prices increased by 65 per cent and 69 per cent respectively to $155,000 and $135,000. People are taking out second, third and fourth mortgages. People are moonlighting at several jobs. They are building extra and illegal suites to offset their payments. Thirty-three foot frontage lots are going for $100,000 for the land alone. Land prices have increased 100 per cent in the last year as well.

Construction costs are up 20 per cent but there is little serviced land left to build on. I might add that construction permits are down 24 per cent over the past year.

Let us take a look at the dismantling of the community services contribution program. Services are not now being developed commensurate with demand because the cost to start up is too great a load for the community to bear. There is no hope for a family to own their own home if the family income is less than $30,000. Soon, those making combined incomes of $30,000 will be unable to purchase and maintain a mortgage on a house. Only those with incomes in the higher brackets will be able to own their own home in the foreseeable future as a result of the policies of this government.

Mortgage payments per month have increased 50 per cent in the last five years. What have high interest rates done? High interest rates have cut into the profits of builders, contractors and manufacturers. These costs must be recouped somehow. Profit levels for the small entrepreneurial contractor are 3 per cent. Inflation and high interest rates have signalled a serious decline in consumer confidence throughout the lower mainland and throughout Canada.

Let me tell hon. members about the housing starts in British Columbia. We have an average of 50,000 people coming in each year. This government cannot seem to understand that. In 1976 there were over 37,000 housing starts; in 1977 over 32,000 housing starts; in 1978 over 28,000 housing starts and in 1979 over 21,000 housing starts. In 1980 there was a bit of hope with 37,000 housing starts. However, there is some dispute about that figure. Those are the official figures of the government. Yet, when I talked to the Housing and Urban Development Association of Canada officials they told me they could only find 33,000 housing starts, not 37,000. Yet this government talks about things moving up, housing improving, more starts, things happening and the government on its way. Tell that to the people trying to find a place to live on the lower mainland of British Columbia. Fifty thousand people will move to British Columbia this year as they did last year. Experts in the housing field, including CMHC and Clayton Research Associates, have adjusted their 1981 housing starts downward for British Columbia. The main problem is the inadequate supply of developed land. The federal-provincial agreement for assistance in making serviced land available has been cut. What a thing to cut in view of what is going on in B.C. at this particular time.

A minimum of 40,000 housing starts is what is required in British Columbia in 1981, according to HUDAC. The CMHC statistics are sometimes suspect, as I mentioned. We do not know what is going on.

Let me give you the figures for 1980 and 1981 for the first couple of months, and perhaps hon. members will understand my concern. In 1980 there were 5,133 starts in the first couple of months. This year that figure is down to 4,885. In high-demand areas there is no inventory of serviced lands. Those are the facts that lead to tremendous personal tragedies for any number of families in lower mainland British Columbia; they lead to tragedies for people in North Vancouver-Burnaby as well as in other areas. We are talking about 50,000 new people moving there hoping to find jobs, hoping to start families and to purchase homes. There is vacancy rate in apartments and the cost of housing is absolutely exorbitant.

● (2205)

What kind of answers do I get from this government on what it is doing with our housing? I get no answers at all. I doubt if I will get an answer tonight but I want the people of North Vancouver-Burnaby to know that at least this government has been made aware of the figures. I would only repeat the question I have asked on a couple of other occasions, and that is, what the devil is this government doing about the housing mess in this country?

[*Translation*]

Mr. Louis R. Desmarais (Parliamentary Secretary to Minister of Labour): Mr. Speaker, I would like to elaborate on the minister's reply to the question asked by the hon. member on April 2 concerning the effects of inflation on the construction industry and home owners. I should like first to comment on the causes of the slump in the housing industry. In 1980, the trend of interest rates had a detrimental effect on the rate of home construction and has to a certain extent lengthened the period of stagnation in this sector. Housing starts in 1980 fell to 159,000 units, and this decline in activity, which has been going on for four years, constitutes the longest slump we have known since the years 1929-1933. However, it seems rather oversimplistic to blame this situation only on the pattern of interest rates.

As you may recall, Mr. Speaker, before the beginning of the regression, the building industry was producing housing at a rate of approximately 260,000 units per year. The number of completed units in the following years exceeded the absorption capacity of the market. The housing stock increased rapidly and the industry responded by slowing down production. This market adjustment became even more complicated as a result of a decline in immigration, and as the number of immigrants fell to 86,000 in 1978 compared with the record figure of 218,000 in 1974, this decline was reflected in the housing demand which has not led to a quick recovery in the home building sector. While the immigration trend showed an increase in 1980, with a total of 142,000 immigrants, the financial situation has hindered the economic recovery on many markets. However, certain tight markets have adjusted rather quickly to high mortgage rates, and some of them have even showed an increase in housing starts for 1980.

[*English*]

For example, housing starts went up from 1979 by 84 per cent, 31 per cent and 55 per cent in St. John's, Vancouver and Victoria, respectively.

According to preliminary data, urban single detached starts in the first quarter of 1981 were approximately 43 per cent above the same period in 1980. The same comparison also revealed that mortgage interest rates were higher in early 1981, above 15 per cent compared to—

[*Translation*]

Mr. Deputy Speaker: I regret to interrupt the hon. parliamentary secretary, but his time has expired.

● (2210)

[*English*]

ROYAL CANADIAN MOUNTED POLICE—POSSIBILITY OF COMPENSATORY PAYMENTS TO ONTARIO AND QUEBEC

Mr. Hal Herbert (Vaudreuil): Mr. Speaker, it was a little more than a week ago that I put a question to the Solicitor General (Mr. Kaplan) concerning the problem he was having reaching an agreement for the use of the RCMP forces in eight of our provinces. The suggestion I made to him in the question was that he might conclude an agreement with all ten of the provinces so that the two largest provinces, Ontario and my own province of Quebec, which use their own police forces, could receive compensatory payments in lieu of the benefits which are received by the other provinces.

This question derives from some questions I have been putting to the various solicitors general and also on the order paper for the last several years suggesting that if there are benefits accruing to the other provinces from the use of the RCMP and since there is a contribution made by the taxpayers in the two largest provinces of Ontario and Quebec, there should be compensatory payments in lieu of the benefits received by the other provinces.

In his reply, the Solicitor General stated that it is not intended to be a cost-sharing agreement and never has been. Maybe, but the figures might illustrate otherwise. The latest figures I have, given to me by a predecessor of the present Solicitor General, indicate that there are approximately 2,500 members of the Royal Canadian Mounted Police in the two provinces of Ontario and Quebec obviously being used for federal duties or federal purposes. Of the approximately 8,200 members of the RCMP in the other eight provinces, approximately 2,100 are used for federal purposes, 4,100 for provincial purposes and 2,000 for municipal duties.

In addition, I am told that the amount charged to the eight provinces in the last year for which figures appear to be available—the 1979-80 period—totalled $119 million.

Going back some five years to 1975-76, the charge in that period was $68 million. I was only able to do my arithmetic for that particular year because of comparable figures, but the calculation, based on the number of personnel of the RCMP used in that year divided into the $68 million charged, indicated that we were charging at that time some $11,000 per person.

From that figure I gained the impression that this was a concessionary rate, and thus I suggested that if in order to maintain one police force in the eight provinces we were in effect to charge only to the eight provinces a rate somewhat lower—in fact, possibly substantially lower—than the actual cost to the federal government of those persons employed and since this cost was paid in part by the taxes of the residents of the two provinces of Ontario and Quebec, the two provinces which have two-thirds of the population of this country, there should be some return to these two provinces to compensate for the benefit which was being received in the other eight provinces.

I think it is important at this time to stress this point because the eight provinces, which are apparently reluctant to conclude an agreement, are under the impression—apparently also—that the federal government should be making some contribution toward the cost of the police forces, the RCMP, which are being used in these eight provinces. If this is to continue to be the case, the taxpayers of the two provinces of Ontario and Quebec should be compensated for whatever benefits are being given in these eight other provinces. Alternatively, the Solicitor General should ensure that the amount being charged is fair and just, so that there is no cost to the taxpayers in the provinces of Ontario and Quebec.

● (2215)

Hon. Bob Kaplan (Solicitor General): Mr. Speaker, the hon. member for Vaudreuil (Mr. Herbert) raised in his question a subject which at the moment is my greatest priority as Solicitor General. That is the renegotiation of the contracts for provincial policing services between Canada and eight provinces and 180 odd municipalities across the country. Those contracts expired last Tuesday. They are a very important job for the RCMP. In fact, almost half of the RCMP are engaged in providing provincial and municipal police services.

In their federal role, and there are 11,000 of them across the country doing federal policing, all of the payments of course come from the national taxpayers and the national treasury, as they should. However, under the provincial and municipal role where we provide police to fulfil the responsibilities to other levels of government, we expect that those governments and their constituents who benefit from these services will pay the largest share of the cost for those services.

The hon. member indicated that we should not charge those provinces any less than the cost of the service. I disagree. I think we should charge less than the services cost because there is some national benefit from having the RCMP as a provincial police force and a municipal police force. There are efficiencies. The country benefits from having the same police force working at three levels; sharing their training, communications facilities, offices and other facilities. These are advantages from which the provinces should benefit.

At the same time, these highly trained members of the RCMP are competent when they are working at the municipal level and provincial level to help us in the federal policing program. We are prepared to recognize that benefit and contribute a share of that cost to the provinces and municipalities. The question is how much.

We want to share with the provinces the cost to such an extent that the federal taxpayer will not be subsidizing these provincial police services. The hon. member for Vaudreuil is correct when he states there would be no justification for the federal government providing a subsidy to those provinces.

We do not intend to provide a subsidy. We provide policing service. The offer was available to Ontario and Quebec, not to get money from the federal government, and Canada would have benefited from it, but to have the RCMP serving in their provinces as provincial and municipal police. They chose, as is their constitutional right, to do the policing themselves.

Those provinces which use the force benefit from it. However, the benefits are in policing. The benefits should not be in some subsidy from fellow taxpayers at the national level to those who are in municipalities, whether or not they pay for their own policing, or who are in provinces which do not have the benefit of the RCMP.

These contracts are now up for negotiation. We have not settled the price. However, the principle is very clear. Each level of government will only be expected to pay for the benefits it receives. I hope to be able to report shortly to the House that contracts have been renegotiated and that the RCMP will continue to perform that very valued and historic role for the provinces and municipalities.

SUPPLY AND SERVICES—RE-OPENING OF CONTRACT TO CONSTRUCT F-18 FIGHTER AIRCRAFT

Mr. John McDermid (Brampton-Georgetown): Mr. Speaker, I rise tonight at 10.19 to discuss the plight of over 1,000 workers who have been laid off at McDonnell Douglas (Canada) and the mysterious situation surrounding the F-18 contract signed between this government and McDonnell Douglas of St. Louis for an amount in the area of $4 billion in 1981 dollars.

● (2220)

As the House knows, the Department of National Defence had been looking for a long time at various aircraft in order that a purchase be made to re-equip our armed forces which are using outdated equipment. Many in this House studied, through the Standing Committee on External Affairs and National Defence, the various proposals which were narrowed down to two: the F-16 and the F-18.

In meeting with McDonnell Douglas officials, I and many of my colleagues were assured that, if the Government of Canada awarded the fighter aircraft contract to McDonnell Douglas, the F-18 Hornet, the Canadian plant in Malton would receive a significant share of the Canadian offset program. At the same time, my colleague, Alex Jupp, the then member of Parliament for Mississauga North and I both tried to receive assurances that Orenda engines would get some of the work on the General Electric motors, but no assurances were given.

At the time the contract was to be announced, the Quebec Liberal caucus met with the makers of the F-16 which they favoured, not because it was the best for Canada, but because it promised more work for Quebec.

At the same time—and we can give them full marks—they meet with McDonnell Douglas. What went on at that latter meeting has not been told. Was the Quebec Liberal caucus promised additional work in Quebec to the detriment of Ontario? Did the Quebec caucus support the F-18 contract because of a deal which was made between them and McDonnell Douglas? When asked that question, the Minister of Supply and Services (Mr. Blais) refused to answer, as can be seen at page 9103 of *Hansard* for April 9.

The contract was awarded in Ottawa last spring by the Minister of National Defence (Mr. Lamontagne), and we were

all very excited. I attended the signing of the contract and was thrilled by the performance of the F-18 Hornet at the Ottawa International Airport. The workers at McDonnell Douglas were drinking champagne to celebrate, and now over 1,000 of them are walking the street looking for work.

Part of the offset program was construction of components or parts for the DC-9 and the DC-10. I would imagine that part of the contract has already been broken. McDonnell Douglas Canada, with the know-how and the trained manpower, bid on forward fuselage side panels and pylons for the new aircraft.

When Ottawa saw that there were no competing bids for side panels and pylons from Quebec, presto, a Crown corporation owned by the Government of Canada, located in Quebec, namely Canadair Ltd. put in its bid. In answer to a question which I posed on April 9, 1981, as found at page 9103 of *Hansard*, the Minister of Supply and Services said that it was an unsolicited bid. That is for the public to decide. Then the minister said:

—McDonnell Douglas invited the other bidders to attempt to fix their bids and the whole process is under review by McDonnell Douglas.

I would suggest that "fix their bids" is pretty strong language in the game of tendering, and begs more questions.

I submit that the F-18 contract has been a case of the worst kind of political pressure and that subcontractors in Ontario and their workers will be the victims. I cannot help but wonder, as to the workers at McDonnell Douglas, where the Onario Liberal caucus has been in Ottawa for the past year, especially the member for Mississauga North (Mr. Fisher).

When Bill Patrick, president of local 1967, United Auto Workers, which is the union that represents most of the workers at McDonnell Douglas, invited all political parties and Members of Parliament to a meeting with the union and its membership, not one Grit showed up. Not one Liberal was to be seen, not even the member for Mississauga North, which is where the meeting took place.

The Progressive Conservative Party was represented by the hon. member for Mississauga South (Mr. Blenkarn) and myself, the NDP was represented by Mike Cassidy, but there were no Liberals. Yet, some people wonder why the working man or woman or the unemployed, as most were at that meeting, are becoming so cynical at the complete inaction and non-interest the government displays. The Minister of Industry, Trade and Commerce (Mr. Gray), "Herb, lower the interest rates or I'll resign, Gray" has not lifted a finger to help. It takes Premier Davis to show the initiative, as he did last week, to travel to St. Louis to get some action, and there will be significant announcements made in the not-too-distant future. Union President Bill Patrick recognized this initiative as a positive step to help the workers with their plight.

● (2225)

What is happening with that multi-million dollar contract and the 2,000 new jobs promised, many of them at the McDonnell Douglas plant? Nothing to date. Why? The minister says the whole process is now under revision by McDonnell Douglas. Why? Because the government asked them to change the process? I think it is time that the Liberal government came clean on the entire matter, levelled with the workers of McDonnell Douglas and with the people of Canada. What deals were made? What concessions were made to the Quebec caucus by McDonnell Douglas and/or the government? Finally, when, pray tell, can the sub-contract be expected to be signed so Canadians can start to work on the F-18? For every day that goes by, another F-18 and all its parts is being built in another country, and we lose.

Mr. Norman Kelly (Parliamentary Secretary to Minister of Supply and Services): Mr. Speaker, I would like to preface my remarks on behalf of the Minister of Supply and Services (Mr. Blais) with two observations. First, although the CF-18 contract is very lengthy, it is a public document accessible to the hon. member opposite. It describes in great detail the large number of commitments that McDonnell Douglas has made to Canada in connection with the Hornet project. Two, the decision to purchase this particular aircraft was based not only on the sum of the contractual obligations it generated but, more important, because of the suitability of the aircraft itself for Canadian defence requirements.

As for the two questions asked by the hon. member on April 9, as reported at page 9103 of *Hansard,* I would first like to inform the House that McDonnell (Canada) was not the only firm to bid on the forward fuselage side panels and wing pylons when the bids closed the first time. An additional Canadian firm submitted a proposal to manufacture the forward side panels and two additional firms submitted proposals on the manufacture of the wing pylons.

I would also like to reiterate the minister's response to the second question, which may be found in *Hansard* on the same date and page I mentioned previously. That is to say that the government was not pressured, nor did it request McDonnell Douglas, St. Louis, to re-open tenders for any of the structural components. The company elected to solicit Canadian industry for new bids when Canadair expressed an interest to join in the competition. The government is not interested in interfering with the McDonnell Douglas normal bid solicitation process. It is not unusual for bids to be re-opened to seek additional tenders if the first bids received are not necessarily responsive to the requirements, or if the requirements change. It should be noted that escalation factors, exchange rates and production requirements have all changed to some extent since the tenders were first called. It is in this sense that the minister used the phrase "to fix" tenders. Perhaps he means "to update" tenders.

The government did not request a bid from Canadair on side panels, wing pylons or any other components. The government has an agreement to purchase complete CF-18 aircraft from McDonnell Douglas. That firm is responsible for choosing its suppliers according to its own policies and the applicable regulations and laws of the United States. In short, there is no assurance that any Canadian firm will be chosen to perform the work in question. Our contract requires that Canadian prices must be competitive with the cost of performing the

work in the United States. However, we have no reason to believe that this will not be the case. It is anticipated that McDonnell Douglas will identify the most attractive bidder within the next few weeks.

Adjournment Debate

Mr. Deputy Speaker: A motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at two o'clock p.m.

At 10.29 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, April 14, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

SPACE SHUTTLE COLUMBIA

CONGRATULATIONS TO AMERICAN PEOPLE—MOTION UNDER S.O. 43

Hon. Erik Nielsen (Yukon): Madam Speaker, I have a motion under Standing Order 43, the nature of which is such as I would think commends itself for unanimous acceptance by all members of the House.

In view of the successful landing only a few minutes ago of the space shuttle Columbia and the historic importance of this event, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That this House convey to the President and the people of the United States its congratulations on today's outstanding achievement in man's continuing adventure in space, and further, that this House commends the daring and skill displayed by Captain Robert L. Crippen and John W. Young in carrying out this historic mission.

Madam Speaker: Is there unanimous acceptance for this motion?

Some hon. Members: Agreed.

Madam Speaker: Hon. members have heard the terms of the motion moved by Mr. Nielsen, seconded by Mr. Neil. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Madam Speaker: Carried.

Motion agreed to.

* * *

INCOME TAX

MISTAKES IN FILLING OUT INDIVIDUAL RETURNS—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): Madam Speaker, whereas it is widely recognized that mistakes in filling out income tax returns can be made honestly and without any criminal intent whatsoever, and whereas reassessment may result in unexpected demands for immediate repayment of substantial sums of money, thereby putting families under great financial and psychological pressure, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That where honest mistakes have been made in the filing of income tax returns, and where reassessment results in demands for repayment of substantial sums of money, the Department of National Revenue impose its time requirements for repayment in a more humane manner and waive all interest charges imposed on such moneys for a reasonable period.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA OIL AND GAS ACT

CALL FOR REJECTION OF BILL C-48—MOTION UNDER S.O. 43

Mr. Bill Yurko (Edmonton East): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion of urgent importance. To my knowledge no political philosophy or party in this House advocates confiscation of private property ownership or rights without appropriate compensation and/or access to due process of law. Therefore, I move, seconded by the hon. member for Yukon (Mr. Nielsen):

That this House categorically reject any legislative initiative such as Bill C-48, or policy direction by government which advocates or incorporates into the laws of Parliament retroactive expropriation by government, or Crown corporations of government, of property deemed to be private property without due compensation and/or access to due process of law.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

PUBLIC SERVICE

SHORTAGE OF AIR TRAFFIC CONTROLLERS—MOTION UNDER S.O. 43

Mr. Les Benjamin (Regina West): Madam Speaker, I have a motion under Standing Order 43 which pertains to lower altitudes than the Columbia accomplished today. I hope the House will support and give unanimous consent to it.

In view of the fact that the government is short 300 air traffic controllers from the normal level, and since the serious

shortage of air traffic controllers may play havoc with airline schedules this summer, particularly at Montreal, Toronto and Vancouver, I move, seconded by the hon. member for Selkirk-Interlake (Mr. Sargeant):

That the government restore the number of control positions at Toronto and develop a plan to have an adequate supply of controllers by expanding training programs and improving work conditions.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

● (1410)

THE CONSTITUTION

RE-ELECTION OF QUEBEC PREMIER—REMARKS MADE BY PREMIER OF NOVA SCOTIA—MOTION UNDER S.O. 43

Mr. Gilbert Parent (Welland): Madam Speaker, I rise under the provisions of Standing Order 43 to move a motion concerning the incredible remarks made last night by the Premier of Nova Scotia who praised Premier René Lévesque as a "very astute man" whose victory represented a victory for the constitutional stand of the eight dissident premiers. Therefore, in view of Premier Buchanan's obvious endorsement of separation in the context of the views of the eight premiers, I move, seconded by the hon. member for Northumberland-Miramichi (Mr. Dionne):

That this House condemns the premier and all others who see in Mr. Lévesque's election a victory in the process of undermining legitimate constitutional change in Canada.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

MEAT IMPORT ACT

REQUEST FOR AMENDMENTS TO PLACE QUOTAS ON LAMB AND MUTTON IMPORTS—MOTION UNDER S.O. 43

Mr. Doug Neil (Moose Jaw): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of the fact lamb producers are faced with seriously depressed prices for their product because air shipments of fresh lamb are being allowed into Canada from New Zealand, and that if we are to diversify agriculture in Canada some protection must be afforded to infant industries such as lamb, mutton and wool producers, I move, seconded by the hon. member for Prince Edward-Hastings (Mr. Ellis):

That the Minister of Agriculture table amendments to Bill C-46, the Meat Import Act, to provide for quotas on imports of lamb and mutton, and immediately enter into negotiations with New Zealand to determine fair and equitable quotas.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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AIR TRANSPORT

OTTAWA-HAMILTON SERVICE—MOTION UNDER S.O. 43

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Minister of Transport undertake a review of the service currently being offered by Nordair between Ottawa and Hamilton to determine whether a more adequate service could be provided by any other carrier and, further, that the proposed airport expansion be quickly proceeded with in an effort to make provision of this service more attractive.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

CANADA OIL AND GAS ACT

CALL FOR WITHDRAWAL OF BILL C-48—MOTION UNDER S.O. 43

Mr. Dave Nickerson (Western Arctic): Madam Speaker, whereas all northern Canadians are united in opposing Bill C-48, the greatest grab of resources by a Liberal government in the history of Canada, I move, seconded by the hon. member for Prince George-Peace River (Mr. Oberle):

That Bill C-48 be immediately withdrawn and replaced by legislation which respects the trust nature of the ownership of territorial resources.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

THE PRIME MINISTER

MOTION UNDER S.O. 43

Mr. Gordon Taylor (Bow River): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Whereas the Right Hon. Pierre Elliott Trudeau—

Some hon. Members: Order, order!

Mr. Taylor: —charged the Progressive Conservative Party with an element of fascism, which is totally wrong; whereas fascism is defined by Webster as "a political regime that exalts nation and race above the individual and that stands for centralized autocratic government headed by a dictatorial leader, severe economic and social regimentation and forcible suppression"; whereas the Right Hon. Prime Minister (Mr. Trudeau) has in the past invoked the War Measures Act authorizing arrests without warrant, invoked closure in the House of Commons suppressing free speech, and is now imposing metric on the food stores in Canada, even though 80 per cent of the stores and the people do not want it, etc., etc., I move, seconded by the hon. member for Athabasca (Mr. Shields):

That this House deplores these communistic tactics of this Marxist-Socialist and says "Heal thyself Mr. Prime Minister".

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

GOVERNMENT BYELECTION VICTORIES—MOTION UNDER S.O. 43

Mr. Maurice A. Dionne (Northumberland-Miramichi): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. In view of last week's comments by the Leader of the Opposition (Mr. Clark), while in Prince Edward Island during the Cardigan byelection campaign, that "If they win here, they would take that as a mandate and claim that as a victory for Pierre Elliott Trudeau", and in view of the two smashing Liberal byelection victories yesterday, I move, seconded by the hon. member for Welland (Mr. Parent):

● (1415)

That this House endorses the quotation of the Leader of Opposition by reaffirming our commitment to the constitutional resolution and that this House urges the Progressive Conservative Party to permit greater public exposure of its leader throughout Canada in order to reinforce Liberal Party policies.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENERGY

DEVELOPMENT OF NEW BRUNSWICK OIL SHALES

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, the government of New Brunswick has made representation to the federal government for assistance in establishing a research and development program for development of the oil shales of that province, which very likely contain a minimum of 15 billion barrels of oil. Obviously the minister's supposed interest shown in the project has been nothing more than lip service. Therefore, I move, seconded by the hon. member for Halifax West (Mr. Crosby):

That the House instruct the Minister of Energy, Mines and Resources to enter into meaningful discussion with his provincial counterpart in New Brunswick with a view to concluding a positive agreement.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

ORAL QUESTION PERIOD

[*English*]

AUTOMOTIVE INDUSTRY

RESULTS OF CANADA-UNITED STATES MINISTERIAL DISCUSSIONS

Mr. Otto Jelinek (Halton): Madam Speaker, for the second day in a row, after his well-touted meetings in Washington concerning the ailing auto industry, the Minister of Industry, Trade and Commerce, who assured us that he would be in his seat yesterday and today, is still not here. I find that highly irresponsible on his part.

Some hon. Members: Hear, hear!

Mr. Jelinek: Therefore, in the minister's absence, since the acting minister did not know what was going on yesterday, I would like to direct my question to the Prime Minister. Could the Prime Minister tell this House his views on the $4.5 billion auto pact deficit which has been experienced by the Canadian auto industry and the 94 per cent increase in imported Japanese automobiles coming in to this country? What decisions were reached in Washington in the numerous meetings that the minister has had, on which, in his irresponsibility, he has

not come to the House, nor has he given us even one of his famous press releases as to the outcome of these meetings? What decisions were made as a result of the meetings in Washington last week?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, instead of all this rhetoric, the hon. member could try to make some constructive suggestions concerning the problems now facing the Canadian auto industry.

As I pointed out to him yesterday, the hon. member is aware that the government has spared no effort to solve the problems of the Chrysler Corporation. He also knows that the newspapers announced yesterday and today that Ford has started to rehire employees and that the first V-6 engines made in Canada came out of the production line yesterday. As my colleague, the Minister of Industry, Trade and Commerce, is now in the House, he can also report on his meeting in Washington.

[*English*]

INCREASE IN IMPORTS FROM JAPAN

Mr. Otto Jelinek (Halton): Madam Speaker, I am pleased to see that the great Minister of Industry, Trade and Commerce has made a courageous entry into the House of Commons—

Some hon. Members: Hear, hear!

Mr. Jelinek: —to tell us about his conquests in Washington last week, since none of the other cabinet ministers knew what was going on.

My supplementary question is for the Minister of Industry, Trade and Commerce. In view of the 94 per cent increase in Japanese auto imports into Canada over last year and the continuing failure of the minister to negotiate a consensus among Japanese manufacturers which would guarantee voluntary restrictions of exports of automobiles to Canada, can the minister tell us, notwithstanding his reluctance to impose temporary import quotas, what considerations, if any, have been given to using Japanese dependency on our natural resources as a lever to urge Japan's auto manufacturers to include at least some Canadian, or a higher Canadian, content in parts made in their production of automobiles, and for that matter a higher degree of investment in the Canadian auto parts and manufacturing sector? Has this position been taken with the Japanese? If not, why not? What is the minister waiting for?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, in my discussions with the Japanese, which began last year, I pointed out to them that our exports to that country were composed of a relatively small, in fact a too small, proportion of manufactured goods. I expressed the view that it would be in the interests of the healthy continuation of our trade with Japan that a better and larger portion of it would be in the form of manufactured goods.

• (1420)

I would be very interested to have my hon. friend confirm that it is the policy of his party, including the Conservative members from western Canada, to put the exports of resources from that part of our country to Japan on the block in the way that he suggested.

TIMING OF GOVERNMENT DECISIONS

Mr. Otto Jelinek (Halton): Not only did the minister not answer that question, he has still not told us what decisions were made in Washington in his talks last week. It is very obvious that the minister is not taking this matter seriously, but I can assure him that we are, and that hundreds of thousands of Canadians who depend on a healthy auto industry in Canada are, as well.

An hon. Member: Quit skating!

Mr. Jelinek: My last supplementary question is this: last week the minister said, and I quote very quickly, "We're not talking about joint decisions", with the United States. "We're talking about making our own decisions." That is what we have been asking as well. The minister has a number of specific recommendations and a number of specific options. Can he tell us now why he has not taken action on these specific recommendations and options, and when can the industry and when can Canadians expect some of these specific decisions to be made?

Some hon. Members: Hear, hear!

Hon. Herb Gray (Minister of Industry, Trade and Commerce): We have taken a number of specific decisions aimed at strengthening the position of the auto industry, its workers, and the firms in it in our country. My hon. friend was giving these details as I came into the House—the agreement with respect to Chrysler which protects thousands of jobs in this country, both in Chrysler itself and in hundreds of supplying firms; our agreement with Ford with respect to the future of the Oakville plant; the discussions we completed which led to the reopening of the Ford foundry in Windsor; the assistance with respect to the aluminum engine, at the Essex (Engine) plant.

With respect to the situation in Japan, we have already been talking to the Japanese and have said to them that we expect they will give us the same type of administrative guidance with respect to exports to Canada that they are giving with respect to exports to the United States.

We have a team in Japan right now to make sure that the Japanese understand that if they take action with respect to exports of cars to the United States, there must be equivalent action with respect to exports to Canada. If that is not done, and there is a diversionary situation with respect to exports of Japanese cars to our country, we will have to take action

within our own legal framework, in the light of our own market situation, in order to assure the position of the Canadian industry and the Canadian workers. So we have been taking concrete action, and we are prepared to take further concrete action in the interests of the industry, its workers, and the entire Canadian economy.

Some hon. Members: Hear, hear!

EFFECT OF RELAXATION OF UNITED STATES POLLUTION AND SAFETY REGULATIONS

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, my question is for the Minister of Transport. In his absence I will address it to the acting minister of transport. Last week the Reagan administration announced plans to relax 34 auto pollution and safety regulations in the hope of reviving the North American auto industry. Some 16 of these plans to rescind the regulations involve safety measures. Will the acting minister of transport say what effect these deregulations will have on North American manufactured cars sold in Canada?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Madam Speaker—

Mr. Nielsen: The acting minister!

Mr. Bockstael: —the relaxing of auto pollution devices in the U.S. is not to be granted in Canada. In Canada we will hold to the safety measures for which the specifications call. I will ask the minister to prepare a further report on the effect of the cars which are imported from the U.S. and whether the equipment will have to be maintained on those which are brought into Canada.

Mr. Scott (Hamilton-Wentworth): Madam Speaker, I am sorry, I do not want to hear from the parliamentary secretary on this question.

Some hon. Members: Order, order!

Mr. Scott (Hamilton-Wentworth): Under the system of ministerial responsibility there is a minister, there is an acting minister, and in his absence there is another acting minister. I will ask the question of the one remaining colleague from Manitoba, the Minister of Employment and Immigration, who I believe is the acting minister of transport.

Mr. Nielsen: The acting minister.

Mr. Scott (Hamilton-Wentworth): I will try it again. If, as, and when these proposed eased regulations come into effect in the United States, is the transport department prepared to impose stronger standards here in Canada so as not to sacrifice the safety concerns of the Canadian consumer?

Mr. Bockstael: The answer is yes.

Mr. Nielsen: So much for acting ministers.

Mr. Bockstael: The government is prepared to maintain the standards in Canada.

Some hon. Members: Hear, hear!

* * *

• (1425)

THE ECONOMY

REQUEST FOR INTRODUCTION OF SPRING BUDGET

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Prime Minister which concerns the economic crisis that Canada is currently going through. We now have more than one million people unemployed and the numbers are growing; the cost of living has increased some 12 per cent year over year and the situation is worsening. The government's budget forecasts have turned out to be completely wrong.

My question to the Prime Minister, who is responsible for the government as a whole, is as follows: now that the constitutional debate is almost completed, will he show that he is concerned about unemployment and about the cost of living by announcing the government's intention to bring in a new budget when the House resumes on May 12?

Mr. John Evans (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Madam Speaker, the Minister of Finance has indicated that he intends to bring forward a budget in the fall. I might add that a great deal of work has been done and a lot has been accomplished by this government in the areas of economic policy and finance, since we came back for the fall session.

Mr. Broadbent: Madam Speaker, I am not asking a technical question that requires an answer from the Minister of Finance or his parliamentary secretary. I am asking a question of the Prime Minister who is responsible for other things than the Constitution in this country. Will he answer the question by telling the House whether we are going to get a new budget that will deal with increasing unemployment and increasing inflation, or is the Government of Canada just going to sit back while the people of Canada suffer?

Mr. Hnatyshyn: Write him a letter, Ed.

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I will be happy to raise the matter with the Minister of Finance. I believe he will want to bring in a budget in the course of the next year.

REQUEST FOR ACTION ON GASOLINE PRICES AND HIGH INTEREST RATES

Mr. Edward Broadbent (Oshawa): Madam Speaker, it will certainly be encouraging to the more than one million people who are unemployed now, all the young people who cannot buy houses and the pensioners who cannot buy food, to hear

the Prime Minister say that within a year we might get some action.

Since there are two specific areas that do not require a new budget and that have already been brought to the attention of the government, will he, as Prime Minister, undertake to the House that the government will get in touch with the oil companies that have been shown to have ripped off the Canadian consumer by billions of dollars in recent years, and request that they roll back their price of a gallon of gasoline by at least six cents? Second, will the government take some direct action to bring down the price of mortgages so that young people will be able to afford to buy a home again?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, both these subjects were dealt with by the Minister of Finance in answer to similar questions in the past week.

* * *

AUTOMOTIVE INDUSTRY

PLANS TO ASSIST PARTS SUPPLY SECTOR

Mr. Joe Reid (St. Catharines): Madam Speaker, my question is directed to the Minister of Industry, Trade and Commerce. As the minister well knows, the falling off in demand for cars and trucks in Canada has resulted in lay-offs in the industry, with perhaps a greater degree of lay-off in the auto parts manufacturing industry. In view of the recent announcement that Japanese car imports have increased by 94 per cent over last year and with the minister's own comment that he will not act against those imports, what assurance will he give that we in Canada will continue to have a parts supply industry? What alternative plan of action will he initiate for those persons who are subject to the present lay-offs and those that they can expect in years to come?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, we have not ruled out any options. We are continuing to keep all options under active review. We are monitoring the situation very closely.

With respect to the auto parts sector, the efforts we are making are linked with assisting them to increase their sales in foreign markets, including countries like Japan, through trading missions, through assistance to trade fairs and activities of that sort. We are working with the auto parts sector through the Enterprise Development Program to help them get the capital they require in order to re-tool and re-equip.

Our efforts to facilitate the restructuring of the major vehicle manufacturers in this country are aimed also at not only facilitating their ongoing activity but at increasing the opportunities for the independent parts sector to have growing outlets for their manufacturers with the major manufacturers, so as to maintain and strengthen employment opportunities in the parts sector. The concerns and opportunities of that sector are very much part of our strategy and our efforts.

Mr. Reid (St. Catharines): Since the minister has clearly made a statement with respect to imports, will he not now answer clearly and distinctly whether he will initiate a requirement for Canadian content in imported cars sold in Canada?

• (1430)

Mr. Gray: Madam Speaker, this is one of the aspects we have under review. It was one of the ideas presented to us at the major meeting with the industry we had last week. We do have Canadian value added requirements on the part of the motor vehicle manufacturers now as part of the arrangements under the auto pact. We are interested not only in maintaining but increasing the use of Canadian components in automobiles assembled here and sold in world markets. This is a very important part of our strategy and objective for the industry.

QUERY RESPECTING RENEGOTIATION OF CANADA-UNITED STATES AUTO PACT

Hon. John Wise (Elgin): Madam Speaker, my question is for the Minister of Industry, Trade and Commerce. It is with reference to the Canada-U.S. trade agreement. Since Canada's deficit on auto parts in 1980 remains at an incredible $4.2 billion, the same as for 1979, what action has the minister taken to renegotiate the auto pact with the United States to improve the Canadian parts manufacturing sector? Has he anything definite to report? Does he have any progress or achievement to report?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, I think my hon. friend is mistaken. The most recent figures indicate that the deficit has gone down considerably. I still think it is higher than it should be, but it has gone down considerably.

An hon. Member: What is it?

Mr. Gray: We obtained a commitment from the new Reagan administration that it would continue the formal consultations we began with the previous Carter administration with respect to the operations of the auto pact. This was a subject of my discussions in Washington on Friday, and one of the purposes was to renew the consultations which will be continued at the senior official level. The objective is to obtain a better working of the auto pact from a Canadian point of view. We want to see improvement in the whole area of the deficit on auto parts. This is an important aspect of our discussions with the United States under the auto pact consultations.

Mr. Wise: Madam Speaker, from the minister's comment I take it that there is really nothing definite to report as of today. But if Canada is expected to bear its fair share with reference to the Chrysler problem, we should also expect this government to insist on Canada's fair share with respect to the auto parts market. If the U.S. government refuses to renegotiate the auto pact, which is a very good possibility, what other concrete options or alternatives does the minister have to help the Canadian parts manufacturers?

Mr. Gray: Madam Speaker, I think my hon. friend's question is quite premature because the new Reagan administration has agreed to continue the formal consultations that we asked for under Article IV of the auto pact. This administration has been in office formally only three months. We have again begun discussions under the auspices of these formal consultations. The tone of the discussions was very positive. While it is too soon to say exactly how it will come out, I think that we are in a position to work together to help restore the health of the North American auto industry in a way which is fair and equitable to both countries, which means important improvements in the operations of that industry from the Canadian point of view.

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HEALTH AND SAFETY

USE OF DALKON SHIELD INTERUTERINE DEVICES

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, my question is for the Minister of National Health and Welfare. Hopefully she is not pouting as badly as the Prime Minister is about yesterday's events and she will be able to answer my question.

In view of the fact that since 1971 some 127,000 Dalkon shield interuterine devices have been sold in Canada, and in view of the fact that the manufacturer of this particular brand of interuterine device, A.H. Robins, has stopped making them, presumably because numerous studies have shown conclusively that the Dalkon shield threatens the health of women by causing interuterine infections, resulting in hysterectomies, sterility and in some cases death, is the minister now prepared to initiate a campaign alerting women and their doctors to the risk involved in continued use of these devices and encouraging Canadian women to have them removed?

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, this is the kind of question on which I would have appreciated receiving notice so that I could prepare a specific answer. I will now do it and report later.

Mr. Blaikie: Madam Speaker, the fact that this is the kind of question, particularly this topic, on which the minister needs some notice, is part of the problem. This is a matter of concern which has been going on for some time, and I am surprised that the minister has nothing to tell us about this particular issue.

Madam Speaker, let me ask the Minister of National Health and Welfare another question about which she can take notice, unfortunately. In view of the fact that this device was allowed on the Canadian market, like so many other products without any pre-market testing by the government, or in this case by anyone else, will the minister finally take some steps to improve the protection of Canadian women offered by the health protection branch, and will the minister consider and talk to her officials about going after the company involved for recovery of costs incurred through our health care system as the result of this company's inferior product?

Miss Bégin: Madam Speaker, I will just repeat what I have said previously. In the case of a specific product which the opposition critic suggests is dangerous to the health of women, and because of the accusations he makes, it would be far more practical and constructive for everyone if he gave me advance notice, because then I could give the answer in the House. I might tell the hon. member that Health and Welfare is a complex and huge department, which the hon. member does not seem to realize because he does not know the intricacies of it.

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CANADIAN ARMED FORCES

PLANS TO DEAL WITH SUMMER FOREST FIRES

Mr. Paul E. McRae (Thunder Bay-Atikokan): Madam Speaker, my question is for the Minister of National Defence. As the minister is aware, units of Canada's armed forces last summer played a very important part in the forest fire problems which developed in northwestern Ontario. Given the small amount of snow during the winter which will result in very little runoff, and the expectation that fires could be worse this year, will the minister outline the plans of his department to support and give help wherever it is necessary?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I have already had contact with some of the western people—

An hon. Member: The western people?

Mr. Lamontagne: —who are responsible for actually looking after the security of citizens of their own provinces where forest fires are concerned. I can assure the hon. member that plans will not be changed. There will be some manoeuvres this summer. I can assure hon. members that authority will be given to these emergencies above any manœuvres of the armed forces.

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POLITICAL PARTIES

FUND RAISING ACTIVITY OF LIBERAL PARTY

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Prime Minister. Has the Prime Minister approved a new method of fund raising for the Liberal Party which apparently consists of his cabinet ministers agreeing to go to cocktail parties held by the Liberal Party? For example, if you pay $150, you get a $130 tax receipt and the chance to meet Liberal ministers to try to persuade them to do something, just to meet them, or whatever the purpose is. Obviously it should be anybody's right to meet a minister if they have legitimate business with the government. But this is the method now in use.

If the Prime Minister has not approved this most peculiar method of fund raising, will he forbid this kind of humiliating sale of political favours, or what the Criminal Code calls solicitation?

Some hon. Members: Oh, oh!

Mr. Crosbie: Will the Prime Minister put a stop to this kind of practice by his government, which lowers the whole government in the eyes of the people of Canada?

Some hon. Members: Hear, hear!

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I understand and accept the position of the hon. member that ministers should be available to meet any Canadian who wants to put a matter of business before them. But I fail to see that a minister has a duty to meet people at cocktail parties. If the Liberal Party wants to use the fact that ministers are very popular and that they are prepared to drink cocktails with other people, I do not see anything wrong with that. Just because the hon. member is not that popular, it does not mean that there is anything wrong with it.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Crosbie: Madam Speaker, I can see that the Prime Minister feels very "Pee-Queliar" today.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Crosbie: Perhaps the Prime Minister does not understand that this cheapens the whole process of government for cabinet ministers to sell themselves to go to cocktail parties. They do not even go free when they get a free drink. They sell themselves to go there.

Some hon. Members: Oh, oh!

Mr. Crosbie: If the Prime Minister does not want to forbid this tawdry practice, will he at least insist that the names of those who attend the cocktail parties and the names of the consenting ministers be published after each such affair so we will know who is doing it, why, and for what?

Mr. Dick: And what the bribery is.

Mr. Trudeau: Madam Speaker, if the hon. member is insistent on referring to yesterday's elections, he should refer to the federal byelections in London and Prince Edward Island.

Some hon. Members: Hear, hear!

Mr. Trudeau: As to the principle which the hon. member seems to be worried about, if I am not mistaken his own party indulges in fund raising dinners—

Mr. Crosbie: Never.

Mr. Trudeau: Never I am told.

Mr. Crosbie: Never in this kind of cheap political salesmanship.

Mr. Trudeau: The member isn't even telling the truth.

Mr. Crosbie: These are members of your cabinet selling themselves for payment.

Some hon. Members: Oh, oh!

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● (1440)

INDIAN AFFAIRS

MARCH BY BIGSTONE BAND TO EDMONTON—CLOSURE OF DEPARTMENT'S LOCAL OFFICES

Mr. Jack Shields (Athabasca): Madam Speaker, my question is to the Minister of Indian Affairs and Northern Development. As the minister is aware, after an orderly and non-militant walk from Wabasca in northeastern Alberta to Edmonton, the Bigstone band arriving at the Indian Affairs offices in Edmonton were met by signs saying "Office Temporarily Closed, Inquiries see Third Floor Security". Was the minister aware that the Indian Affairs offices in Edmonton were to be closed temporarily? Did the minister authorize the closing of the offices temporarily? Did the minister know that a security force was hired temporarily? Did he authorize their hiring temporarily? Does the minister condone the actions of the Edmonton Indian Affairs office which barred access to its offices to the Bigstone band?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): As the hon. member may be aware, Madam Speaker, we had discussions last week. We discussed a series of proposals that might work to the benefit of the Bigstone band. The hon. member was helpful in presenting those proposals to the band. It was the feeling of the chief and the hon. member that that would be satisfactory and would solve the matter without the necessity of any march at all. It is not only the allegations of the hon. member with respect to what officials in Edmonton may have done that he may be critical of, but he can be critical of himself in misjudging the matter entirely.

As far as the office being closed was concerned, yes, apparently there had been some notification that there would be occupancy of the office. It was the opinion of the director general in the field that the office should be closed to prevent that, because once occupancy takes place it is not a very pleasant picture with respect to evacuation. In the interests of avoiding any more ugliness, that course was adopted, and I think it was probably the right one.

Mr. Shields: Madam Speaker, the minister indicated that I had full knowledge. I want to suggest to the minister that under no circumstances did I view that there was going to be any occupation whatsoever. It was a non-militant march.

Mr. Munro (Hamilton East): I didn't say you.

Mr. Shields: I would like to ask the minister whether the offices were closed because members of the department were afraid to meet with Indian people. Is the minister going to take action to get rid of people who work in Indian affairs who are actually afraid to meet with Indian people?

Mr. Munro (Hamilton East): Madam Speaker, I suggest the hon. member not talk in generalities. It is not fair to people in the public service who cannot answer for themselves. If he wishes to specify, be particular and substantiate charges of the kind he has made, that there are officials in my department who will not meet with the Indian people, I will look into it very seriously. I do not think the hon. member is prepared to do that or he would have done it by now.

* * *

INDUSTRY

INTRODUCTION OF INDUSTRIAL STRATEGY

Hon. George Hees (Northumberland): Madam Speaker, my question is for the Minister of Industry, Trade and Commerce. Will he advise the House when he intends to bring forward for discussion his long awaited and much heralded industrial strategy?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, the timing of further initiatives in the government's programs will become clearer once there is final disposition of the constitutional measures before the House. I am glad my hon. friend has asked the question because I take it, when we come forward with these steps, we will have his full and unqualified support.

Mr. Hees: Madam Speaker, naturally I would like to be able to support such a measure, but of course first I must know what the measure is. In that line, may I ask the minister if he would very briefly outline to the House just what this industrial strategy is going to consist of, Madam Speaker?

Mr. Gray: Madam Speaker, we have already taken a number of steps that indicate our commitment to strengthen and broaden the industrial base of this country. The implementation of the national electronics program, the creation of the office of the future program, the support for the Telidon concept, the support for the Dash-8 and PT-7 engine—these are just some examples of what we are interested in doing in order to strengthen and broaden, in a regionally balanced way, the industrial base of this country.

I can give other examples such as our national space program, our efforts to have in place through the oil and gas legislation industrial benefits from offshore and Canada lands development for Canadians. What we have already done, using the work we have done within the government as a planning guideline, far surpasses anything that was done in a combination of the Diefenbaker years when my hon. friend was in government and the wasted months of the Clark government. Therefore, we have done a lot already.

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ENERGY

STATUS OF NEGOTIATIONS BETWEEN FEDERAL GOVERNMENT AND PROVINCE OF ALBERTA

Mr. Gilbert Parent (Welland): Madam Speaker, my question is for the Minister of Energy, Mines and Resources. My riding, perhaps more than many others, is directly involved in the energy negotiations because of the pipeline being built in the Welland riding. Can the minister of energy please inform this House and make a few comments on the status of negotiations between himself and the minister of energy for Alberta?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, I do not think there is much more I can add to what has already been made public. There was a constructive meeting yesterday between the energy minister of Alberta and myself. We agreed to meet again in the latter part of May. Our officials will pursue several avenues which we found of particular interest, in the next few weeks. This is certainly a first step in the right direction. I cannot promise that there is an agreement around the corner, but at least there is a more positive atmosphere in our discussions than I have seen before.

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INDIAN AFFAIRS

ASSISTANCE REQUESTED FOR JAMES BAY CREE COMMUNITIES

Mr. Jim Manly (Cowichan-Malahat-The Islands): Madam Speaker, my question is to the Minister of Indian Affairs and Northern Development. Over the weekend the minister made a superficial tour of Cree communities in the James Bay area. While there, he saw open sewers, full outhouses, and had a chance to drink contaminated well water. The minister has announced a review of the James Bay situation to see if the federal government is living up to the spirit of the agreement. Without waiting two months for this review, what is the minister prepared to do right away to meet the emergency situation which he saw over the weekend?

Hon. John C. Munro (Minister of Indian Affairs and Northern Development): Madam Speaker, it would of course have been more advantageous to have been able to spend more time, but the hon. member is aware, if anybody in the House is, of the number of meetings held last week with the Indian leadership here in Ottawa, and the meetings that I am required to attend this week in Ottawa. As far as the agenda was concerned it was prepared by Grand Chief Billy Diamond. We adhered to his scheduling in terms of places he wanted to see and the time we would spend there.

With regard to what we are going to do about it, I can tell the hon. member I met with senior officials who attended with me at the site. We are trying to find, through a readjustment of priorities, money to cope with the short-term situation. As far as the long-term treatment is concerned, we will have to wait for the findings of the report which we expect in two months. I might say I have discussed the timing with Grand Chief Billy Diamond and the Cree. They do not want a superficial job done. They think that two months is reasonable.

Mr. Manly: Madam Speaker, the minister made a very quick tour of the area, and the people there would appreciate action that is just as quick. Considering that in the community of Paint Hills there is a fresh outbreak of gastroenteritis, which last year took the lives of several children, no action can be too quick. Will the minister promise to take immediate action to provide at least decent drinking water for this and other communities? Surely that is within the spirit and the letter of the James Bay agreement.

Mr. Munro (Hamilton East): Madam Speaker, with regard to the situation in Paint Hills, that is a priority that we are already taking action on to see what can be done about the situation to improve it considerably.

* * *

● (1450)

ENERGY

DEVELOPMENT OF NEW BRUNSWICK OIL SHALES

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources. A short time ago in the House the minister's parliamentary secretary announced the establishment of a federal technical committee to study the energy potential of the oil shales in New Brunswick. I would like the minister to tell the House just what participation he expects the New Brunswick government to have, when he expects the formation of the committee, and when its work will begin?

[*Translation*]

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, consultations are now going on with representatives of the New Brunswick government, and we hope that the active discussions concerning this project will start in the very near future.

[*English*]

FUNDING FOR RESEARCH AND DEVELOPMENT PROGRAM

Mr. Bob Corbett (Fundy-Royal): Madam Speaker, I wonder if the minister can indicate with whom those discussions are taking place, and also comment on the fact that the New Brunswick government has expressed concern that the National Energy Program underestimates the potential role that New Brunswick oil shales could play in the security of energy supply as well as job creation for eastern Canada. New Brunswick has asked for some special form of consideration for a research and development program. Will the minister advise the House whether indeed he is prepared to give New Brunswick the assurance of that funding?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, discussions are taking place with New Brunswick officials, and the purpose of the study would be to determine whether there is as much merit and as much value in the oil shales of New Brunswick as certain people claim. The purpose of this study would be to evaluate exactly what are the possibilities in this respect, and we would be the happiest people in the world if the conclusions of the studies were positive.

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NATIONAL ENERGY PROGRAM

SLOWDOWN OF CONVERSION TO USE OF NATURAL GAS

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, my question is also to the Minister of Energy, Mines and Resources. Because of his comments and some of the programs which have been brought forward, I know the minister is very interested in natural gas as an option for taking us away from our dependency on expensive imported oil. I wonder if the minister knows that prior to the National Energy Program there was a large number of domestic and commercial conversions to natural gas, but since the National Energy Program there has been a real slowdown on those conversions, to a point where 100 people have been laid off at one conversion company alone because people have simply stopped converting. There are no more conversions. Is the minister aware of that and if he is, has he taken any steps to overcome this?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the hon. member may refer to a specific instance, but I think over-all there has been a significant increase lately in the number of conversions in other regions which I could mention.

As far as the program of encouraging conversion is concerned, I have stated repeatedly that people are eligible for the $800 grant for any conversion made since October 28. The program is in effect in that respect. I expect to be able to announce in the next few weeks all the details of this particular program. Its administration is being set up in every province. As a matter of fact, since the beginning of April offices have been opened in every province. Application forms should be available early in May so that citizens can apply formally for the grants.

However, people who want to switch to natural gas are encouraged to do so right now. They need only keep their receipts. If they have their receipts and they have converted to natural gas from oil, they will be eligible for grants provided under the National Energy Program.

Mr. Gurbin: Madam Speaker, if the minister will check even locally here in Ottawa, I think he will find that there has been a significant decrease, down to about 23 per cent of the number of conversions there were previously. I think that information is substantiated in a number of reports, so I ask the minister to check with his officials. I know we will all be thankful for specific information on this program because, throughout the winter, there have been a number of Canadians who have been waiting for specific details of that.

DISTRIBUTION SYSTEM EXPANSION PROGRAM

Mr. G. M. Gurbin (Bruce-Grey): Madam Speaker, I wonder if the minister is aware that a number of Canadians in Ontario and Quebec are not able to take advantage of the program of conversion to natural gas because it simply is not economic for the gas companies to take laterals into small communities. However, it does become economic if we consider this in terms of the amount of imported oil we could replace if we could get those laterals into those communities.

I wonder if the minister has any proposals to overcome this difficulty, or if he is in fact prepared to take suggestions which would help to compare these costs and these benefits so that all Canadians can benefit from this program.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Of course, Madam Speaker. As a matter of fact in the National Energy Program there is a provision for a special program called the distribution system expansion program which has allocated several hundred million dollars to provide for the expansion of services, particularly gas services, to communities where it would not otherwise be competitively economic. We have a program under which there will be the possibility of subsidization of expansion of certain gas lines to communities. This, however, requires the co-operation of the provincial governments, since such expansion has to be approved by the provincial boards concerned. The utilities have to apply in this regard.

There have been discussions in the last few months with the provinces in this respect. I am happy to see that practically all provinces have agreed now to the formula under which this could be pursued. It will be up to the utilities to apply to the provincial boards to get permission to extend their lateral lines for this particular purpose, and there would be grants available from the federal government under the National Energy Program to achieve the exact purpose mentioned by my hon. friend. This is in the National Energy Program.

CANADIAN BROADCASTING CORPORATION

REQUEST FOR EVALUATION OF FARM BROADCASTING BY STANDING COMMITTEE

Mr. Jack Murta (Lisgar): Madam Speaker, I would like to direct a question to the Minister of Communications, if I could get his attention. In 1976 the Standing Committee on Broadcasting, Films and Assistance to the Arts conducted detailed hearings into the quality of agricultural broadcasting by the Canadian Broadcasting Corporation. In July, 1977, it presented its report to Parliament. It concluded, and I will read just one sentence:

> Your committee is convinced that farm broadcasting, in terms of both calibre and time allotted to it, has deteriorated to a level which should be of grave concern.

The committee made six recommendations. Four years later many of those recommendations have not been acted upon.

I would like to ask the minister if he would consider either referring the recommendations to a committee for re-evaluation—the Standing Committee on Communications and Culture—or establishing an independent inquiry to find out just exactly what is the state of farm broadcasting by the Canadian Broadcasting Corporation.

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, the answer to the hon. gentleman's question is very simple and straightforward. My estimates are presently before the Standing Committee on Communications and Culture. The president of the CBC can appear as a witness, if that is the desire of the committee. I suggest that the hon. member raise these questions with the CBC when it appears before the standing committee.

Mr. Murta: Madam Speaker, that is not good enough. There would not be time available for the kind of in-depth study which I think is needed with respect to agricultural broadcasting on the CBC, in a standing committee. I think the minister is really just sloughing off and not answering my question.

Is the minister prepared either to refer this matter to a committee for re-evaluation—because very little has been done in four years—or to establish an independent inquiry to take a look at the state of farm broadcasting on the CBC?

Mr. Fox: Madam Speaker, obviously the hon. member cannot have it both ways. He has just stated that the Standing Committee on Broadcasting, Films and Assistance to the Arts a few years ago had the depth, knowledge and expertise to bring forward this type of recommendation on the CBC and its agricultural policy. I assume the same permanent committee, which some of his own colleagues are on, still has the same depth and experience. If he is saying they do not, I think that is a vote of non-confidence in his own members.

QUERY WITH RESPECT TO "RADIO NOON" PROGRAM

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, my supplementary question is to the Minister of Communications. Is the Minister of Communications aware of the considerable consternation caused among the agricultural community by the decision of the CBC to discontinue the services of Barbara Klich on "Radio Noon" in Toronto? This decision has created considerable concern both among farmers and among consumers.

Point of Order—Mr. Crosbie

Hon. Francis Fox (Secretary of State and Minister of Communications): Madam Speaker, I would be pleased to bring the hon. member's concern to the attention of the CBC, as is properly my role, but I remind the hon. member, who sits on that standing committee, that it would be his role to ask the same questions of the president of the CBC when the president of the CBC appears before that committee.

Mr. Beatty: Madam Speaker, I will indeed do that when the president of the CBC comes before the committee, but in view of the responsibility of the minister to report to Parliament on the CBC I want to ask him whether he is satisfied with the way in which "Radio Noon" has been conducting its affairs lately through the letting go of Barbara Klich. I want to ask him whether this has done a service to either Canadians on the agriculture side or Canadians on the consumer side, both of whom are up in arms over that decision.

● (1500)

Mr. Fox: Madam Speaker, obviously it is not for me to decide on CBC content or CBC production, and the hon. member knows that full well. I think the hon. member would probably disapprove quite strongly if I did, indeed, give that type of direction to the CBC.

As I indicated to the hon. member, I will bring his concerns to the attention of the management of the CBC. I think the hon. member himself is in a position to bring those concerns to the attention of the CBC when its officers appear before the standing committee. The hon. member is also a member of the steering committee which determines the witnesses who are going to be called during the examination of estimates, and up to now I have not known the hon. member to be either modest or humble in his requests.

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POINTS OF ORDER

MR. CROSBIE—RESPONSE OF MR. TRUDEAU DURING QUESTION PERIOD

Hon. John C. Crosbie (St. John's West): Madam Speaker, I rise on a point of order which arises from the question period. When the Prime Minister (Mr. Trudeau) was responding to a question I asked today, he said—I think I have his correct words—"the member isn't even telling the truth". I submit that is unparliamentary language and the Prime Minister—

Some hon. Members: Oh, oh!

Mr. Crosbie: Madam Speaker, the Prime Minister had a close shave in two byelections yesterday and lost his head in Quebec. Now he is fleeing from the House. It is the obligation of the Prime Minister, if he says a member is not telling the truth, to inform the House how the member is not telling the truth. The Liberal Party raised $15,000 peddling cabinet ministers at $150 each and gave tax receipts for $130 each. If the Prime Minister alleges that what was said is not the truth, he has the obligation to point out to the House in what way the member is telling a falsehood. It is the Prime Minister's obligation when he returns to the chamber—

Madam Speaker: Order, please. If that is the hon. member's point of order, I just want to point out to him that since 1958 the expression "is not telling the truth" has been accepted as being parliamentary.

MR. CROSBY—SERVICES PROVIDED TO MEMBERS

Mr. Howard Crosby (Halifax West): I rise on a point of order, Madam Speaker. It actually relates to a question of privilege I presented to Your Honour on April 8, 1981. You will recall that I earlier had given you notice by letter dated April 1, 1981, of my question of privilege. The question of privilege was very simple and very clear. It related to the preferential treatment given to some members of this House in respect of the distribution of—

Madam Speaker: Order, please. I recall the hon. member's question of privilege. I gave him an answer in this House and undertook to see whether it would be practical, and whether we have sufficient staff, to carry out what the hon. member was asking; that is to say, that each and every member who speaks in this House be provided with a copy of the blues. I said I thought the hon. member did have a point, that all members of this House are equal. I telephoned the hon. member's office to give him a progress report on what I had done. I inquired of our services, asking them to let me know whether this service could be provided to all members who speak in the House and, if not, what would be necessary in order to do that. I have done what I undertook to do. I do not feel the hon. member has a further point of order to raise because I will give him a report when I receive one from the services concerned.

Mr. Crosby: I rise merely to respond to your remarks, Madam Speaker. I should have taken the opportunity to move a motion to the effect that, if a question of privilege is found, the matter ought to be referred to a committee. I appreciate that Your Honour is making inquiries, but I felt I had raised a valid question of privilege. In light of your rulings on other questions of privilege which you found to be invalid, I felt I would prefer to have a ruling on my question once you had made your inquiries. I simply rise to ask whether you are going to make a ruling in due course on the matter.

Madam Speaker: The subject raised by the hon. member does not constitute a question of privilege. The hon. member raised it as a question of privilege, but the subject he is discussing is one which was dealt with informally in this House through arrangements made, I suppose, in discussions among the House leaders of the different parties. It is not a question of privilege, but the point of the hon. member is well taken and I did undertake to look into the matter. I hope to be in a position very soon to tell him whether we can handle such a service for members.

ROUTINE PROCEEDINGS

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 2,101, 2,221, 2,238, 2,247 and 2,299.

[*Text*]

APPOINTMENTS TO PORT AUTHORITY—HALIFAX

Question No. 2,101—**Mr. Crosby:**

1. What are the names of the persons who have been appointed to the port Authority for the port of Halifax in the last three months and, in each case, what are their qualifications for the position?

2. Were any of the persons candidates for the Liberal Party in any (a) general election (b) provincial election (c) federal or provincial byelection?

3. What are the annual salaries or emoluments paid to members of the authority and is there any allowance for expenses?

4. Do any members of the authority hold membership to the International Longshoremen's Association or any other union involved in port activity?

5. What members of the authority are involved on a full-time basis in employment or occupations associated with or connected with the port of Halifax?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The National Harbours Board advises that: 1. The names of the persons who have been appointed to the Port Authority for the port of Halifax and their qualifications for the position are:

Gerald E. Simmons: Representative of the marine industry and business sector

A. Clifford Huxtable: Ships' agent—container ships

J. William E. Mingo: Chairman, Halifax-Dartmouth Port Commission

Rae Gilbert W. Austin: Businessman, with some experience at sea

Brenda Shannon: Chairman, Provincial Planning Act Review Commission

Ken C. Curren (ex-officio): Regional Director, Coast Guard, Transport Canada

2. Yes, Rae Gilbert W. Austin in a general election in 1980.

3. Gerald E. Simmons: $12,000

A. Clifford Huxtable: $2,000 plus $200 per diem for meetings of the Port Authority

J. William E. Mingo: $1,500 plus $200 per diem

Rae Gilbert W. Austin: $1,500 plus $200 per diem

Brenda Shannon: $1,500 plus $200 per diem

Ken C. Curren: no salary or emolument

4. To the best knowledge of the port of Halifax, none of the Port Authority members are affiliated with the International Longshoremen's Association or any other union involved in port activity.

5. Mr. Huxtable and Mr. Simmons.

METRIC CANADA TV COMMERCIAL

Question No. 2,221—**Mr. Dinsdale:**

1. Is there a Metric Canada TV commercial that states water freezes at 0 degrees Centigrade and, if so (a) for how long has the commercial been televised and for how much longer will it be televised (b) what is its cost to date?

2. Since the inception of the metric program, by year, what was the cost of advertising (a) in the press (b) on TV (c) on radio (d) in publications?

Mr. Ralph Ferguson (Parliamentary Secretary to Minister of State (Small Businesses and Tourism)): In so far as Metric Commission Canada is concerned: 1. Several 30 second film clips concerning temperatures in degrees Celsius were prepared early in 1975 by the National Film Board in collaboration with Metric Commission Canada. Consistent with the long-standing policy of the commission these film clips were made available to the CBC, CTV and Global television networks at no cost commencing in 1975. Member stations of all three networks have since then shown these film clips as a public service. Consequently, apart from the small initial cost of preparing the material, there has been no cost to the Canadian taxpayer for the broadcast of TV film clips and messages relating to metric conversion.

2. Due to budget limitations, Metric Commission Canada has a policy of not buying media advertising time and space. Consequently, there has been no money allocated for paid advertising in Metric Commission Canada's budget since the inception of the commission. On one occasion only, the Department of Industry, Trade and Commerce, office of information and public relations, on behalf of the Minister of Industry, Trade and Commerce did spend approximately $130,000 on March 31, 1975, for newspaper advertising relating to weather conversion.

WORKERS IN THE PUBLIC AND PARA-PUBLIC SECTORS

Question No. 2,238—**Mr. Herbert:**

Of the total employed work force in Canada, what is the percentage of workers in the public and para-public sectors, including the Armed Forces?

Hon. J.-J. Blais (Minister of Supply and Services): Statistics Canada reports: based on the labour force survey, Statistics Canada estimates that for 1980 the average employment level (including Armed Forces) was 10,735,000, of which 1,971,000 (18.4 per cent) was in the public sector.

BOOKLET "FEEDING AND MANAGING LIVESTOCK DURING A FEED SHORTAGE"

Question No. 2,247—**Mr. McKnight:**

What is the total (a) publishing cost (b) distribution cost (c) number of copies distributed of the booklet "Feeding and Managing Livestock During a Feed Shortage" issued by the Department of Agriculture?

Order Paper Questions

Hon. E. F. Whelan (Minister of Agriculture): (a) $83,626, (b) $34,882, (c) 123,000.

DND—CONTRACT TO GEORGE SALSKY

Question No. 2,299—**Mr. McKinnon:**

1. Did the Department of National Defence award a $17,700 contract to George Salsky for a study on the disparity in superpower space programs and, if so (a) for what reason (b) what are Mr. Salsky's qualifications for undertaking the study and on what date will it be completed?

2. Will the results be made available to Members of Parliament?

Hon. J.-J. Blais (Minister of Supply and Services):

1. (a) The Department of Supply and Services on behalf of the Department of National Defence, awarded a contract to Mr. George Salsky for a study of the space programs of the United States and the U.S.S.R. the object of the study is to place the superpowers efforts in space in proper perspective.

(b) Mr. Salsky's qualifications are as follows: former Senior Intelligence Analyst, degree in aeronautical engineering from a Polish University, studies in political science at Cambridge, University of Ottawa and University of Colorado, former Polish Air Force officer with service in the French Air Force and the RAF, studies at the University of Ottawa in Russian and comparative stylistics, former announcer and producer for the international service of the CBC service with NORAD.

Contract delivery date: October 15, 1981.

2. Since the report may deal with classified information, a decision to release it cannot be made at this time.

* * *

[*English*]

QUESTION PASSED AS ORDER FOR RETURN

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, if question No. 1,985 could be made an order for return, this return would be tabled immediately.

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Is it the pleasure of the House that question No. 1,985 be deemed to have been made an order for return?

Some hon. Members: Agreed.

[*Text*]

TELIDON—ACCESS AND PRIVACY

Question No. 1,985—**Mr. Beatty:**

1. What is a complete listing of all field trials of Telidon currently being undertaken and, in each case, what (a) is a description of the services currently planned (b) charges for service may be made, to Telidon customers?

2. What records of requests for service by Telidon customers will be kept and how will they be kept?

3. Who will have access to records of individual users of Telidon?

4. What steps have been taken by the government in order to ensure that the privacy of Telidon customers is respected?

5. What studies have been undertaken by the government into possible threats to privacy posed by systems similar to Telidon where centralized records of viewing patterns, credit ratings, purchases, electronic mail and other personal information may be gathered?

6. What action, if any, is the government committed to taking to ensure that the development of telecommunications systems such as Telidon or an electronic funds transfer system do not present threats to the personal privacy of subscribers?

Return tabled.

[*English*]

Mr. Collenette: I ask, Madam Speaker, that the remaining questions be allowed to stand.

Madam Speaker: The remaining questions shall stand.

GOVERNMENT ORDERS

[*English*]

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

The House resumed from Thursday, April 9, consideration of the motion of Mr. Ouellet (for the Prime Minister) that Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be read the third time and do pass, and on the amendment—Mr. Blenkarn (p. 9135).

Mr. Sid Parker (Kootenay East-Revelstoke): Madam Speaker, as the debate closed last Thursday evening on Bill C-42, to establish the Canada Post Corporation, I was speaking about two areas of concern to the New Democratic Party in respect to this new Crown corporation. One concern was with regard to small contractors and the fact that this new Crown corporation will deny them the right to become members of a union to negotiate their agreements. That is a matter we discussed quite firmly in committee, and I should like to quote from the remarks of the Postmaster General (Mr. Ouellet), as reported in the Proceedings and Minutes of the committee for December 18, 1980, as follows:

> The present land mail service contracts that we have are valued at about $90 million. If we were to carry this to the extreme—and I do not want to exaggerate the figure—the possibility of increased expenditures could be doubled or even tripled.

I wonder what the Labour Relations Board would think of a private business which was denying its workers the right to become unionized because it was simply too expensive? I am sure the Labour Relations Board would take a very dim view of that.

The other area of concern we have in respect of this bill relates to telecommunications operations. In the original bill the minister brought before the committee there were provisions for the new Crown corporation to become very actively involved in telecommunications as they relate to postal matters. Members of multinationals came in large numbers—I think they gathered as many as 20 in one group—before the committee and lobbied against the corporation's becoming actively involved in this area. With the help of the Conservative party and some members of the Liberal Party, groups including IT&T, Xerox, Kodak and Bell Canada, as well as our favourites, the insurance companies and the banks, convinced the Postmaster General that these provisions should be excluded and that they should so have the right. On behalf of our party, I am very disappointed that the minister folded under the pressure and that the new bill leaves this field wide open to multinationals from other areas.

I think this is a sad day for Canada and Canadians because this is going to be the way of the future in the post office. In five or ten years we will look back at this bill and say that we as Canadians lost something we should have provided for in the bill, and that we should then have started to gear ourselves up for the future.

• (1510)

For a moment I would like to speak to the amendment put forward by the hon. member for Mississauga South (Mr. Blenkarn), respecting what is known as a sunset clause. He said there was not time in committee to put it forward. It is correct that a sunset clause which could possibly be looked at five years down the road was never mentioned in committee. The Conservative Party should have spent a little more time with those kinds of programs instead of worrying about courier services, insurance companies and large multinationals. Very little was said about daily postal services in committee, yet they rise in the House and speak about it time after time. We all know that postal services are bad in every riding and that something must be done about the situation. That is what we are trying to do in this bill; we are trying to establish a corporation which will operate under some good management.

I should like to talk about the management of this new Crown corporation. The minister said that the management would be comprised of representatives from labour, management and Canada at large. It will be important for the government to select the very best people it can. I think the government should consult the Canadian Labour Congress and try to obtain some of the very best labour-oriented people to help bring this corporation together in a fair way. I hope the government is able to find a top management person who understands the operations and working atmosphere of the corporation. It will be very, very important for the directors of this board to bring about, in a very aggressive and determined way, a new service and a new program for the Crown corporation.

In closing, we urge the speedy passage of this bill, despite the reservations which I have just outlined. We are convinced that it is in the best interests of Canada to establish this Crown corporation as soon as possible.

Mr. Cyril Keeper (Winnipeg-St. James): Mr. Speaker, I want to make some brief comments regarding this bill, particularly an amendment which was made at committee level. It is my understanding that at committee level it was possible to make provision for a reasonable opportunity for appeal by local citizens when there is closure of a postal service. This provision would be with respect to shutdowns, cutbacks or closures. It is a good provision. As the bill is written, a reasonable opportunity for appeal includes the fact that any regulation closing down a postal station, for example, would have to go to cabinet. This is a legislative improvement of the present situation.

Presently when the government moves to close local postal services, the decision does not have to go to cabinet, at least not by way of legislation. While I feel that provision is good in principle, I appeal to the government that the practice and the implementation of that particular clause should be equally as good.

In speaking to that area, I should like to use an ongoing example in my riding. The government announced the closing down of a postal service in the city of Winnipeg, Postal Station D providing full postal service and substituting for it a sub post office in a drugstore. Clearly it will not be possible for people to receive the same service from a very small counter within a portion of a drugstore as they would receive from a full postal station in the neighbourhood.

The principle in this legislation should be put in practice now, before the bill is passed. The residents of Winnipeg who are served by Postal Station D should be given a reasonable opportunity to appeal the decision to close down this postal station. By "a reasonable opportunity", I mean they should have available to them the time in which to make a proper appeal and the information needed.

We have written to the government about this matter. We have moved motions in the House requesting the studies or information upon which this decision was based, but it was to no avail. We have not received any justification from the government for Postal Station D being shut down.

We contend that a reasonable opportunity to appeal such a closure should include providing the studies on which the government has made its decision, so that the community can question the studies and offer alternative information. Then cabinet could look at this service to the community and say, "Let us make a balanced decision in this case; let us have all the facts before us."

One reason offered by way of speculation on this station's being closed is that there is no other building in this very large urban neighbourhood in which to house a postal station. The present lease on the building has run out, and the government claims that it cannot find another building in the area to rent in order to continue that postal service. Clearly this is unsatisfactory. It is a complete misrepresentation of the nature of the neighbourhood. There are adequate buildings in the area. I

wish the government would not use such a flimsy excuse for a cutback in services.

I do not have before me the basis upon which the government made the decision to cut back this service. This is why I ask the government to hold off the closing of Postal Station D which is scheduled for April 24 and to provide the information so that the community can conduct a proper appeal.

I could guess at possible reasons why the government might close down a postal station. For example, the government might feel that it would save money by way of staff or the rental of space. But I must say that there are no savings in terms of staff in this particular case. The staff will be transferred out of the local postal station to the central postal station, so the government will still have to pay for staff. The space required for the local postal station and its many activities will be transferred to other locations, so the government will still have to pay for space.

Also I suggest that adequate revenues are generated by the postal service in the neighbourhood to support local services. If I had the financial analysis upon which the government decided to cut back the service, I could make a clear criticism of it, but I would like to make a couple of suggestions about possible revenues. Meter settings have been transferred out of this area. This is a very lucrative source of revenue and could support a local postal station. Lock boxes in the neighbourhood would be a source of revenue to keep the station open. In fact, in the downtown and centralized location in the city there are lock boxes. Their numbers are being increased and there is a three-month waiting period. Yet there is not even the space in the downtown central postal station to accommodate additional lock boxes to meet the local demand. So why not decentralize throughout the neighbourhoods in the city and reap the revenues which there will be by way of providing lock box services rather than simply depriving the postal station of these revenues and depriving the neighbourhoods of any local community service?

● (1520)

As I have said, lock boxes would be a possible source of revenue. I have been informed that a private company has opened up a lock box service in the neighbourhood of Postal Station D. I have a letter before me from the Canadian Union of Postal Workers in Winnipeg which reads in part:

—a private company has opened up a lock box service in the area of Postal Station D—

Is this some sort of continued privatization plan on behalf of the government, turning over public services to the private sector so that the private sector can reap the profit at the expense of the local community? There is clearly a demand here for lock box services. There is a demand for a service which could produce a revenue and for a continuation of neighbourhood services which people find convenient to use.

If I had the study before me upon which the government decided to discontinue this service, I could examine the facts with regard to revenues and expenditures. At this point I am simply forced to speculate on the reasons which were used to justify the closure of this postal station. This action is not in the spirit of the legislation which is before us. The spirit of the legislation before us is much better than that of the present administration of the government. The government should live up to the spirit of the legislation, immediately halt the closure of Postal Station D in Winnipeg and give the residents a clear and reasonable opportunity to appeal the decision to close.

I would like to say that the letters which I have received from the minister's office in response to my letters have not even been signed by the minister, so the minister has not really looked at this situation, and neither has cabinet. The new legislation would require that before a postal station such as this was closed down, cabinet would have to make a decision. It would have to confirm the regulations which would be passed under the legislation.

We are seeing a level of attention from this government which falls far short of what the legislation intends. I would have liked this legislation to pass much earlier than now so that people in my riding would be protected by it. I am informed by my colleagues who have been working on the parliamentary committee that studied this legislation that one of the reasons it has taken so long for this matter to come before the House is that Conservative members carried on a systematic campaign of delay at the committee stage. They raised all sorts of questions to put off the day when the legislation was to come before the House. So in large part the Tory members have been responsible for the fact that the postal station in my riding has not been protected by this legislation.

I am left to appeal to this government, obviously a government which today is demonstrating its insensitivity, to live up to the spirit of the legislation which is before the House.

Mr. Shields: I rise on a point of order, Mr. Speaker. The hon. member who has the floor indicated that the Conservative Party, my party, was holding up the legislation. I would like to inform him that I have taken my name off the list of speakers and he has spoken for 30 minutes. Who is delaying whom?

Mr. Deputy Speaker: In fairness to everyone concerned, that is not a point of order.

Mr. Keeper: Mr. Speaker, as you have just said, that clearly was not a point of order. I remember that when the hon. member for Mississauga South (Mr. Blenkarn) moved the amendment which is before this House, he indicated that a great deal of time was spent on this legislation, but perhaps not as much as should have been spent on it. He acknowledged that the Tories, through their gabfest at the committee level, had been delaying the return of this legislation to the House. I will not waste any more of my time—

Some hon. Members: Hear, hear!

Mr. Keeper: —with regard to the tactics of the Tories, who have deprived my community of protection under this legislation.

What I require now is a decision on the government's behalf to act in the spirit of the legislation which will be passed by

this House and allow a reasonable opportunity for appeal by the community of the planned closure of the postal station. While I feel that the provision in the legislation with regard to proper appeal and with regard to the fact that cabinet must make the final decision on cutbacks in services are good provisions, I must ask the government to call a halt immediately to the planned closure on April 24 of Postal Station D and give a reasonable opportunity to the citizens to appeal that decision.

Mr. Bill Wright (Calgary North): Mr. Speaker, I rise to speak to Bill C-42, which is an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts.

I could not help but be upset by the remarks of the previous speaker. I think all of us in this House recognize the valuable work done by the hon. member for Vancouver South (Mr. Fraser) who has worked so hard to create a postal Crown corporation. He had a commitment from the former prime minister, the present Leader of the Opposition (Mr. Clark), to bring in a bill to convert the Post Office into a Crown corporation by the spring of 1980. For the hon. member for Winnipeg-St. James (Mr. Keeper) to suggest that we are holding up this legislation is ridiculous, to say the least.

This bill was introduced last October for second reading. It was discussed in the House on October 24 and October 28. It was then delayed by this government until November 20. It is not the opposition which decides what legislation can be presented to the House and when it can be presented. That is the government's responsibility; no one else in this House has delayed this legislation. It is the obligation of the opposition to debate, probe and amend any proposed legislation which comes before the House. For a member of the New Democratic Party to stand up and say that we are delaying legislation is anything but the truth.

Bill C-42 went to committee on November 25. We debated the proposed bill in committee on that date and on the following dates: November 27, December 1, 4, 9, 10, 11, 15, 16, 17 and 18. It is a very complicated bill. Everyone recognizes the benefits which will accrue to the public by converting the Post Office into a Crown corporation. Surely anyone who attended the committee meetings understood the complexity of the bill.

• (1530)

The bill was brought back to the House on April 8. We have an hon. member in the NDP saying that we delayed it. There is only one hon. member in this House who can bring any legislation before this House, and that is the President of the Privy Council (Mr. Pinard). The only person who tells him when to bring it before this House is the Prime Minister (Mr. Trudeau). If there is anyone delaying legislation, it is the Liberal party, no one else.

For many weeks we have been asking for legislation to be brought forward, to get on with matters and suspend the constitutional debate. We knew there were important matters besides the Post Office, the economy and inflation, but the government refused to bring measures forward. Third reading began on April 9, and continues today, April 14. We also are anxious to have this bill go through, but we are not going to give this government a blank cheque.

There were provisions in the bill which were harmful to the public, and we have attempted to change some of them. Unfortunately, the government, with its majority and with the support of the NDP, was able to override our amendments.

The Post Office affects all of us. There is not one person here who is not affected by the post office every day in his life. Senior citizens are constantly sending us letters saying: "I do not get my letters on time. When am I going to get my mail? What are you going to do about the fact that I do not get postal delivery to my door?"

People are moving from Ontario to Calgary, buying a home, moving in, and finding out that they will not get any mail delivery for anywhere from two to five years. They are not being told that by the Post Office or by the Postmaster General (Mr. Ouellet). Then when they take the time to go down to the local post office to try to find out why, they are finally told, "We're sorry, there is a freeze on; we cannot help you". However, the Post Office does not provide any information telling people, they cannot have postal service. They keep quiet about that.

Numerous studies have been brought forward on the Post Office. I would like to refer to just a few of them. The first recommendations in this regard were made in 1962 by the Glassco commission and by the Montpetit commission. In December, 1978, Bill C-27 was introduced. It died on the Order Paper. In 1974 the hon. member for Vancouver South (Mr. Fraser) was preparing to bring forth a bill to make the Post Office into a Crown corporation.

When one looks back at the history of the Post Office, one is astounded by some of the things which have happened. Between 1918 and 1965 there were three strikes in the Post Office. The people of Canada were without mail for seven weeks. Between 1968 and 1978 there were 11 Post Office strikes in Canada. However, that is not the worst part. A strike is one thing, but would one believe that as a result of the 11 strikes the people of Canada were without mail service for 51 weeks? In the last 13 years we have been without mail service for one full year. Then the government had the gall, supported by the NDP, to suggest we are holding this bill up. They should hang their heads in shame. We want to examine this bill to make sure that it is a viable bill and that the people can live with it. It is ridiculous to suggest that we are holding up passage of this bill.

There is some sad history relating to this bill. In 1967-68 the average cost of a piece of mail, regardless of size, was eight cents. The cost has now risen to 27 cents for the average piece of mail. In 1968-69 the Post Office lost $67 million. Last year it lost $279 million. It now looks as though it will lose $450 million.

It is interesting to look at some of the figures. In 1968 there were 36,000 workers in the post office; there are now over 60,000, an increase of 64 per cent. However, in 1968 each worker handled 132,000 items a year; now, according to the latest figures, they handle 106,000. There must be something the matter with the way in which the Post Office is operating. We know there are problems between the unions and the workers.

In speaking to Post Office officials from time to time, I have referred to some of the ridiculous expenditures by the Post Office. In the post office in Calgary and, I assume, in many of the other supposedly modern ones, there is an optical character reader. I am not sure what it costs now, but to upgrade it will cost something over a million dollars. I have written to the President of the Treasury Board (Mr. Johnston) asking him when this would happen. The Post Office management are crying out for these OCRs. The optical character reader has an efficiency ratio of 78 per cent and it replaces approximately 20 people. It operates at 50 per cent of capacity. Twenty people replace the optical character reader instead of 40. In other words, they need 20 more people in the Post Office than really necessary. What do those 20 people represent? It is almost ridiculous to go through the mathematics. Twenty people at $20,000 a year is $400,000. In a little over two years they could pay for the OCR. However, the Post Office supposedly imposed a freeze. The real problem is that it does not know how to make decisions. It cannot get any leadership from the Postmaster General; he would rather sit back and wait until somebody else moves in and tries to solve the problem.

We are aware that there are problems in the Post Office between the unions and the workers. The NDP does not like anyone to say that. It is quite evident that there are problems. There are also problems between the unions and management. One union leader has said, "I don't care if the Post Office ever works; I am not here for the Post Office". All one has to do is to ask, and he will say why he does not care.

● (1540)

There are problems with management and staff because the union sits between them and they do not know what to do. There is trouble between the two unions and between the inside and outside workers. Although there are a number of problems, it is hoped that by making the Post Office a Crown corporation some of them will be solved.

I should now like to refer to my own riding. The conditions there are a disgrace. There are approximately 4,000 homes without any type of mail delivery. I have tried to explain to the Postmaster General, the deputy postmaster general and the regional postmasters that this involves unbelievable cost. Some of these people have to drive up to five miles a day to collect their mail. As I explained to them, the cost for gas alone is over $200,000 per year. They keep saying that they cannot afford to do anything about it, but it is costing some people $200,000 per year. If the figures that I get from the Post Office are correct, the average postman can handle up to 500 homes. Therefore, it would require eight postal officers, eight postal workers, to handle the 4,000 homes in my riding that are without service. At a cost of $30,000 each worker, the total would come to less than a quarter of a million dollars.

This government does not know how to save money, Mr. Speaker; it only knows how to spend it. We should question everything that it brings forward to this House. We might agree with its legislation, but we are bound to examine it because we do not know what the government will try to slide through.

From time to time in this House I have risen to ask the minister some questions. On June 5, 1980, I put a question to him; on May 16, 1980, I moved a motion under Standing Order 43 and on June 26, 1980, I spoke on the adjournment debate. The questions that I brought up at those times have never been answered by the Postmaster General. He says, "Wait until it becomes a Crown corporation and we will solve all those problems".

About a month and a half ago, in reply to a question put by one of my colleagues, the minister said that for each letter that might be delivered late, 90 or 92 arrived on time. Being fairly well acquainted with the Post Office, I decided to check that out. I called the Ottawa postal station and was told that it takes two or three days for a letter to go from Ottawa to Calgary. We did an analysis and found that of 102 letters sent to Calgary from my office in February, six were delivered within four days; 25 within five days; 43 within six days; 12 within seven days; eight within eight days; six within 11 days; one within 12 days; one within 13 days and none on time. I would challenge the Postmaster General to prove that 90 or 92 letters out of 93 reach their destination on time. The minister made that statement off the top of his head.

In my constituency office the greatest problem I have by far is the non-delivery of mail. Pay is not received on time by union staff. They even have trouble with their unions and cannot get satisfaction there. There are problems between the union and the staff over pay. Many inside postal workers do not receive their pay sometimes for up to six weeks. What does the Postmaster General do about that? It is no wonder that we want to examine this bill. If we did not examine it, our constituents would be asking us why we can trust whatever the government brings forward. Obviously this government brings forward things which the public cannot abide.

I am as anxious to have the Post Office made into a Crown corporation as anyone else, but I think we must remember one very important point. This Crown corporation must be responsible to Parliament. The Post Office is in a mess but it did not get that way by itself; it got there because of inept ministers, past and present. I hope that the Postmaster General will keep in mind that one of the main ways to prevent the same thing from happening again is to have the Auditor General audit the books of the Post Office. If we do not ensure that happens, we will be remiss in our duties.

I am as anxious to see the work of the hon. member for Vancouver South completed as anyone. We hope to get the bill through, but I must tell the Postmaster General that of all

Crown corporations present and future, we will be keeping a closer eye on the new post corporation than on any other.

Mr. Girve Fretz (Erie): I shall keep my remarks brief, Mr. Speaker. I am pleased to speak today on Bill C-42 because I sincerely hope that we will see an improvement in the service offered by the Post Office. I also want to say that the former postmaster general has worked hard on this bill for this party in committee. I am pleased to be able to say that some of the amendments we offered have been accepted, and that was in no small part the result of his work.

I should like to share with the House my concern for the apparent lack of provision for the maintenance of the buildings. No such amount is shown in the budget. The buildings are presently maintained by the Department of Public Works. I should like to ask the minister whether this matter has been taken into consideration.

I should like to refer to a few complaints that have been received in my office since I have been a member of this House. Just last month 1,500 letters were sent by first-class mail from Ottawa and were delivered two weeks later. It took two weeks for those letters to be delivered, Mr. Speaker. The letters were of a very sensitive nature because they were sent during the provincial election held in the month of March.

On January 26 I received a letter from a constituent in Fonthill, an Eleanor Arbour, from which I should like to quote one paragraph:

> This is not the only problem we have had. I also received a letter from Buffalo that was mailed December 22, 1980. It arrived January 13, 1981. This contained tickets that we needed for New Year's Eve. The strange part about this is that friends of ours got tickets from the same place mailed also on December 22, 1980 and they received theirs on December 31, 1980.

It took this letter 22 days to travel 35 miles at the most, Mr. Speaker.

I should like to read a paragraph or two from a letter from another constituent, Mr. Kenneth Arnold of Port Colborne. He refers to a card that was mailed in Texas on December 29, 1980, and a letter mailed by his daughter in Texas on January 6, 1981. Both were received on January 12, 1981. The one mailed on December 22 took 21 days to come from Texas. In that time we could drive down there and back and spend a week or ten days, perhaps longer, vacationing.

• (1550)

Another paragraph reads:

> Could you please do something about our so-called postal service. I read in the newspaper the supervisor of the postal service said this was due to absenteeism, they even had to close some post offices due to this. If businesses or industry operated this way, they would soon be out of business.

That is just one constituent of mine who has written regarding his concern.

I have another letter from Hilda Pearce of the town of Fort Erie. A paragraph in her letter reads:

> In reference to mail delivery: air mailed in Gloucestershire, England, December 10, 1980, arriving yesterday January 12, 1981, this was the last straw.

That is an example of a letter mailed one month previous to the time of arrival in the town of Fort Erie. I hope that delivery service will improve with the passing of this legislation making the Post Office a Crown corporation.

I want to draw hon. members' attention to an organization which is active in my riding. It is called N-TEC, which stands for Niagara Training and Employment Agency Inc. N-TEC is located in Port Robinson, Ontario. The agency is a non-profit, vocational, rehabilitation workshop providing programs and services for the emotionally, mentally and physically disabled adults of the Niagara region. Currently, approximately 75 people are employed in their program. One of the vocational training programs they operate involves the delivery of bills for a number of public and private utility corporations in the Niagara region. I have visited this institution. I must say I am impressed with the facilities they have and with the staff who work with these people. This is a place where retarded and disabled people can find meaningful employment. They gain self-respect, create a self-image and learn resourcefulness. As a result they feel needed and wanted. N-TEC is heavily dependent on the revenues generated by the mail delivery program.

It seems that this program will be lost. N-TEC will be extremely hard pressed to meet all its obligations and will certainly suffer financial hardship as a result. In the light of the current economic climate, they doubt whether they could secure other contracts to recover the possible loss of mail delivery contracts which they have had. Indeed, it will be a severe blow to N-TEC.

Aside from the monetary issues, of course, the more critical issue is that of people, to which I alluded just a minute ago. People with disabilities have faced disadvantages throughout their lives. N-TEC's purpose is to try to even the score and provide opportunity where it did not exist. N-TEC gives people a chance to produce and therefore contribute to their own well-being as well as to society. The people at N-TEC do contribute. They take a great deal of pride in themselves and for the reliable and dependable service for which that organization is known. It is true there are jobs which disabled people cannot perform, but then there are many more jobs they can. Invoice delivery happens to be one of them, with the added bonus that these people can learn to work in their own community with their heads held high by the recognition they have earned.

Restoring self-dignity is the first step forward. That can only take place if meaningful work exists for these people. In this International Year of the Handicapped, should we not be thinking of ways to assist, not hinder, our disabled people? In the total scheme of things N-TEC's invoice delivery contracts are only a drop in what we might call the proverbial bucket. Whom are we hurting if we continue what has begun? They are not asking for a handout, a loan, a grant or even a parliamentary decree; in fact, they ask for nothing. The disabled ask for nothing but the right to be ordinary people.

What we need in this House, and what needs to be displayed by this government, is justice, justice tempered with mercy. I want to put on the record excerpts from two letters which I

feel are important and pertinent to the subject about which I am speaking. One is from the Port Colborne Hydro-Electric Commission, dated December 11, 1980. This letter was addressed to the Department of Miscellaneous Estimates. In part, it reads:

A limited number of handicapped organizations have undertaken the delivery service of certain bills in the municipalities. This service, often by young mentally retarded people, relies heavily upon the income from the service to sustain their operation and even greater upon such a service to allow these less fortunate people a chance to take a meaningful part in their community.

I hasten to add, my request is not prompted by monetary gains, but by the need to allow such organizations the right to provide work so that those less fortunate can fulfil this meaningful role.

I am, of course, in complete sympathy with the minister and postmaster's attempt to make the post office an equitable entity.

I, however, feel that the limited loss of revenue cannot be weighed against the accomplishment of providing work for the handicapped and mentally retarded.

I have another letter from the Port Colborne Hydro-Electric Commission signed by Mr. Bishop, dated February 19, 1981. A news release accompanies the copy of the letter to me. In the news release we read:

To date, the Hydro utility have received nothing but negative response from the Honourable Minister André Ouellet, Postmaster General in the bid to have the bill changed to protect the handicapped people.

At the committee stage, the minister's remarks, although sympathetic, were more concerned with the financial implications that these changes may have on the post office.

The letter which was addressed to the Right Hon. Prime Minister of Canada reads, in part:

Surely the loss of revenue to the post office that this small band of willing, handicapped workers would cause would be a "drop in the bucket" when compared to the total revenue of the post office department.

I could plead, Mr. Prime Minister, further that this is the International Year of the Handicapped. But should we have to plead for these willing workers who are limited in the type of work they are able to accomplish, who in effect ask for nothing but the right to work? I suggest not. This is and should be their charter of human rights and should be protected by the duly elected government of this country.

In conclusion, on behalf of the Port Colborne Hydro-Electric Commission, I respectfully solicit, Mr. Prime Minister, your personal intervention and assistance in making minor changes to Bill C-42 to accommodate the handicapped people who are at present engaged in the small delivery service.

It seems ironic that we have been dealing with the Constitution in this House. We have been talking about a charter of rights and the rights people should have, yet here is a group of people who will be legislated against because they will not be able to deliver these bills for the power company. I say it is a shame.

Some hon. Members: Hear, hear!

Mr. Fretz: In conclusion, I want to tell hon. members a story about someone who lived in my riding. He had a dream. He saw the potential in these people who are handicapped and about whom I have been speaking. He believed in them. He had a dream that one day there would be a place for these people to gather and to work. That dream has come to fruition. I have visited that place; I know it stands there. It stands as a memorial to the work this man has done.

• (1600)

It is a sad day for this House that Bill C-42 will not allow these people to carry on this kind of work. I visited the dream he had. I visited that place and talked with those on staff. It is indeed a fine place to visit. It is a fine memorial to the man who had that dream. He passed away about a year ago, I think, because he burned himself out for others. His name was John Brennan.

An hon. Member: Where are the NDP when you need them?

Mr. Fretz: Where are they? When we look at this particular provision in the bill, we can say with conviction that the government is heartless. It is heartless when it makes no provision to allow these people to deliver hand bills and power bills.

May I present this challenge to N-TEC and other organizations like it throughout the country which may still be delivering electric, power or gas bills for utility companies. Perhaps N-TEC should continue to deliver these bills or invoices because they are not letters. Perhaps, as the hon. member for Mississagua South indicated, that is not mail. Perhaps whether these invoices are mail in the strict sense of the word should be challenged in the courts.

I thank the House for the privilege of being able to speak for these few minutes on an issue near and dear to my heart.

Mr. Geoff Scott (Hamilton-Wentworth): Mr. Speaker, I too will be brief. The space shuttle astronauts had to make their decisions in split seconds during their magnificent re-entry and landing today. Therefore, ten minutes should be sufficient to get my point across. I have my stop watch set.

I welcome the opportunity to speak briefly before this House on a very important piece of legislation, Bill C-42, which seeks to create the Canada Post Corporation. I want to assure this House at the outset that I support and welcome a Crown corporation for the Post Office.

As member of Parliament for Hamilton-Wentworth, I have had the opportunity many times to present the Postmaster General with numerous cases of very poor postal service to many of my constituents. In some cases I have been satisfied that the Postmaster General's answers were fair and well researched. I hope the Postmaster General is listening at the moment because I am going to pay a rare compliment to him. I give the Postmaster General credit for his attention, patience and his negotiation to get a truly better bill for Canada.

Some hon. Members: Hear, hear!

Mr. Scott (Hamilton-Wentworth): Now for the bad news. I have to admit that in the majority of cases when I have contacted the Postmaster General, frankly I have not been satisfied with the answers he has given me, either in this House

of Commons or through correspondence. Nor have I been satisfied with the Postmaster General's role in this House.

The hon. member for Papineau (Mr. Ouellet) and I have known each other for a long time. We have a good working relationship when he wears his other hat as Minister of Consumer and Corporate Affairs. However, that is the problem: he wears too darned many hats.

I believe the Postmaster General is being spread far too thin for his various duties to be effective. In addition to his onerous role as head of the Post Office, perhaps one of the most difficult and thankless jobs, he is also splitting his time as Minister of Consumer and Corporate Affairs. In addition to these weighty responsibilities, the minister has a heavy schedule as Quebec lieutenant of his party. The clearest indication that the minister is spread too thin is easily documented by the often uninformed answers he provides the House of Commons, even after I have briefed him from time to time on questions I would like to ask him as consumer affairs minister. However, I feel he has a handle on that department through his officials.

I hope once the new Canada Post Corporation is born that a different minister will be assigned to speak for that Crown corporation in the House. It will give the Minister of Consumer and Corporate Affairs more time to spend, which I think he knows he needs to spend, on the very important area of consumer and corporate affairs.

May I deal briefly with another problem within the Post Office other than that of the minister, namely, the deplorable state of management-labour relations. We constantly hear of ongoing chaos and confusion through the media, through our work in the House and through our constituents. I cannot think of another institution or private company in Canada which enjoys or suffers worse relations.

This would seem to strike at the heart of our problem in our current postal system. There is precious little, if any, trust from either labour's or management's point of view. As long as this situation is allowed to continue, the Post Office, either as a government department or a Crown corporation, will not function effectively.

However, the problem is not primarily labour-oriented. A number of my constituents are Post Office employees. They are dedicated, do their jobs well and are proud of the valuable work they do in the time-honoured tradition of Canada's royal mail. They are frustrated, however, by the attitude of management. They are frustrated by the introduction of machinery, which has been done haphazardly without regard for those working on it. They are frustrated with a system of management where it takes two to three months to receive overtime pay. They are frustrated by a system of management which has refused to take employees' grievances seriously.

Just as management will take an intransigent attitude, so will employees. I firmly believe that if we transfer the same management personnel currently in the Post Office to the Crown corporation, just as if we automatically transfer the trouble-makers in certain sections of the Post Office to a Crown corporation, we will simply be transferring the problem, not eliminating it. We must be able to get the Post Office as a Crown corporation organized so that we can finally move the mail quickly, effectively and efficiently. We cannot sit back and hope that this is all going to happen; we are going to have to work at it.

People ask what good it is going to do by turning the Post Office into a Crown corporation. Good question. There are good Crown corporations and there are bad ones. We on this side of the House are going to ensure that the Canada Post Corporation will be a good one. We will be watching it very closely.

Aside from the management-labour concerns, the Canadian people in general, and certainly the citizens in my riding of Hamilton-Wentworth, are concerned with the length of time it takes to get the mail delivered. We have heard a litany of disasters throughout this debate from members on all sides of this House regarding these problems.

The Postmaster General states that 95 per cent of the mail is being delivered on time. To put it mildly, my people think this estimate perhaps a wee bit high. I receive on average two letters per week complaining about the postal system and many more phone calls. I guess a lot of people simply do not trust the mail. Let me describe just three of the most recent letter complaints I have received. A letter from the Canadian Pension Commission here in Ottawa was mailed on February 2, 1981, to a constituent of mine in Hamilton. It was delivered on February 19, 1981. I find it very hard to understand why it took a first-class letter complete with postal code 17 days to get from Ottawa to Hamilton.

Another case in point is from Mrs. Howell of Jerseyville, Ontario. A reply to a request of Mrs. Howell's was mailed in Toronto on December 17, 1980 and delivered on January 14, 1981. Jerseyville is roughly 45 miles from Toronto. It would have been quicker to hand deliver it. I could have delivered it.

Mrs. Goodram of Ancaster, Ontario, had a very important letter to send to her son in Calgary. She decided to register it, thinking it would get to its destination in good order and plenty of time. She mailed it on December 22, 1980. The registered letter finally reached Calgary on January 21, 1981. You can talk about the Christmas mail rush and all the delays that entails; however, for a registered letter to take that length of time to travel half way across Canada is unforgivable.

• (1610)

I will not go into the countless letters complaining that it took 25 days for mail to arrive from Britain or into the delays in getting mail to Dundas, Ontario, from Ancaster, Ontario—both in my riding—a distance of less than five miles. I do not even want to go into the case of the letter which went from Ancaster to Dundas via London, England. The current record, apparently, from Ancaster to Dundas is nine days. Nine days! That is the record for the Post Office. Do hon. members see why we want a Crown corporation? The service can only improve.

We all know the frustration of dealing with parcel post. If we receive a parcel within a few weeks, the odds are even that it will be damaged. I recently received eight packages from various provincial capitals across Canada. They were provincial flags which we were to instal at 447 Squadron at Mount Hope. Half the package had been repaired by Canada Post. The parcel-sorting machines simply chewed those packages up and spit them out. Mercifully, the flags arrived intact.

Two constituents of mine, Mike and Wendy Gould, went out to visit western Canada. While in Nelson, British Columbia, they purchased some unique stoneware pottery. Unable to bring it home through the airline, they decided—with much trepidation, I might add—to put their faith in Canada Post. Well, you guessed it; even though they packed it very carefully—they absolutely plastered it with "Fragile" stickers—and registered it, the thing was delivered smashed to pieces. The district post office said, "Sorry, we can't be responsible for damage incurred," even though it was properly packaged, properly marked and properly insured. Hon. members may ask, as I did, why on earth they would entrust their valued pottery to the Post Office. They wanted to use the Post Office, not some private courier, because day after day we are told to have faith in and use our postal service.

What happens when you have a small business and must rely on the parcel post system for movement of goods? Let us consider the case of Mr. Paul Orosz of Hamilton, Ontario, who has a small car radio business. He occasionally must return units to the manufacturer. Last summer, after successfully using the mails before, he mailed on three separate occasions from two different postal stations three properly wrapped, marked and insured parcels for return to the manufacturer. All three packages where smashed when they reached their destination. Mr. Orosz was presented with a bill of $377 for repairing those radios. We found out later that the parcels were insured for theft only, not damage. Mr. Orosz used the mail because, like many other small businesses, he could not afford courier or freight rates. But he will use these in the future. What is the cost to Canada Post and the new Crown corporation if many more people like the Goulds or Mr. Orosz decide not to use the postal system again?

We are having a difficult time getting proper mail delivery in some sections of my riding. These are rural areas which have been served by the same post office for many years now. An elderly couple ran one post office but they have declined to continue. The officials in that area have not been able to find anyone to carry out the job, so they are attempting to get some other type of service, such as box service or door to door delivery. This is also happening in one special community in my riding, West Flamborough. It is an area with a great number of elderly Canadians. Service must be accessible in the winter months or in just plain poor weather. A decision has not yet been reached. The minister has assured me, however, that action will be taken—or that at least this can be more fairly, efficiently and properly dealt with—when Bill C-42 is given final assent.

Although I feel there may be an axe being held over my head, the people in my riding deserve a postal system which is efficient, reasonable and improved over the present one, and so we are waiting for the birth of the Canada Post Corporation.

In connection with this legislation, I am returning it to the sender; but I will be supporting this bill to make the Post Office a Crown corporation.

Hon. John A. Fraser (Vancouver South): Mr. Speaker, it is a considerable pleasure for me to rise to indicate the support of my party for the legislation which is before the House. As all hon. members know, as postmaster general I was committed, on behalf of my party, to introduce this legislation as early as the late spring of 1980. I want it shown on the record that that was accepted by the prime minister at that time, and I have to say to those who have spoken of delay that the delay is not due to any acts of the government of the leader of my party.

I also have to say, because it is appropriate to do so, that while I was occupying the post of postmaster general I received very considerable co-operation from all of the unions which represent the workers in the Post Office, and I also received co-operation from the managerial part of the Post Office. At my request I received very considerable co-operation from the Canadian Labour Congress, which agreed to oversee a committee which would work toward the implementation of a bill which, as far as possible, would meet the needs of management and the postal workers. I know my friend, the present Postmaster General (Mr. Ouellet), received continuing co-operation from that Canadian Labour Congress committee.

The whole thrust of the bill I was working on and the thrust of this bill is to give a new chance to the Post Office and the Post Office family. I believe the bill recognizes in a very significant way the necessity to continue this great public service for all Canadians, not just a limited number of them. While the bill presented to the House is no doubt not without some defects, it goes a long way toward meeting the needs not only of the Post Office but also of the Canadian public, which is entitled to service from the Post Office.

I regret that I have to bring to the attention of hon. members a letter which was written by a friend of mine in the New Democratic Party, the hon. member for Vancouver-Kingsway (Mr. Waddell), but I am going to mention it. I hope my friend, the hon. member for Kootenay East-Revelstoke (Mr. Parker), who has worked as the NDP critic on matters relating to the Post Office, will not take anything I say as being aimed at him because I assure the hon. member that these remarks are made only with respect to this letter; I impute nothing to my hon. friend, who has worked extremely closely with me and has contributed very greatly to the improvement of this bill.

Again I say I regret having to bring this to the attention of hon. members, but on March 24, 1981, the hon. member for Vancouver-Kingsway wrote a letter to a gentleman in Vancouver in which he said this:

> Unfortunately, we have been unable to get all-party agreement for this very important piece of legislation.

He was referring to Bill C-42.

The Conservative Party has decided to stall the changes, mainly because the new Crown corporation is likely to hurt some of their corporate friends in the courier business. Although the bill was ready to be implemented as early as last fall—

The fall of 1980.

—the Tories have succeeded in keeping it off the floor of the House of Commons for almost six months.

I understand the cut and thrust of politics, but I do not understand a written statement which does not contain a grain of truth. I regret this very much because the hon. member is well and very favourably known to me. I suspect he did not even write the letter, but it is certainly clear that he signed it. I hope hon. members will bear with me for just a minute while I put the record straight.

● (1620)

First of all, the bill was introduced in July, 1980. While there were some discussions between myself and the Postmaster General to try to put it through in speedy fashion, that was made impossible because of action the New Democratic Party was taking in the House of Commons, action which was perfectly legitimate but which did extend the sittings of the House for another week and made it impossible to get any agreement for a further extension to deal with the bill.

Secondly, the bill was brought before the House of Commons for second reading on October 24. It was debated on that day, on October 28 and then on November 20. As hon. members have pointed out already during this debate, the determination as to when debates take place and when bills are introduced lies completely with the government.

The bill then came before the committee and was before the committee on December 1, 4, 9, 10, 11, 16 and December 18. During those days, because of the hard work of members of the committee from all parties and also to a very great degree the flexibility of the Postmaster General, there were at least 50 changes made in the bill, and hon. members can check the record on that. There may have been a somewhat smaller number of amendments, but they were the result of the deliberations at the committee hearings.

In addition, and just in case anyone thinks we were wasting our time, this is a list of the groups which came before the committee to give us their views about the bill, many of which helped improve it. The list includes the Canadian Telecommunications Carriers Association, the Canadian Bankers' Association, the Canadian Chamber of Commerce, the Canadian Business Press, the Canadian Daily Newspaper Publishers Association, the Canadian Periodical Publishers Association, the Graphic Arts Industries Association, the Consumers Association of Canada, representatives of Canadian courier companies, the government of Ontario, the Canadian Manufacturers' Association, the Chief Electoral Officer, the Retail Council of Canada, the Institute of Canadian Advertising, the Canadian Labour Congress, Bruce Light and Judge René J. Marin, commissioner of inquiry relating to the security and investigation of services branch within the Post Office Department.

Other groups that submitted briefs which were looked at by the committee include Action Bell Canada, the Canadian Business Equipment Manufacturers Association, the Canadian Direct Mail Marketing Association, the Canadian Industrial Communications Assembly, the Magazine Association of Canada, the Ontario Trucking Association, General Motors of Canada Limited, V.S. Services Limited, the Canadian Cable Television Association, Peter R. Kemball & Associates and the United Parcel Service Canada Limited.

I do not think I need gild the lily here, except to point out that all these groups which came before us have a very real interest in the Post Office and in the legislation which is before us. It does some credit to the members of the committee—and I give credit where credit is due to members of the committee on all sides, to the Postmaster General and my friend, the hon. member for Kootenay East-Revelstoke, and also colleagues of mine—that in a space of seven days all those witnesses were heard. Because they worked long hours, the bill came out of the committee in a form to be presented to the House of Commons very late on the night of December 18. The bill was released from committee that night because there was a very real sense on my part and on the part of others that, in view of the labour negotiations which were taking place at the time, all haste should be used within the bounds of common sense to get the bill through. As a consequence the bill was then released from committee and brought back to the House for report stage and third reading. It was not introduced to the House at the report stage until April 7. The blame for that, if one wants to lay blame, can only lie with the government. It certainly was not my party that was trying to hold up the bill.

I am sorry to dwell on this, Mr. Speaker, but I feel the accusation made in the letter of the hon. member for Vancouver-Kingsway is so false the public is entitled to have an answer to it.

When the bill came before the House there were 11 motions at report stage, and they were dealt with expeditiously. It is interesting to note that three of the motions put forward by my party were accepted by the Postmaster General, and one was ruled out of order. Three of the government motions were accepted while four of the motions put forward by my party were rejected. One of those motions was supported by my colleagues in the NDP. That was the very important amendment, which we wish had been accepted by the government, relating to the necessity to appoint the Auditor General as auditor for the Crown corporation. Hon. members will remember that the hon. member for Kootenay East-Revelstoke spoke very strongly in support of that proposal and NDP members voted with us.

In respect of the rest of the debate, it has gone on for several days and I am happy to advise the House that it is going to end this afternoon.

I just want to say a couple of things. First of all, as my friend the hon. Postmaster General knows, just creating the Crown corporation is not in itself the whole answer to the problems of the Post Office. It is a start and it has to be given a chance. I hope the government, after this bill is passed with

our support, will be extremely careful in the appointment of the board of directors. The Postmaster General knows that the number on the board of directors was expanded at our suggestion, with his consent and compliance.

It is also important that there be some continuation of management personnel. Having had some experience in that respect, I can assure all hon. members it will be extremely important to maintain continuity of management during the transition stage, at least until the Post Office is actually operating in full swing as a Crown corporation.

The other thing I want to say, and I will close on this, Mr. Speaker, is that there are many people who, because they are frustrated and as a consequence are criticial of the Post Office, perhaps unintentionally though sometimes intentionally, tend to leave the impression that we should just break it up and disband it because surely somebody else could perform the service. I want to address that matter by referring to only a few points.

The Post Office is a great Canadian public institution. There is no way the service which Canadians all over this great land require can be handled by just taking parts of the post office operation and turning them over to private corporations. I am convinced that if that were done the easy traffic would be handled at great profit but the difficult and costly traffic would not be handled at all. If the Post Office is to succeed, it must be able to compete for the profitable traffic to make up for the fact that it is called upon as a public institution to deal with traffic which is not profitable, but which is traffic which most Canadians insist on, with every right to do so.

I want to say to all colleagues that this party supports the bill. We think it represents a new beginning. Of course, we will be watching very carefully how the Post Office conducts its business affairs. I must say on behalf of my party we wish management and the employees of the Post Office well. We understand perfectly the immensity of the task which lies before them. My experience in dealing with the leaders of the unions in the Post Office has convinced me that the rank and file of Canada Post are as anxious to reform the Post Office and deliver the kind of service they expect Canadians to have as anyone else.

It is my very great privilege and pleasure to wish everyone in the Post Office well, with a sincere desire that the postal service of Canada improve and continue improving as the months and years go on.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

Mr. Deputy Speaker: Order, please. It is my duty, pursuant to the provisions of Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for St. John's West (Mr. Crosbie)—Marine transport—North Sydney, N.S. to Argentia, Nfld. ferry service; the hon. member for Halifax West (Mr. Crosby)—Marine transportation—Withdrawal of Dart containerline service from Halifax—Holding of inquiry; the hon. member for Fundy-Royal (Mr. Corbett)—Regional development—Application of program to deal with regional inequalities.

• (1630)

GOVERNMENT ORDERS

[*English*]

CANADA POST CORPORATION ACT

MEASURE TO ESTABLISH CROWN CORPORATION

The House resumed consideration of the motion of Mr. Ouellet (for the Prime Minister) that Bill C-42, an act to establish the Canada Post Corporation, to repeal the Post Office Act and other related acts and to make related amendments to other acts, be now read the third time and do pass, and on the amendment—Mr. Blenkarn (p. 9135).

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

Some hon. Members: On division.

Amendment (Mr. Blenkarn) negatived, on division.

Mr. Deputy Speaker: Therefore, the question is on the main motion. Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the third time and passed.

CUSTOMS TARIFF

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-50, an act to amend the Customs Tariff and to repeal the Irish Free State Trade Agreement Act, 1932, the Union of South Africa Trade Agreement Act, 1932 and the United Kingdom Trade Agreement Act, 1937, as reported (without amendment) from the Standing Committee on Finance, Trade and Economic Affairs.

Hon. Walter Baker (Nepean-Carleton) (for Mr. Lambert) moved:

That Bill C-50, an act to amend the Customs Tariff and to repeal the Irish Free State Trade Agreement Act, 1932, the Union of South Africa Trade Agreement Act, 1932 and the United Kingdom Trade Agreement Act, 1937, be amended in Schedule VI at page 323 in the proposed tariff item 47810-1 by striking out the words "other than dental surgery".

Mr. Knowles: Mr. Speaker, it is not that a Conservative member needs me to speak in his defence, but we understood all along that the hon. member for Edmonton West (Mr. Lambert) wished to speak to his amendment.

Mr. Kempling: He is on his way.

Mr. Knowles: In all fairness it would not hurt us to sit in silence for two or three minutes, since he has been sent for and is on his way here.

Mr. Baker (Nepean-Carleton): Mr. Speaker, we moved so expeditiously with the Post Office bill that I think we are one jump ahead of the bus service from the West Block. I have been advised that the hon. member is on his way. If that suggestion is agreeable to the House, I think we could expedite the business and that bill.

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, in light of the wind which is presently blowing, it was difficult to get here from the West Block, even in my spare form!

Miss Bégin: What about Participaction?

Mr. Lambert: The minister should not speak of Participaction in that particular wind!

● (1640)

The point I want to discuss this afternoon, and the subject of my amendment, is a rather narrow one. It deals with an amendment to tariff item 47810-1. The facts of the matter are these, Mr. Speaker. Prior to November 9, 1979, the Department of National Revenue collected duties on dental materials because it considered that the words "surgery" and "surgical prosthesis" in tariff item 47810-1 did not include dental surgery or dental surgical prosthesis. However, under appeal No. 1377 the Tariff Board ruled that the term "surgery" did include dental surgery and that "other surgical prosthesis" included dental prosthesis. The Tariff Board found that the customs administration had been in error for many years.

One might ask what happens to all that revenue which was apparently improperly collected. Has any of it been refunded? Is this merely one of those cases where the taxpayer has been told "tough luck"? In any event, that is not the subject matter of our discussion this afternoon.

The Tariff Board's ruling meant that no duties were payable in accordance with the law as it was written. However, the one firm in Canada engaged in a minor way in the manufacture of dental materials, that is Johnson and Johnson (Canada), wrote to the Department of Finance to have the duties introduced on amalgams and other dental materials at the levels which Customs had been collecting in error. While the dental laboratories conference did complain about the fact that duties would be removed from finished prosthesis, they did not ask that duties be imposed on dental materials. Indeed, when the conference determined that removal of duty-free treatment for dental prosthesis would mean the consequent elimination under tariff item 47900-1 of duty-free treatment for dental materials, they withdrew their request. The officials in the Department of Finance indicated, quite rightly, that the main petitioners for the restoration of the duty which had originally been collected in error were Johnson and Johnson. That is all this budget does, notwithstanding the fact that the Canadian Dental Association, on behalf of all Canadian dentists, is opposed to this particular proposal.

I have before me correspondence addressed to the minister from the president of the Canadian Dental Association, as well as to the Minister of National Health and Welfare (Miss Bégin) and to the Minister of Finance (Mr. MacEachen) which gives some more background. The Canadian Dental Association was not consulted before changes to tariff item 47810-1 were proposed in the budget.

That is one point about which I believe the officials in finance are more than arrogant. I know that in the United States, for instance, industry, associations and all aspects of the economy have the opportunity to be consulted before a budget is actually taken up and passed. In England I know that associations, such as dental associations and other trade and manufacturing associations, are consulted before changes are made in legislation affecting the amount of duty and tariffs. And why not? Is this question of taxation a cat and mouse affair that the Minister of Finance springs like a hungry cat on some unsuspecting mice or other targets at the time of the budget so that he can wring from those particular bodies or individuals the maximum tax?

I would like to receive an answer from the minister as to why there was not consultation with the Canadian Dental Association and why the Department of Finance has chosen to plug the so-called loophole. It was a bad practice. It does not bring in any revenue. It does not do a darned thing. There are no dental supplies manufactured in Canada other than the limited amalgams put on the market by Johnson and Johnson, which I think back in 1974 bought a process which had been developed at the University of Alberta in Edmonton. The amalgams are manufactured here in limited amounts. They are manufactured much more in the United States, brought

into Canada in bulk and sold here. There are no other dental materials made in Canada, with the exception of some prosthesis; but that is not the point. There was no objection expressed by the conference on that question and no action taken by the government in the budget.

All I am saying is that these materials used in dental surgery shall not be subject to the Customs Tariff as provided for under tariff item 47810-1. It seems to me that all along there has been the strongest possible case—I will admit it is on a very narrow item—for the government to leave the matter alone. The government is not going to encourage the production of these amalgams or other materials in Canada. There is not the market for these products in Canada. One could almost apply a 25 per cent tariff against American products and they would still be purchased by Canadian supply houses and sold to Canadian dentists at a price lower than the manufacturing price, along with the normal taxes that would be imposed in Canada. We would naturally impose a 9 per cent sales tax on those items.

I suggest to the minister today, as I have privately, that this matter could easily be conceded by the government and there would be absolutely no measurable impact on revenues. That is not the question. It is the principle that officials were right. We will see that they were right even though they were judged to be wrong. That is the sole effect of the government trying to restore an interpretation to a tariff item which the Tariff Board said has been wrong for so many years. I urge hon. members to accept the amendment and we could then adopt the whole bill as amended.

● (1650)

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Mr. Speaker, the amendment moved by the hon. member for Edmonton West (Mr. Lambert), as he so aptly explained, is intended to strike out from Schedule VI of the bill a provision, or rather to make inoperative a provision contained in Schedule VI which bears tariff item No. 47810-1 and whose purpose is to reapply rates in force before an amendment made at about the end of 1970 and which came in 1979 after an interpretation of that tariff item by the Tariff Board. The effect of the new interpretation was to authorize the free entry of several dental materials which were subject to rates before that decision. Therefore, what we are doing in Schedule VI is to revert to the situation as it was before the board's decision.

Canadian production of certain of those goods such as dental obturation materials, had been started on the understanding that imports might not be duty-free. In addition, certain laboratories which manufacture dental prostheses realized that laboratories located in the United States were taking business away from them. With this provision we are therefore reverting to a previous situation, while taking into account the overall objective of a tariff policy designed to encourage the production in Canada of certain materials or certain merchandise or goods, in this instance those used in the production of dental prostheses.

However, in view of the numerous representations we have received since the budget was tabled about the complexity of the tariff provisions in the case of dental suppliers, Department of Finance officials have undertaken an in-depth study of the situation of all dental products to which rates are applicable. Unfortunately, it is now too early to announce the type of changes, if any, which might be proposed as a result of that study. It is also impossible to promise that everyone will be satisfied with the outcome of that study because, if we take a close look at the issue, we realize that there are very diverse interests between those who import such products and the Canadian manufacturers of the same merchandise and the same products.

Officials of the department are in consultation with commercial and professional dental associations. Other departments such as Industry, Trade and Commerce and National Health and Welfare will also be consulted in this in-depth study. I would also like to indicate, Mr. Speaker, that Canadian dentists have written to me to say that dental materials have increased 27 per cent. Now, reality does not seem to bear that out. The amendments contained in the budget affect only dental prostheses, materials and articles that are part of a finished prostheses as well as materials used in reconstructive dental surgery. The duty which is generally applied to these items is between 7 and 17½ per cent, although some still enter the country duty-free.

The instruments and other dental materials used by dentists are not at all affected by this change and I must add that most of these items, such as the materials, still come into the country duty-free. The items covered by the provision contained in Bill C-50 are in fact responsible for only a very small portion of total dental costs and would represent only a very small fraction of a possible future cost increase resulting from this amendment. I would think that possible increases will result from higher costs of materials used in dental prostheses, rather than from the changes resulting from Bill C-50.

Therefore, Mr. Speaker, as I have said, an in-depth study is under way and I think it is too early yet to agree to an amendment such as the one proposed by the hon. member. I would therefore suggest that the House reject the amendment put by the hon. member for Edmonton West (Mr. Lambert). However, I want to tell him and the House that his proposal is being given serious consideration, that the whole situation is being subjected to an in-depth and exhaustive review, and that we will be in a position to make a decision once this review is completed.

Mr. Lambert: Mr. Speaker, could I ask the Minister on what principles has he based the following conclusion: Since the Tariff Board has cancelled the tariff on the materials involved, why is he reinstating the tariff and making a study later, as he has said? Why not make the study first, and if the

conclusions of this study show that the tariff should be reinstated, do it afterwards? But no, first the tariff is reinstated, and we are told: Perhaps it will be cancelled if it is justified. The Tariff Board has told the minister that the tariff had been cancelled. It was unfair. I therefore wonder why we are going back to the previous position.

Mr. Deputy Speaker: I shall recognize the hon. minister so that he may reply to the question asked by the hon. member.

Mr. Bussières: Mr. Speaker, as I have indicated, according to its policy, the government intended to subject these items and materials to a tariff. Technically, the Board indicated that they were not subject to a tariff. We are re-establishing what the government intended to do. In passing, I would like to point out to the hon. member that the general purpose of the tariff policy is to allow the Canadian manufacturing industry a certain margin of action in the production of certain goods. This is precisely why we are reinstating this tariff, to allow the Canadian industry to enter this sector of production.

The hon. member is asking me why we do not wait. As I have already stated, there are diverse interests involved. Obviously, the interests of the importer are not the same as those of the producers of such materials, even though there might be very few of them. We also say that we must maintain this relative protection. And we have seen that the margin is still not too wide to provide a certain freedom of action for Canadian manufacturers. We are now reviewing this whole situation. We shall find out what is the position of the various interests, and when we have reviewed the situation, we shall make a decision. This does not mean that the decision will be to remove the tariff. It could very easily be to maintain it.

[*English*]

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

Some hon. Members: On division.

Amendment (Mr. Lambert) negatived, on division.

Mr. Bussières moved that the bill be concurred in.

Motion agreed to.

Mr. Deputy Speaker: Agreed. When shall the bill be read the third time?

Some hon. Members: Now, by leave.

[*Translation*]

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

• (1700)

[*English*]

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, having seen some examples of how the government, having once levied a duty, will not let go, I want to speak about a little incident regarding some rather minor products that have a lot of contact with Canadians. I suppose there is hardly anyone who does not have some dental repair work or dental surgery done, so all of us will be affected by the decisions made by the government this afternoon.

I also have some doubts about the bona fides of those at the administrative level. I suppose that at some time or other all of us indulge in civil service or bureaucrat bashing. A lot of it is justified. I have been here for about 23 years and the longer I am here the more difficult I find it to fathom the mental process of the bureaucratic mind and the type of philosophy that permeates it. For many, it is that it will be right and right at all times, regardless of how wrong it may be. We have seen evidence of that in some of the practices of the revenue-gathering departments.

In the Department of Employment and Immigration we have seen bureaucracy become a law unto itself. The incident is merely a game; a practice which had been adjudged to be in error, even though an error of many years. I could not justify the minister's thinking when he said that it had been the government's intention or policy to subject the dental materials covered by item No. 47810-1 to customs duty. How can he tell us this? The words do not say so, because the Tariff Board says the words do not say so. There is no indication that that was the government's intention. It is the government's present intention, of course, that this should be covered, but to say that it was the intention when the tariff item was set up is to beg the question and, to me, is not justified by the events. But that is a minor item, Mr. Speaker.

Today we are on their reading of a bill that is as imposing in bulk as was the Bank Act. It covers a great deal of ground. The amendments to the Customs Tariff are detailed and laborious and there is nothing that is less interesting or more sterile for us to examine. These amendments arise out of the changes made at the Tokyo Round which is, in effect, a liberalization of tariff walls among trading partners. That is something that is welcomed on both sides of the House.

Some of these amendments will be of gradual tenure; they will be in effect over eight years subject, of course, to the sometimes wild flights of fancy of the Minister of Finance (Mr. MacEachen), who feels that he can wrestle inflation to the ground by slashing prices in Canada to meet those of

imports and thus make Canadian producers become more competitive. Goodness knows how much this lengthy exercise has cost the Government of Canada or how much it has cost a number of provinces to send people to attend the negotiations in Tokyo and in Geneva. Trade associations also sent delegations to give testimony to the negotiators. The whole effort, which lasted a number of years, has cost us a great deal of time and effort but is a step in the right direction. In some ways it is the negation of economic nationalism. This economic nationalism moves around the world in various and often unexpected ways.

Let us consider the Common Market. The nine members dispense with tariff barriers between the partners. This does not dispense with tensions among the various competing producers of goods and services within the community, however. One should hear what the French say about the English. And Britain is taking a hard, second look at its membership in the Common Market. France is apprehensive about Spain coming in. Each is trying to protect its own interests and, of course, to sell more goods to its neighbour. The object is never to buy more but always to sell more.

Judging from outward appearances, one might think that the Common Market represented a decline in economic nationalism, but is that really so? The Italians send tanker after tanker of red wine into the Bordeaux region to be mixed with the French production. When the French farmers hear about this, the trucks are summarily dumped by the wayside. Truckloads of Italian tomatoes are dumped in France. French wine is dumped in Germany. Now they are talking about English mutton and lamb. Goodness, those poor little beasties are getting some great maledictions in France!

• (1710)

Although there is still tension, it is certainly a great deal less than the tension created by the economic nationalism which some of us, who in the 1930s were teenagers, saw rampant in Europe and in other parts of the world, including Canada and the United States, when tariff walls were raised out of sight, and everybody closed their doors. What did we get out of it? We got World War II. It was bound to come.

The implementation of Bill C-50, I think, is a gesture on the part of Canada. I know it will receive assent on both sides as a stamp against economic nationalism. Through it, we are going to open up trade, which is the production and exchange of goods. True enough, that is not sufficient because Bill C-50 does nothing about non-tariff barriers. If there is anything which can get more oppressive and difficult to deal with, I would like to know what it is.

There are countries around the world which are great traders as long as their goods can be put in someone else's market. But try to get some of our goods, of a generally competitive nature, manufactured goods, for instance, into one of their markets. Try to get manufactured goods into Japan. There are all sorts of reasons why manufactured goods cannot appear on the Japanese market.

Let us deal now with the Common Market. Canada has heavy machinery plants, and in the pulp and paper manufacturing area as well as in the generation of electricity we have firms which stand second to none in the world. But it is very difficult for those firms to get tender documents not only from Common Market countries but also from Britain. The British board of trade simply says that there is nothing doing, that there are no copies of the tender documents available to anybody else, that the products in question will be made in Britain or within the Common Market. We are excluded. That non-tariff barrier is as good as slapping a 100 per cent customs tariff on the goods and services.

I do not think this House has had a satisfactory explanation from the ministers concerned as to what progress has been made, where further progress might be made, or to what practices Canada objects. Nor have we been told who are the greatest offenders regarding non-tariff barriers. I know we have some. If such be the case, let our trading partners tell us. I understand that some of our European friends consider our anti-dumping rules to be pretty barbarous. On the other hand, I invite the Europeans to look at some of their own. We can look at our American friends and see what they do. Some of their treasury board rulings and designations could be said to be pretty fast and vicious. We have only to look at some examples.

I always say try to sell ideas and commodities. We should not dwell on the difficulties. Let us see how we can do things. We should always stress everything positively. Do not tell me how you cannot do something, Mr. Speaker; I want to know how you are going to do it. I think that is how we should approach our negotiations. We should not put emphasis on the difficulties. I am not suggesting that our negotiators, in this particular round leading up to the accord embodied in Bill C-50, took that approach. They had a difficult task. The only thing many of us would reproach them for is their absolute secrecy in the early days. Everything was close to their chest at that time. They would not approach provincial governments. Literally they had to be dragged kicking and screaming into co-operation with the provinces. They would not take industry into their confidence. Things were very very difficult.

I think this is because there is a mental block in the bureaucracy in Canada that does not want to talk to business openly. There is a wall. Maybe it is the old Chinese wall. Nevertheless, a barricade exists between Canadian industry and what is known as government service. I would not say it is deliberate or that able administrators here in Ottawa do it so they can run the show. I will not impute those motives to them. With notable exceptions, there does not seem to be the required relationship between Canadian industry, Canadian business and government circles in Ottawa. I shall not speak about the provincial capitals because I know nothing about their inner workings.

Having dealt with that background, by this bill we are going to put and end to the Union of South Africa Trade Agreement Act, 1932, the United Kingdom Trade Agreement Act, 1937, and the Irish Free State Trade Agreement Act, 1932. The

1932 acts are, of course, in line with the general treaty of that year arising out of the conference held in Ottawa which gave rise to the BP classification in our tariffs. It worked wonderfully well. As a matter of fact, if it had not been for the BP, a great deal of industry would not have been built in this country.

As a result of the British trade agreement and the preferential treatment, American firms established many manufacturing subsidiaries in Canada so they could hit the European and British market. Via the British market they were able to trade with Egypt, India, Australia, New Zealand, South Africa, all the colonies and East Africa. It was, in fact, the old British Empire that gave birth 50 years ago to the development of a great deal of Canadian industry.

• (1720)

This has created a branch plant economy in many industries. However, that is the only way there is going to be any industry. When the 1932 agreements were negotiated and implemented, this country had a remarkably small population of 11 million and had to deal with 50 million people in Britain, 50 million in France, 60 million or more in Germany, as well as the populations of Japan, China, India and the rest of the world. We were one little pea in a big bag of little peas and some big ones.

To put it in balance, we must be grateful for those men in the various countries who in 1931 and 1932 negotiated British preferential treatment, the British Trade Agreement Act and the various acts we are now repealing 50 years later. The reason is that Britain, having gone through the turmoil of World War II and a generation of terrible troubles thereafter, joined the Common Market, as did Ireland. We are totally excluded. It is meaningless to have British preferential treatment when Britain and Ireland are members of the Common Market.

In so far as South Africa is concerned, it too was a member of the group in 1932. It has gone its divergent way and is now being ostracized by countries in the rest of the world, many of whom are the world's greatest hypocrites. That is not the way to treat the troubles in South Africa. I certainly do not like apartheid, but we practise it here in Canada, only with more subtlety and with greater hypocrisy.

I find it absolutely unjustifiable that we have Canadian churchmen and various groups belabouring South Africa. I say physician cure thyself before you start preaching about others. Nevertheless, we are putting an end to our trade with South Africa on a preferential basis. I regret it. I think of all we could have done with South Africa. By being friends and maintaining communications with them, we could perhaps convince them to amend their ways and they could convince us to amend ours. By placing them in a ghetto and ostracizing them, we will not gain any influence over them, not if I know the people of South Africa, and I met many of them during World War II and have known others since that time. However, such has been the way of public thinking and the actions of government, because it was the popular thing to do.

We have put an end to our trade agreement with South Africa and put their goods under the general tariff. That will not change anything in South Africa one iota. What we have done shows the narrowness of our minds. Some day we will regret it. In Rhodesia we participated in an action against people who have now had to turn over government to elements whose future can be contemplated with some concern.

The whole of the continent of Africa is close to domination by the Soviet Union. It is being delivered. With patience, in ten to 15 years the Soviet Union will get the whole of North Africa. Next, of course, will be South Africa. That is the only bastion. When that happens, the United States will rue the day of their Andrew Youngs and others who ran about opening up the defences against the Soviet Union. These comments do not relate to this bill, but I hope the House will excuse my discursive remarks because they do relate to South Africa. Perhaps I can get a reaction from some members in this House. As soon as I mention South Africa, some of them tend to want to spit. I suggest they look at themselves in the mirror to see whether they should not spit at themselves.

I had a minor difference of opinion with the minister on one particular point. However, I recommend that the House pass Bill C-50. In saying that, the Minister of State for Finance is the jack-of-all-trades in finance. He is handling this Customs Tariff bill. I ask that there be prepared a truthful assessment to show where our tariff policy is heading, or whether it is drifting.

From where is the initiative to come for other changes? Where are some real initiatives with regard to non-tariff barriers? Will we have to get at non-tariff barriers by tackling them through our participation in international financial organizations? One area I suggest to the minister we might investigate in order possibly to get at some of these artificial barriers is the Inter American Development Bank. Our participation in that concern is at a reasonable level. Along with our friends in the United States, we carry a considerable wallop.

If various developing countries approach Canada, the United States and others with regard to financial aid on a multilateral basis, we should make it conditional upon the removal of certain improper trade practices to which we feel we are subject.

• (1730)

After all, if the United States can tie some of its economic relations and its economic help to human rights, there is no reason why we could not tie some economic aid to the removal of certain barriers. I offer the suggestion. Through the World Bank we participate in financial assistance in the Far East. There may be some bilateral financial assistance. However, this is where it becomes practical. That is our chief obstacle to increasing Canadian trade, apart from our high cost of production and, I think, perhaps a great deal of lack of interest on the part of Canadian businessmen who will not get out and really hack it on the market. Our Canadian banks are available for financing. The Export Development Corporation is there work-

ing hard, and can be made to work more effectively. We have a great deal going, if we would only recognize the fact.

I hope this aspect of our trading relationships with the world will meet the approval of the House and that we will do other things to improve that position. May we hear from the minister in the fairly near future as to what we can get with respect to a study on non-tariff barriers as far as they affect Canada?

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I do not intend to take a great deal of time in dealing with this bill but I do want to make some comments. The last comment of the previous speaker was of considerable interest to me. I think he is right that we have to get a better understanding of the imposition of non-tariff barriers as they come into play and into force, while on the other hand we are seeing a move by these very same countries to support the reduction, gradual or otherwise, of existing tariffs.

I know the minister's department has looked at this matter, and I am sure in times gone by the House of Commons has also looked at the impact of tariffs and the effect they have both on domestic industry and on its capacity to exist, but before I deal with that I want to say that on the matter of South Africa I noted that my colleague from the Conservative Party was waxing eloquent just a few moments ago. I think he must surely understand that every measure must be used during periods of time when it is generally acknowledged by the administration itself and by others around the world that the policies enacted by an administration toward people create situations which are discriminatory and which are considered by the majority in the free world to be unsatisfactory or unconscionable.

I therefore do not want to engage in a discussion of the relative merits of the hon. member's argument other than to say that the same argument can and has been used about other countries over many years, and there comes a point in time when an action is appropriate. At the time the actions taken were deemed to be appropriate, and I think they were appropriate.

Let me turn to the bill and the general philosophy of the bill. My concern is that as we see the nations of the world, Canada being one of them, galloping along toward free trade, the impact of that movement on Canadian manufacturing, Canadian exporting and the capacity of Canada to hold its place in the world and to provide employment opportunities and economic opportunities for Canadians in this country becomes somewhat suspect. I am sure I do not have to go back into history to explain the historic significance of tariff barriers. Much of the industry which exists in Canada, and has for 50, 60 or more years, is of a branch plant nature. It came to Canada in order to get behind the tariff wall. I think before we move too swiftly toward the elimination of tariffs, we have to appreciate that our situation is somewhat different from those of a number of other countries.

The movement away from a tariff wall, so to speak, toward a free trade, though it may be of benefit to certain areas of industry, could be disastrous for other areas. We must fully understand the branch-plant nature of Canada's economy. The reason why the branch-plant was set up in Canada was to make available an operation which would be able to take advantage of the domestic Canadian market while at the same time not having to pay the tariff which would have raised the product above the price that would have been the price established for the Canadian manufacturer.

Canadian industry is small. Generally speaking, it meets a market of about 10 per cent of the U.S. market. Our major trading partner is the U.S. Most of the branch-plant nature of Canada's industry is related directly to the United States. The U.S. manufacturing capacity is large enough so that if it had the desire and if there were no impediments in the way, it could quite conceivably meet the entire Canadian market requirements out of its current unused productive capacity. But it is not unreasonable to think that much of the nine million household requirements in Canada could easily be met by the indigenous capacity of U.S. industry to manufacture that is not currently being utilized.

If we were to have a free trade arrangement, as has been proposed by a committee of the other place—or at least is being considered by a committee of the other place—or if we were to go too swiftly toward free trade, there would be no imperative reason for the parent company to put the necessary capital reinvestment into the Canadian operation to maintain its efficiency. The end result of that could and, I suggest, would be that the Canadian operation would be allowed for a time to continue to operate, but in the final analysis it would not be kept competitive with its parent within the U.S. and in the end would become redundant. The justification would be that it should be closed because it is no longer competitive, and the U.S. manufacturer would solidify all of his manufacturing in his home base and would then just simply ship his products to Canada as manufacturers ship from Oregon to California, from Ohio to Florida or from West Virginia to South Carolina. That would be the relationship.

One of the factors we have going for us in regard to standing in the way is that we have a reasonably large domestic market, but not large enough to sustain if there is no reason for maintaining the efficiency of the industry. I think we have seen in the auto industry the very thing I am talking about. The auto industry is a rationalized North American industry. It is faced with a downturn in its market as a result, in many instances, of inefficient management unable to foresee what was evident to other manufacturers, and the initial reaction of the industry was to attempt to rebuild its industry within its home base, the United States, and to put less of its reinvestment dollars into Canada. It was only because we were able to say that at some point, I suppose, we could return to a tariff arrangement—and we did have in place some kind of agreement—that we were able to keep the industry from centralizing its operations almost totally in Michigan or in other parts of the northern and mid-northern United States.

● (1740)

I am frankly concerned that we are moving with some haste to establish a free trade arrangement over a period of time that will work to the detriment of Canadian industry, because of its branch-plant nature, that will work therefore to the detriment of Canadians in general, will not result in lower prices as many people anticipate it will, but will, in the final analysis, because of the lack of competition in Canada, result ultimately in higher prices because we will have to buy many, if not all, the products we want from offshore.

Without engaging in a long and difficult argument, I want to suggest that all is not quite as cut and dried as the provisions of this bill and the suggestions made by other people would make it appear to be. There is a requirement from the Canadian public on the Canadian Parliament to have a better understanding of the possible and likely implications of this move. Although consumer groups, and I support them in many things, may feel at first glance there is significant benefit to Canadian consumers by a reduction in tariff, because they will be able to gain access to what are today cheaper goods, the only thing which makes those goods cheaper is the fact that they have to compete with a Canadian-made product. Witness the soft fruit industry. Those of you who are familiar with the soft fruit growers' industry can appreciate the difficulty that industry has had over the years in competing with the influx of soft fruit grown in the United States and in other parts of the world, and the access that soft fruit has to the Canadian marketplace. You will appreciate the problems of the farmer who is faced with having to attempt to make ends meet with what is the mean average of the mid and end-of-season price while the importer is able to take advantage of the early, mid and end-season price and, therefore, has a much higher mean average. He is therefore able, because of climatic conditions and access to the Canadian market, to force the Canadian farmer in that industry at least—I am not familiar with other farming groups, but my colleague may be able to speak to them—to become competitive with considerably less cash flow and, therefore, a smaller profit margin. I am familiar with this group representing an area that was substantially involved. The Canadian farmer in that particular industry, in Ontario at least and in other parts of the country, is faced with this problem.

I want you to extrapolate that, if you will, and position yourselves in relation to a number of other industry sectors, considering the impact of allowing that which is happening in the farming industry to occur in those other industry sectors. If there were no tariffs in place, and if there was no reason, other than the marketplace, to want to be located in Canada for manufacturing purposes, then it is not unreasonable to assume that many of what are now called the North American multinational giants, but what really are U.S. multinational giants, would find no good or justifiable reason for maintaining their employment levels, plants or efficiency here.

My recommendation in this regard is, first of all, that we approach it with caution, and second, that we structure here in the House of Commons a group which will once again take a serious and hard look at the ever-changing nature, particularly now, of Canada's economic base. We should look at the winners and losers and the reasons there are those winners and losers in Canada's manufacturing sector. We should try to understand through an analysis the reasons why there have been so many plant closures in Canada in the last 24 to 48 months. We should determine whether those plant closures resulted simply from a rationalization of the parent operations in respect of greater productivity, and determine whether the increasing and potential opening of the market of Canada to a free trade arrangement will not be in the long run more of a hazard than a help to us.

There are certain specific groups we all hear from, ranging from the shirt manufacturers, who have written, I am sure, to each and every one of us, to the dental associations which have written to us on the other side of the issue, which are making a very valid case that has to be given careful consideration. But the basic and more fundamental problem is one that we will face somewhere down the road. My view of it, having had discussions of late with people in the United States and having looked at the potential hazard to the Canadian manufacturing sector in particular, is that if we were to move with unseemly haste, we could well create a situation which would allow them, quite justifiably, to say they need no longer be located here. The end result of that, of course, could be quite disastrous. It would require us to become even more dependent on our raw materials in order to maintain our standard of living. It would require us to sell ever more of those materials in an unprocessed and semi-processed state in order to maintain that standard of living. The political pressures to continue the wholesale sale of our basic heritage would be immense, and it is questionable whether any government, Liberal, Conservative or NDP, regardless of where it was located in the country, would be able to withstand those pressures, given the unemployment and the lack of economic opportunity which would become the order of the day.

I do not pretend for a moment to be an expert in the field, although I have studied it at some length for many years, and I do not know when you ever become an expert because experts seem to have very conflicting opinions, but having looked at it, I see some indications of potential difficulties. In our desire to appear to be nice guys in the world of trade and commerce, we are not only agreeing to reductions in and elimination of tariffs, we do not even understand that the countries with which we agree, or with which we enter into these agreements, do not necessarily always live up to the letter of the agreements.

Those of us who have looked at the problem still have a long and somewhat curious view of the DISC program in the United States, for example, and the fact that it was found, I think it is fair to say, to be outside the GATT Agreement. That did not end it. It stayed in place, nevertheless, because it would seem to be of some national concern and some national benefit. There are few of us who do not understand that in Japan, particularly in the automobile field, while there may well be a willingness to reduce the tariff, the possibility of

entering the market as a result of all the other non-tariff barriers which are placed before the sale can be consummated is virtually non-existent for the North American manufacturer.

● (1750)

It concerns me when I hear people cheering about the reduction in anti-pollution control measures and safety measures in the United States. They seem to indicate that it is of some benefit to the industry at a time when industries are spending considerable sums of money re-tooling for world production. Many of the countries to which these companies hope to sell will demand that those anti-pollution devices and safety measures, which the United States is prepared to set aside for now, be in place. So, the cost will be considerably higher to produce two different levels of automobiles. They did not stick to their guns in an attempt to produce one automobile which met the world demand. Rather, they succumbed to pressures of a domestic kind.

Very few people recognize that one of the reasons we have difficulty selling aircraft in Japan is that the country is currently in the business of developing an aircraft industry. While they would argue, on the one hand, that they do not have tariffs to make it difficult for anyone to sell, on the other hand, by virtue of other measures, they make it impossible to sell.

If I may say so, we must put aside our boy scout attitude. I do not mean this in any derogatory sense, but the fact is that the world operates in a very tough-minded way. Therefore, countries of the world make their decisions based on what is in their best interests. The direction in which we are travelling may not be in our best interest. We may not be exercising the care and caution which is required to safeguard the industrial opportunity of Canada for future generations.

The whole area is fraught with question marks. The minister has entered into and completed the negotiations. He should know that what is on paper does not necessarily always reflect what one meets in the marketplace when one tries to do business in other countries. That is why I think the comment of the hon. member for Edmonton West (Mr. Lambert) was correct. We must get a handle on the non-tariff barrier problems which exist around the world and their effect on our enterprises which are attempting to do business outside Canada. We must get a handle on the extent to which the branch-plant nature of our economy is influenced by the parent operation and on the real possibility that free access to our marketplace could undermine the necessary investment to maintain the competitive position we require if we are to provide for ourselves.

We need a much more thorough review of the situation. We should look at today's society instead of adopting the ten-year-old view of the situation. We must look at the ever-changing economic conditions in every part of the world and the difficulties with which the manufacturing sector is faced.

We will not delay this legislation unduly today, but I hope the minister will be able to make a commitment that in the near future he will establish a group compromised of members of the House of Commons to look at the very difficult problems about which everyone talks but which no one really understands.

How do we enter the Japanese market? It is not a matter of building a better mouse trap. If we build a better mouse trap, they will keep us out until they have built a better one still. Anyone who is knowledgeable about international trade understands that. Therefore, when we take a look at Japan in the context of the rest of the world which is pooling its resources to solidify its economic conditions, it chills our spines, especially when we think of what might happen in the future.

I ask the minister to give these suggestions some thought before we are much further down the road. There may be a point beyond which we cannot possibly return. The minister must realize that countries do not necessarily operate by the written rules; they operate by the ones which serve them best.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I should like to make three brief comments in connection with the impact of tariffs. Canada is a vast and diversified country. In my view we must give a lot of consideration, when we set or remove tariffs, to the impact this will have on every part of our country. For instance, at the present time there is a rather heavy tariff on logs coming from the United States into western Canada. This has made the building of log houses uncompetitive with other types of construction. It is having an adverse affect. Whoever set these tariffs should look at what they are doing to the housing industry in western Canada; I am sure they will realize then that some changes should be made.

My second comment is on the way in which items are handled. There are emergency organizations that deal with items that come into the country. Some tariff officials take too long to consider these things. There has been an arrangement for several years whereby some of these items, particularly in terms of landed or stalled aircraft, would go through immediately as an emergency. Recently there have been delays in the Calgary office. This could very well put a company out of business. With the current unemployment situation in Canada, we should encourage every industry to stay in business as well as bring in more business. Administrative delays in the handling of a piece of machinery for a stalled aeroplane could very well ruin a business.

Third, I think we should look at the impact of tariffs on all parts of the country: the "far east", central Canada and the west. Too often tariffs are set to accommodate only one part of the country. Western people today are paying much higher prices for clothes and shoes because of tariffs. We must protect our Canadian industries. On the other hand, the coal industries in the east and in the west have been downgraded because we have permitted American coal to come into the country without being subject to tariffs. Westerners pay more for shoes and clothes; but our miners are not working. We should consider the impact right across the country so that all Canadians receive the benefit of tariffs or no tariffs, whichever the case might be.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the third time and passed.

* * *

[*Translation*]

INCOME TAX

MEASURE RESPECTING AVOIDANCE OF DOUBLE TAXATION

Hon. Pierre Bussières (Minister of State (Finance)) moved that Bill S-17, an act to implement conventions between Canada and New Zealand and Canada and Australia for the avoidance of double taxation with respect to income tax, be read the third time and do pass.

[*English*]

Mr. Lambert: Mr. Speaker, may I call it six o'clock?

[*Translation*]

The Acting Speaker (Mr. Ethier): Order, please. It being six o'clock I do now leave the chair until eight o'clock p.m.

At six o'clock the House took recess.

[*English*]

AFTER RECESS

The House resumed at 8 p.m.

The Acting Speaker (Mr. Ethier): When the House rose at six o'clock the hon. member for Edmonton West (Mr. Lambert) had the floor.

[*Translation*]

Hon. Marcel Lambert (Edmonton West): Thank you, Mr. Speaker. This is the third time I have taken the floor today, on various subjects. We are now studying a bill from the Senate. Unfortunately we do not see that often enough because the subject we will debate this evening is indeed a good one for prior consideration by the Senate.

I for one have been convinced for years that unfortunately the government sets far too many bills aside for first consideration by the House of Commons; they could be sent to the Senate first because our colleagues there have a wide experience in government affairs and they could very well study them at a more leisurely pace and I would say under much less pressure.

I am not a leader of the official opposition, but on the other hand I do have a certain knowledge as a result of my experience in the House of Commons. As it happened I was debating Bill C-57 this afternoon, the excise tax measure. It is well known that I am the expert on excise matters on this side of the House. Later on in the afternoon the Minister of State (Finance) (Mr. Bussières) brought in Bill C-50 for the consideration of the House. They rushed to come and get me because I had introduced amendments to Bill C-50 and if we are to study a bill having to do with double taxation I can say that, thanks to my experience, I am the expert on the Income Tax Act.

So here I am again tonight, for the third time. I apologize. I see the minister whom I know very well, but we are debating related but different subjects. Well, on this point I will speak at length. Although a Senate bill may look harmless and even if the subject may not seem very important either, it has to do with conventions to avoid double taxation so we are going to discuss the principles.

Mr. Minister, if I may, I would like to execute or rather to prod the goats behind you that are ruminating and seem to have only a ruminating interest in some of the comments made here.

It is just like what happened this afternoon when we were debating Bill C-57. During our discussions with the witnesses, certain government members were very excited and had animated exchanges with them. However, when we discussed the same bill this afternoon, they remained completely silent in the House, and those who were the most militant said that they were abstaining from the debate. Come on! Where is their political courage? Where is their moral courage? All I am asking them is to show some moral courage!

For my part, I must express my views on these bills. The government members can remain silent. They can take part in the committee proceedings in turns because they have a rotation system. I am thinking about the Standing Committee on Finance, Trade and Economic Affairs, about the government members, about what happened when the committee was considering Bill C-57. I had to recognize about two dozen members who were there to represent the government. They are nothing but big lumps! Only a few of them are interested in the subject.

What I find most surprising is that they will then ask me: "Mr. Lambert, you are an expert in the matter. What is your opinion?" Well, I can say quite simply that it is not by being a big lump in committee that I became an expert.

I was a government member myself and I could reply to some parliamentarians who are now laughing up their sleeve that I was a parliamentary secretary myself long before them and much earlier in my career. I was also Speaker of the House and minister. They could start with that.

However, some bills are considered in committee, it is not enough to look clever in the House and gather around the

speakers to applaud them, because we now have television in the House and government members feel that they should gather around the member who is speaking.

I simply say to you, and the minister will admit it this evening, that one has to be familiar with the bill not only in committee but also in the House. Then the minister will be able to assess his colleagues as well as the members opposite. At present, after 24 years in the House of Commons, I think that I am rated quite low as far as ability is concerned. There are several bills with which I am familiar, such as the Income Tax Act, the Customs Act, the Excise Tax Act, and the Bank Act. I feel that I rank in the lower quarter. That does not mean that I do not consider myself ahead of the vast majority of my colleagues in this area.

But let us get back to the subject. We are considering tonight a convention to avoid double taxation with respect to income tax and to promote economic activity in either Canada, Australia or New Zealand. I must tell the minister that I have some reservations because, and bear with me in my philosophical reflections tonight after my lecture this afternoon, I think we as Canadians have not done our duty in view of the declining role played by the United Kingdom in the Commonwealth. It was up to us to show leadership in the Commonwealth. Yet, what have we done? We sat on our royal assets. Lack of interest! I have had ample opportunity in the last two decades to visit New Zealand and Australia and I knew their soldiers as prisoners of war in the 1940s. I had friends everywhere, in government, in the bureaucracy, that is in the public service, and among the people too. When I went to New Zealand, my arrival was simply announced and people everywhere knew me. The same thing happened in Australia, which I visited on several occasions. Do you know what our colleagues in those countries were blaming us for? They felt that we, as Canadians, were too aloof.

● (2010)

[*English*]

We were too hoity-toity. We were too concerned with our place in the North American Sun. We did not, Mr. Speaker, take up the challenge that the Australians and the New Zealanders wanted us to, not to dominate them, but to join them. I say this is the best we can do with Australia and New Zealand, that is to join them in the activities of the Commonwealth out in in the eastern Pacific. We are not going to dominate them. O Lord, the average Aussie would hit you over the head, and with justification, if you tried it. However, we should join them.

The United States has met with some problems out in the Pacific. We are not going to try to take advantage of them. However, Britain was caught up in some real problems in the 20 post-war years. We could have served the cause of the Commonwealth a great deal more, and here I am not going to attribute blame to any administration. It started from the time I was in Parliament. There was the most amazing silence and lack of co-operation. There was the feeling that the Aussies and the New Zealanders were part of the Antarctic penguin group. It was almost that bad. In trying to accomplish certain problems within the Commonwealth, we have taken an attitude difficult to put into words. Frankly, I am disgusted with our attitudes on external affairs and defence. I used to be fairly close to that from 1963 until 1967, and even in the earlier years. However, I am amazed at our performance. This lackadaisical performance, this drifting with regard to the commonwealth, this drifting with regard to Australia and New Zealand has been more than countenanced by the present administration. All along their members have not cared one damn hoot. Why is that? I suppose it is because a lot of them felt that they were not part of World War II and therefore, in the spirit of a new generation, they felt that World War II was something that should be left in the past. They are like the kids who drifted on the streets in the 1960s and who said that the vets of the 1940s were part of history and should be forgotten, not one of them remembering that they sprung from the loins of a World War II vet and that life had been made safe for them as a result of the sacrifices of those who had ventured into the ranks of the armed services of the allies in the 1940s.

I am amazed at the complacent attitude that many people today hold toward people of my generation. We had a great deal to lose but we walked into the recruiting centres on a Saturday afternoon, we left universities in mid-course without thinking about any real challenge, but we were going to do our duty by our country. A good number of members on both sides of the House did that. I did it but I do not wear a medal on my arm and I would not care to. I will be damned, however, if I will be told by anybody in this House that I am less than loyal to this country because I oppose certain changes to the Constitution or because I oppose certain changes to the way of life that I defended.

An hon. Member: You're getting excited.

Mr. Lambert: No one will accuse me of being excited. I will point out and I will name any hon. member who will dare do that. I will name any hon. member who will call into question the loyalty of any of my colleagues who served during World War II.

Mr. Hnatyshyn: It is a fascist tactic.

Mr. Lambert: I will name any so-called youngster and I will name—

Mr. Collenette: Speak to the bill.

Mr. Lambert: I will name anybody who is a smart aleck. I will also name those who, like the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette), would dare suggest that I should speak to the bill. I have spoken to bills long before that hon. member ever knew anything about relevance. He is a political whippersnapper.

Mr. Collenette: Well, you have to start somewhere.

Mr. Hnatyshyn: With the emphasis on the whipper!

Mr. Lambert: Be that as it may, I want to come back to this particular bill and our relations with the Australians and the New Zealanders. To a whole generation, which encompasses the majority of government members, relationships with Australia and New Zealand are as strange as night is unto day. Few of them know Australians and fewer still know New Zealanders. We have missed the boat, Mr. Speaker. The opportunity was there. I knew the Aussies and I knew the New Zealanders and I know that year after year we have neglected our relationships with them. There could be formidable relationships today in trade and influence—influence at the United Nations and through working together. I am sure that if you had put together the Aussies, the Canadians and the New Zealanders, they would be marching as a team of three on the principles of the United Nations. Do they do that now? Not at all. We have been kept dispersed. I simply say that it is the responsibility of the administration that there has been this difficulty.

That we should have tax agreements with them is all to the good. Canadian oil drilling companies have headed out to Australia as the result of the National Energy Program. Other people are going to New Zealand to provide expertise. Ten or 12 years ago I remember that the husband of the president of the women's organization in my constituency was named by the government of New Zealand to head the offshore drilling program of the government of New Zealand. He was a Canadian who had acquired the expertise through working for one of the so-called international companies and because of personal relationships, was named to head the program.

• (2020)

This is the sort of contact that must be maintained between governments. When you know the people concerned and what they will be doing, you can help them and they can help you. The way some governments behave, you would almost think that some of our allies were enemies.

Turning to the detail of this particular bill, Mr. Speaker, there is one feature on which I should like some explanation and reassurance from the minister, and that is with regard to the changes that may be implemented in the agreements, that these shall be presented by way of resolution which shall be subject to affirmation by the House, if I am correct.

There are many other parts to this bill. I invite the hon. member who sits behind the minister and says "read the bill," to read the government fact sheet. He has not seen it, obviously. I will elucidate what this bill covers because the Parliamentary Secretary to the Minister of Agriculture (Mr. Ostiguy) who made that statement obviously is not aware of what is in this bill.

What are the specific provisions of this tax treaty? First, witholding tax; second, capital gains; third, non-discrimination; fourth, teachers. Incidentally, there is no specific provision for teachers. Next come the provisions governing pensions and annuities. There are no tax hideaways for pensioners. You cannot decide that you are going to live in some of the more salubrious lands of Australia or New Zealand hoping to live in a tax hideaway. Next we find relief from double taxation and the anticipated legislative timetable. This bill was supposed to be referred to the Standing Committee on Banking, Trade and Commerce in the Senate. Next we find the anticipated nature of the reaction to the tax treaties. The bill is unlikely to be opposed, it says in this release. We can question some of it in so far as points of discussion are concerned. This is a government handout. The parliamentary secretary would have been as entitled to it as I have, but I got it. He did not.

In so far as New Zealand is concerned, the question might be asked how the new treaty differs from the existing 1948 agreement. The main differences are the following: first, witholding tax, and second, dividends.

Article 10 of the treaty provides that dividends paid to residents of one country by a company which is a resident of the other country may be taxed at the source country at a maximum rate of 15 per cent. There was no such limitation in the 1948 agreement.

Article 11 covers interest. It provides for a general rate of tax of 15 per cent in the source country. There were no such limitations under the 1948 agreement.

• (2030)

Article 12 covers royalties. It provides for a general tax rate of 15 per cent in the source country. The 1948 agreement provides for an exemption in the case of copyright royalty but does not put a ceiling on other royalties. I am sure the parliamentary secretary was fully aware of this.

In the case of capital gains, the rules under Article 13 permit a country to tax capital gains realized on the disposition of real property and of rights to exploit or to explore for natural resources found in that country. They do not restrict the domestic rules. I am sure the parliamentary secretary is able to explain all of these applications. The 1948 agreement does not deal with the taxation of capital gains. After all, the capital gains tax did not exist in Canada at that time. Therefore, the respective domestic rules are applicable.

What about non-discrimination? The revised treaty rights of the 1948 agreement do not contain any specific rules on non-discrimination.

Here is something for the parliamentary secretary for I am sure he will be interested in pensions and annuities. Under the 1948 agreement, pensions and annuities are taxable only in the country where the recipient resides. Article 17 of the revised treaty does not reflect that policy. It recognizes the right of either country to tax such payments at source provided they exceed $10,000. It is hoped the parliamentary secretary will serve in this House long enough to qualify for a pension in excess of $10,000. Then he might branch out to find out just what Australia and New Zealand have to say about the taxation of pension payments.

In so far as teachers are concerned, the two-year tax exemption provided visiting teachers in the 1948 agreement will be terminated. This is something of great interest, particularly in western Canada.

With reference to Australia, the question might also be asked as to how the new treaty differs from the 1957 agreement. The main differences are the following; first, withholding tax on dividends. Article 10 of the treaty provides that dividends paid to residents of one country by a company which is a resident of the other country may be taxed in the source country at a maximum rate of 15 per cent. This is of some benefit. The 1957 agreement also provides for a 15 per cent limitation. Article 11 covers interest. It provides for a general rate of tax of 15 per cent in the source country. There are no limitations under the 1957 agreement. Article 12 covers royalties. It provides for a general tax rate of 10 per cent in the source country. The 1957 agreement provides for an exemption in the case of copyright royalties but has not put a ceiling on other royalties.

Considering the attitude of the Government of Canada with regard to royalties, we hope many Australians have invested in Canadian oil lands because they will only receive 10 per cent on royalties. That does not mean that the Government of Canada will not raid Canadian owners of royalties on oil lands because the government has already indicated its disposition to depredation.

The rules in Article 13 provide that a country may tax capital gains realized on disposition of real property and of rights to exploit or to explore for natural resources found in that country. They do not restrict domestic rules. The 1957 agreement does not deal with the taxation of capital gains. Therefore, the respective domestic rules are applicable. See if you can sort that out within the Canadian and Australian taxation rules.

The revised treaty does not contain any specific rules on non-discrimination. In so far as pensions and annuities are concerned, under the 1957 agreement pensions and annuities are taxable only in the country where the recipient resides. Article 18 of the revised treaty does not reflect that policy. It recognizes the right of either country to tax such payments at source.

As I recall it, minister Benson, standing in this House at the time of the so-called revision of the Income Tax Act, said that it was Canada's right and obligation to tax all pensions at 25 per cent, regardless of where the recipient resided and how that recipient had earned his pension. I presume that is the situation in Canada. Therefore, that is also the situation in Australia and New Zealand where the pension of any Canadian who qualifies will be taxed at the same 25 per cent base rate.

In so far as teachers in Australia are concerned, the two-year tax exemption provided visiting teachers in the 1957 agreement will be terminated.

These are some of the factors with regard to this particular scheme. I think the hon. member for Winnipeg North Centre (Mr. Knowles) will recall the particular difficulties we had with the former minister of justice, who was subsequently the minister of finance, Mr. John Turner, about amendments to agreements of this size which shall be subject to either positive or negative resolutions of this House. If there has been one subject about which there has been lengthy discussion in this House, one which has lasted now for 16 or 17 years, it is precisely that question of how to act in accordance with the rules. This is a reflection on House leadership. Frankly, they were scared—I was going to use a more awkward word—to refer the House rules to the Standing Committee on Procedure and Organization and request that it bring forward modernized rules reflecting the views of both sides of the House after what can only be qualified as a dog's breakfast which was imposed on this House in 1969. We knew it was a dog's breakfast but the government did not. Now we hear all sorts of comments about the House rules from the Prime Minister (Mr. Trudeau) and others about how they are abused. They fashioned the rules, let them live by them.

• (2040)

The hon. member for Winnipeg North Centre and other members, including some on the government side, who were interested in the rules at that time reached a consensus on how the matter should be handled throught the rules rather than through statutes. We have about half a dozen statutes kicking around in various places which determine how this House will act upon affirmative or negative resolutions for the purpose of bringing forward orders in council which may amend certain statutes. We have them in tax statutes with regard to double taxation. We have them with regard to the revision of statutory instruments. Now we are introducing them into the double taxation statute which is before us this evening.

The situation is less than a dog's breakfast. It requires a little good will on the part of the government. The government should say that it will consider the question of affirmative-negative resolutions with regard to orders in council affecting legislation or changes to certain legislation, and amend them to comply with the rules of the House so they do not depend upon erratic statutes that live here, there and about.

Government House leaders have been scared stiff. At the beginning of this session, the present government House leader was thumping loudly on his desk, speaking ad nauseam over the television about the changes that would have to be brought into this House in order to bring the rules up to date. I remember when he was a freshman member on the Standing Committee on Procedure and Organization. What he says today has not changed one iota from what he said then when he did not know which end was up.

Mr. Hnatyshyn: Was that last year?

Mr. Lambert: No, it was some years ago, when he came here. There has not been one bit of clarification in that time. Whas has happened was simply that if someone on the government side speaks, one member of the opposition shall also have the right to speak, and then we will have a vote. This is strictly for the birds.

I see my time is running out. I appreciate Your Honour having given me the benefit of not looking at the clock. I recommend to the House that this bill be passed. However, the

minister has to come up with some answers. We are entitled to them. I have raised the problems, now let us hear the answers.

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I hesitate to follow my colleague for Edmonton West (Mr. Lambert) who is much more knowledgeable than I with respect to income tax bills and tax treaties.

I compliment the government on reorganizing the tax treaty between Canada and New Zealand. I am surprised it took so long to produce a new tax treaty following the amendments to the Income Tax Act of 1971. It is high time the government managed to get this treaty organized. It was given first reading in the Senate in 1980, nine years late. In fact, at this point it is ten years late.

This should have been done at the time of the income tax revisions because our trade with Australia and New Zealand is exceptionally important to this country. These countries have economies that are similar to that of Canada. Therefore, we should be doing a great deal more than at present.

I suggest the minister take to cabinet the suggestion at present being worked out and work on it a little harder, namely organize some kind of free trade treaty with Australia and New Zealand. Those countries are in the southern hemisphere. They have a standard of living which is to some extent comparable to ours, though perhaps not as high. These countries have the same kind of industrial and sociological base as Canada. They represent a total population in excess of 17 million. If it were combined with ours, we would have a free market of 40 million people, producers and consumers. It would make us more competitive and give us the production runs needed by our manufacturing industry.

Goods manufactured in those countries could be sold in this country off season, and our goods could be sold in Australia and New Zealand also off season. That would give all three countries an opportunity to extend the length of production runs and would make it possible for us all to take part in the kind of industrial activity which is so important.

This is why tax treaties are important. It makes it possible for entrepreneurs in Canada to set up business in Australia and New Zealand and not be penalized by taxes. In the same way, entrepreneurs in New Zealand and Australia can set up operations in Canada without being penalized. That is the essential point in trade negotiations. An entrepreneur trying to do business in another country should not be double taxed.

I say to the minister that this is the first step, but only the first step. It is important that we organize the trade treaty, including taxation measures, so as to make it possible for us to integrate our markets. We in Canada have a market of only 24 million people, and we badly need a reciprocal market. We could have such a market with 41 million consumers if we joined Australia and New Zealand.

● (2050)

There has been some concern about imports into Canada of meat products, fruit products and so forth from Australia, and to some extent we tend to be parochial in that regard. The truth of the matter is that when we have the same products for sale to the world, there is no reason why we cannot combine and organize our sales to the world in an effective manner to protect both our interests. If we had some sense, we would not be complaining about Australian beef, Australian lamb or Australian fruit. We would be getting together with both Australia and New Zealand to market through a central strategy meat, fruit, wheat, coal and nickel to the rest of the consuming world. We would not have to worry that they might sell some fruit in our market or they might sell some lamb or some beef in our market, or that we might sell our products in their market. What we would be doing as producers and suppliers is dealing as effectively with other countries as countries in the Middle East are dealing with us as suppliers of oil products.

It is about time we had a government which was prepared to look at this situation in a cold, businesslike sense and not just from the point of view of a simple tax treaty. We have made tax treaties with such countries as Malaysia and Singapore, but we should look at this from a sensible point of view. Australia and New Zealand could be our closest and best trading partners. Indeed, there should be a free trade arrangement and a free tax arrangement so that it would be clear that the tax on businesses in one country would not be doubled in another country. It is very important that we do this.

In presenting this legislation will the government, before this year is finished, complete the present negotiations with Australia and New Zealand, and will it go one step further by developing one common market for our countries?

The Acting Speaker (Mr. Ethier): The hon. Minister of State for Finance (Mr. Bussières).

Mr. Knowles: Mr. Speaker, I would be quite happy to let the minister speak, but I think the point should be made that this is third reading. He does not have the right of reply, but I am sure the House will give him unanimous consent to speak.

Some hon. Members: Agreed.

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Mr. Speaker, I wish to thank hon. members for allowing me to make some brief remarks. My first comments should please the hon. member for Winnipeg North Centre (Mr. Knowles) and the hon. member for Prince George-Peace River (Mr. Oberle), for I should like to advise the House that the negotiations between the representatives of the Department of Finance in Canada and their counterparts in the Federal Republic of Germany will resume tomorrow on double taxation between the two countries. I hope that this will be the last round of negotiations, that our representatives will return with a final agreement and that we will be able to legislate another agreement in order to avoid double taxation.

As to market integration, an issue which goes far beyond the scope of this bill, I should like to remind the House that by

giving third reading this afternoon to Bill C-50, we have put into force the new tariff agreements resulting from the last multilateral trade negotiations, better known as the Tokyo Round, so that we are really in the process of liberalizing international trade, which should surely meet with the wishes of the hon. member.

With regard to the technical question brought up by the hon. member for Edmonton West (Mr. Lambert) on the matter of supplementary conventions, of course, abuse may be seen in the use, as indicated in Part III, of an order of the governor in council to change a tax agreement. Still, Clause 8 must be read followed by Clause 9 which stipulates that when an order under section 8 is used, it must be laid before Parliament and does not come into force until the thirtieth sitting day following its tabling, so that between the day it is tabled and that thirtieth sitting day, there is the possibility of addressing a motion to one or the other of the two Houses of Parliament with a view to cancelling the order, and that said motion must be signed by 50 hon. members.

So, in fact, a formula is provided allowing the House to have the order of the governor in council cancelled that would alter part of a double taxation agreement; that provision is one that can be found in all bills to implement agreements to avoid double taxation.

Mr. Speaker, I do not wish to add to what I said on second reading of this bill. I hope, like other hon. members, that we will have occasion to approve similar agreements, such as one that would create ties with our neighbors to the south, the United States, and one to create ties with the Federal Republic of Germany.

[*English*]

Mr. John Gamble (York North): Mr. Speaker, as a consequence of some of the remarks made by the minister I would just like to point out that the great "built-in protection" in the bill to which he made reference, being the need to submit an order passed by the governor in council to this House for its consideration, has, as an integral part of that protection a form of time limitation, and the minister might well have directed his attention to that rather offensive provision of the bill.

I am speaking, of course, of Clause 9(4) which provides that even though a motion may indeed be referred to the House, it is referred to the House for five hours of debate. We know that this government has an inclination with respect to most legislation which it now brings forward on a regular basis to impose either closure or some form of time limitation. This time limitation is now finding its way into statutes which are passed by the House regularly with respect to tax conventions between Canada and other nations. I recognize that it is important in international tax agreements to have some kind of control over what a rebellious democratically elected Parliament may do from time to time, but that is one of the failings of democracy.

With respect to treaties signed by Canada and submitted to the United States Senate for its consideration—as was the case with the east coast fishing treaties—the U.S. Senate, being democratically elected, decided it would not grant its approval. However, no time limitation was imposed in the United States with respect to the granting of that approval or the casting of a vote for or against the position of the United States government, even though at the time of entering into that treaty, the government of the United States indicated its support for the proposition which both Canada and the United States adopted.

I therefore find that Subclause (4) of Clause 9 is repugnant to the freedom of debate that should take place in this House with respect to every piece of legislation which is brought forward. This creeping time limitation may eventually give way to a circumstance in which we may well be confronted with 15-minute time limitations to consider any legislation the government may wish to bring forward. What is the purpose of our being here if it is not to reflect wisely—we hope wisely—upon the legislation the government brings before the House? We may well ask ourselves why we do not stay home. Why bother coming to this House, if it is not to debate freely the merit or lack of merit in any government legislation? I find it offensive to be confronted with what appears to be a routine piece of legislation with a built-in time limitation in the form of closure in respect of what should be a non-partisan matter.

• (2100)

May I just comment upon the general scope and effect of my experience of government reaction to the avoidance of double taxation in Canada and other foreign jurisdictions. A moment ago the minister spoke of the negotiations which the Department of Finance and, presumably, Revenue Canada had entered into with the Federal Republic of Germany regarding the very issue of the avoidance of double taxation. We know that such a treaty currently exists. It is not working very well. I can give the minister a piece of information which he might like to carry back to those negotiations with the West Germans.

There has developed a system of avoiding the application of the convention between our two countries, and it is the simple expedient of never issuing an assessment in the foreign jurisdiction. All foreign nations' tax authorities need do is to extract a penalty by way of a deposit against potential future tax liabilities and never issue an assessment.

I have just concluded a meeting with Revenue Canada, the branch which deals with the enforcement, as it were, of our tax convention with West Germany, and some of those officials threw up their hands and said, if the West German authorities would only issue an assessment, they could act. So far, all they have done is to extract $200,000, and they have done nothing with it for nine years.

If tax conventions are to have any real substance and, indeed, prevent double taxation of Canadian residents or Canadian business enterprises—and they should surely be as much our concern as German residents and German business enterprises are the concern of Germany—we must see to it that the effects we wish to produce are in fact produced and that we do not fall into the trap of permitting one of the authorities to evade the real purpose and intent of the conven-

tion by never issuing a tax assessment against a Canadian taxpayer.

It is my hope that particular attention will be given in these negotiations of which the minister spoke, to the obvious way of avoiding the intent and purpose of our conventions with foreign nations.

The Acting Speaker (Mr. Ethier): Is the House ready for the question?

Some hon. Members: Question.

The Acting Speaker (Mr. Ethier): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Motion agreed to, bill read the third time and passed.

* * *

[*Translation*]

CANADA ELECTIONS ACT

AMENDMENT TO SHORTEN PERIOD REQUIRED TO HOLD ELECTIONS

Hon. Pierre Bussières (for President of Treasury Board) moved that Bill C-58, to amend the Canada Elections Act, be read the second time and referred to the Standing Committee on Privileges and Elections.

[*English*]

Mr. D. M. Collenette (Parliamentary Secretary to President of Privy Council): Mr. Speaker, it is with great pleasure that I rise this evening before our Easter break to speak on behalf of the President of the Privy Council (Mr. Pinard) on a bill, the sentiments behind which have long been with us; that is, to shorten the election period. I might remind members of the House that this bill is identical, I believe, to a bill presented by the former government, led by the right hon. member for Yellowhead (Mr. Clark). I am glad to see the House leader of the official opposition party in the House, the hon. member for Nepean-Carleton (Mr. Baker), as I believe it was he who introduced that bill in the previous Parliament.

The bill we are discussing is very short, but it proposes a very important change in our election practices. If passed, the bill will shorten the election period from 60 to 47 days. I am sure many of us in this House who have been through a number of election campaigns, will welcome this shortening of the election period. I have no doubt there will be easy passage of this bill after due consideration, because everyone, I am sure, is interested in the basic principle behind it which is, of course, to shorten the period by some 13 days.

You know, Mr. Speaker, that the shortening of the period will be accomplished by the dispensation of the practice of sending copies of the preliminary voters list to urban households. Instead, a printed notice of enumeration will be mailed to each electorate.

It is important to note that a change of this nature has been discussed for many years. During the last two elections campaigns there were more discussions than ever about the length of the election period.

It is not only parliamentarians who have been concerned about this. I should like to draw your attention to the fact that the Chamber of Commerce, for example, has said that the two-month campaign means—and I am paraphrasing now—that public business is interrupted for quite an extended period. The chamber requested at its 1980 annual meeting that serious consideration be given, when the Canada Elections Act was next before the House for amendment, to shortening the election period.

Many others have contended that our drawn-out election campaigns have not allowed people to focus on the main issues and policies. Instead, public interest is lost and many people are not sufficiently well informed by the time the election date arrives. You may also remember that back in 1973 this House passed amendments to the Canada Elections Act dealing with election expenses. One of the provisions of that amendment was to limit paid advertising by parties to 29 days, I believe, before election day.

The effect of this in the 1979 and 1980 election campaign—because that particular provision was not in effect in 1974—was one of limiting the general focus of the public on the election itself. I am sorry, the hon. member for Nepean-Carleton did not understand me.

Mr. Baker (Nepean-Carleton): What did you say?

Mr. Collenette: It was my contention that by restricting the paid election advertising to the last 29 days before an election—I think it was the last 29 days—the public's focus has, I believe, narrowed, so that in effect we do have what amounts to a four or five-week campaign.

What we are saying in this bill is: let us give it some statutory limitation; let us conform to what is in fact becoming a reality, a reality which has occurred because we amended this act previously to take into account the election expenses provisions, which I believe worked quite well in the 1979 and 1980 election and in the byelections since 1976.

During recent elections another form of complaint has also been heard. This complaint concerns the practice of sending copies of the printed preliminary voting list to urban electors. This concerns women particularly. I know my friends on the other side, who have shown a great interest in women's concerns during the constitutional debate, especially my friends in the New Democratic Party, will take this into account in considering the reduction in the length of the election campaign. Many women living alone feel that the voters lists, which are also posted in public places, receive far too wide a circulation. The name, address and sex of each person who has been enumerated are displayed on these posted lists. This information is also available to every person within a polling division, since the printed preliminary list is mailed to each household where the people have been enumerated. Thus, it is possible to find out who lives in all the houses nearby or in all

the apartments in a building. It is a simple matter to determine from the list, for example, where there are women living alone. Recently many women's groups have passed resolutions opposing the practice of sending out the preliminary lists. The Canadian Federation of University Women, with a membership of 12,109 people across the country, passed a resolution to this effect at its annual meeting in August, 1980. Various police groups have also stated that they feel the wide circulation given to the lists is a security risk to many people. The bill, if passed, would help to alleviate these sorts of complaints, in addition to shortening the election period. To many people, a change in the practice of mailing preliminary voters' lists is as important, if not more so, than a reduction in the length of the election period.

● (2110)

I speak from personal knowledge. Not only was I on the Standing Committee on Privileges and Elections from 1976 to 1978 when we were discussing amendments to the Canada Elections Act—and I heard the concerns of the chief electoral officer on this point—but as one who represents an urban constituency in metropolitan Toronto, 50 per cent of which is composed of apartments, I realize this particular problem must be dealt with. I wish the situation would be otherwise, but we must change the Canada Elections Act so that we do not put fear into the hearts of many of our female citizens who do not like the publicity which is now being afforded by these lists.

[*Translation*]

Mr. Speaker, before dealing with the provisions of the bill, I should like to review the facts that have led us to introduce these amendments. I have already mentioned some of the criticisms which this legislation would silence. I must also point out that the possibility of shortening the period required to hold a general election has already been considered by the Privy Council's privileges committee. The Chief Electoral Officer submitted a report on ways likely to shorten the election period in which he considered various ways to reduce the time required for drawing up lists of electors.

I noticed that almost all our government colleagues are here tonight and that we have two women members here, but all members opposite are well aware that one of the reasons why our elections are so long is that new lists of electors are drawn up at every election. Many countries do not do this. They use what are called permanent lists or continuing election records.

In his 1975 report, the Chief Electoral Officer did an excellent study on the use of such lists and records. The permanent lists are drawn up or updated once a year only. They have the advantage of being ready as soon as an election is called, but they can also be several months old and be outdated and thus deprive of the right to vote many otherwise eligible voters whose name does not appear on the lists. But on the other hand, the records can be changed at any time or very soon after publication of the writ of election. Both methods are costly because they require permanent or semi-permanent administrative systems to compile and update the lists. In his 1975 report, the Chief Electoral Officer estimated at about $30 million a year the cost of having a system of electoral files which could be regularly updated until an election was held. Of course, the cost would now be much higher.

[*English*]

After reviewing the pros and cons of some form of permanent voters' list, the chief electoral officer suggested that a substantial shortening of the election period could be achieved by eliminating the practice of printing and distributing copies of the preliminary voters' lists to urban electors.

Typesetting and printing these lists by traditional methods is a time-consuming and costly process. It was suggested that voters could be informed of the fact that they are on the list by a notice of enumeration sent to each household. Candidates would still be provided with photocopies of the preliminary lists. The Chief Electoral Officer pointed out in his report that this rather simple change in our election practices could shorten the election period to 47 days in all.

I think 47 days is quite a considerable period of time, especially when we consider the modern age in which we live with mass communications and jet travel. I realize this will impose certain hardships on rural ridings, and I see a couple of members tonight who have particularly large northern ridings. But it is our contention that 47 days would be sufficient in which to conduct the election period.

The Standing Committee on Privileges and Elections discussed the report of the Chief Electoral Officer at several meetings in 1976. After extensive questioning and debate, it became clear that the members of the committee did not think the introduction of permanent lists or a continuous electoral roll would be desirable at that time. However, there was considerable support in the committee for the idea of shortening the election period through the elimination of the printing of preliminary lists, as provided in this bill.

On March 23, 1976, a motion to that effect was agreed to in committee. At a later meeting on April 1, 1976, a second motion was passed. In that second motion, the committee recommended that even if the government decided not to reduce the election period, consideration should be given to eliminating the printing of preliminary lists for the reasons we have stated.

[*Translation*]

Mr. Speaker, it is important to remember that the bill under consideration takes into account the recommendations which were discussed at length both in a committee of the House and among the general public. It is also appropriate to mention that Bill C-58 is nearly identical to Bill C-21 which was introduced and tabled on November 5, 1979, on behalf of the previous government by my colleague for Nepean-Carleton (Mr. Baker), the House leader of the official opposition. Only a few very slight technical changes have been made to this bill.

I hope that my colleagues opposite will support the principle of this bill and examine it seriously in the committee. Bill C-58 proposes two major changes in our election practices. First, it

will reduce the election period to a minimum of 47 days, which will substantially shorten the length of election campaigns which have lasted something less than 60 days these last few years. A provision of the bill would guarantee a minimum of 11 complete days between the announcement of an election and the beginning of enumeration. In recent elections, according to many people, time has often been very short to recruit and train enumerators. The Chief Electoral Officer has noted for instance that, in 1979, something less than six days passed between the announcement of the election and the beginning of the enumeration. A lapse of eleven days before enumeration would allow the organizations of candidates to recruit enumerators and the returning officers to make these enumerators more familiar with the important work entrusted to them.

The second major change proposed under Bill C-58 will be to stop sending the preliminary lists to the electors. As I have just said it takes a lot of time to print those lists by traditional methods and that is one of the reasons why the electoral periods have always been so long. Instead of the lists the bill proposes that a card be sent to each enumerated voter.

Besides confirming to the elector that his or her name appears on the list this card would provide information on the revision of the lists, the location of the voting poll and the possibility of voting before election day. I should point out that this card would be sent to all electors whether they be in urban or rural ridings. Under current legislation the preliminary voters lists mailed to urban households give among other things the location of the poll, the revision procedures and other detailed information which is not made available to rural riding residents. The bill will help to do away with that serious and long-lasting anomaly.

● (2120)

[*English*]

As I said earlier, Mr. Speaker, this bill proposes to make a small number of changes in our election practices. These are not new ideas; they have been studied and discussed since 1976. As I have mentioned, following the past two federal elections, many groups and individual citizens have spoken out in favour of a Canada elections act along the lines of what is contained in this bill.

The government presents this bill in the hope that it will receive support from all parties. The members on the Standing Committee on Privileges and Elections will, no doubt, study this bill in great detail. I know that they will be assisted in their work by the chief electoral officer, whose 1975 report has helped us greatly in trying to see if there are ways in which our election campaigns could be shortened. The Standing Committee on Privileges and Elections may want to suggest changes in Bill C-58, but I sincerely hope that we will be able to bring into effect the changes which are being proposed. As elected members, we must constantly strive to maintain the public's confidence in our electoral process.

I am sure, given the fact that the previous Liberal government, the previous Conservative government and now the present government have all agreed with the principle contained in this bill, that all members will give it speedy passage through the House of Commons so that when we do engage in the next election campaign we will be conducting it in a much more realistic time period of 47 days. I think that will probably bring us more into line with most other countries in the free world which have elections, even those large countries such as the United States, Australia, or other countries like them.

Mr. Knowles: The United States takes a year!

Mr. Collenette: My friend, the hon. member for Winnipeg North Centre (Mr. Knowles), says that the United States takes a year. Perhaps the U.S. is not the best example. It seemed to me that the campaign in the United States really took place only in the last six weeks before election day.

In any event, in many provincial jurisdictions the period is much shorter. We have just gone through an election campaign in Quebec which took about four weeks, I believe, and a 37-day campaign in Ontario. I think we will all be doing ourselves and the people of Canada a great favour by giving this bill speedy passage through the House.

Mr. Wright: Mr. Speaker, I wonder if the parliamentary secretary would entertain a question.

The Acting Speaker (Mr. Ethier): That would necessitate the unanimous agreement of the House.

Some hon. Members: Agreed.

Mr. Wright: Can the parliamentary secretary tell us about all the people who have spoken out about this matter? Who are they? Do we have it in writing? Are they in this House? Who are all these people who have spoken out about a change in the elections legislation?

Mr. Collenette: Mr. Speaker, it is for this precise reason that we need to give speedy passage at second reading to this bill and refer it to the committee, so that the minister who will be present before the committee can answer questions such as the one asked by the hon. member for Calgary North (Mr. Wright). It is a very reasonable question but it is one which should not be spoken to in the context of the debate on second reading when we are dealing with the principle of the bill, but rather, when it is before the committee.

Hon. Walter Baker (Nepean-Carleton): Mr. Speaker, I am very happy to take part in this debate. At the outset I would like to express concern and disappointment in that the parliamentary secretary did not see fit to answer what I thought was a reasonably straightforward question which might have expedited this matter.

He raised a point in the House which at the outset I would like to address, that is, that this bill—and I think I quote him—"would go a long way to increase the confidence in the electoral process". With respect, I dissent. Certainly the purpose of the bill is not to increase the confidence in the electoral process. The bill has absolutely nothing to do with increasing the confidence in the electoral process. I think my good friend the parliamentary secretary overspeaks himself. I find there is a great deal of confidence in the electoral process.

One of the reasons for this bill is precisely one of the things that this bill would cease if it were passed. It is something upon which I have reflected. My friend was absolutely right when he said that I had the privilege of introducing a bill much the same as this one. There have been some changes made to it. I must say to him that at the time I had concerns with respect to the bill and I am now glad that the House will have an opportunity to reflect upon those concerns. One of these concerns is the fact that we have a system in place, in the electoral sense, in which the people do have confidence. That is one thing in which they do have confidence, although they are sometimes a bit shattered by the results of an election. I have spoken to many people who have confidence in the electoral system who find themselves, at the end of an election, saddled with a government which has broken every promise but one. That happens to be the promise about the price of oil. You will recall that one, Mr. Speaker. I see you smiling—you do recall that. Some of us in the country would urge the government to break that one last promise and get it over with so we can settle the impasse which exists in the country with respect to energy pricing. But that is said as an aside.

The process itself is open. It is governed by excellent officials. It ensures not only who people are but it ensures that neighbours, friends, political workers, candidates, official agents and everyone involved in the process who should be on the list is on the list. This is a result of the circulation of the list, the very thing that this bill, if it is passed in its present form, would eliminate. The list is compiled and circulated for a good reason; that is, to ensure the open and notorious aspect of our public elections. I recognize the balance and the concerns that my friend has spoken about; but this does become a balancing of the concerns. I care a lot about the process. It may be that we can accomplish the shortening of elections without eliminating the open and notorious aspect of them. That is why I am disturbed, with the reflection of time, that the bill is so narrow and that we have not yet addressed what was in the Speech from the Throne about electoral reform.

Everyone will recall that Speech from the Throne. I am sure we all recall the promises in it about great things which would be done for the country economically and socially. There would be electoral reform. Remember those words? They talked about proportional representation. We were supposed to deal with that. We were supposed to reform the institutions of Parliament to make them more responsive. We were going to look at the whole electoral process to ensure that all parts of the country were represented. Quite frankly, I am disappointed that what is brought forth here is a bill on a very narrow point taken out of another government's legislative program and dealing with only one aspect of it; that is, the shortening of election campaigns.

In the course of his speech my friend relied to a great extent, on the period of time for elections in provinces. We all know they are much shorter. I have a list of them here in front of me, but I will not deal with them in detail. It seems to me that the most extensive period of time is in British Columbia, which is about 38 days. I am not at all surprised that provinces have shorter periods of time for elections. I am not the least bit surprised about that. There are ten of them in the country, and they vary in size, complexity, geography, weather, and all the kinds of conditions which affect you and I, Mr. Speaker, as candidates in getting around from place to place to meet real people whom we ask to send us to Parliament. They all have that variation. However, the great difference between a provincial election and a federal election is that, notwithstanding the aeroplane, the automobile, and all the modern means of communication, the problem is multiplied ten times in a national election. So I think for that reason we ought to reflect very carefully on that bill.

● (2130)

As a person who advanced a bill on behalf of the government, I say that we ought to reflect very carefully with respect to that bill before we rush headlong to approve it. It must be explored quite deeply because this House of Commons is an interesting place. My friend, the Parliamentary Secretary to the President of the Privy Council (Mr. Collenette), told us that he represents the riding of York East in which apartment buildings predominate. He said that about 50 per cent of his riding is made up of apartment buildings. Most of the people in his riding, or at least half of his riding, have chosen to go upwards rather than outwards. So, relatively speaking, it makes it quite an easy and uncomplicated task for a member of Parliament or for a candidate in an urban area to deal with that constituency within a short period of time.

However, as people within a riding begin to spread out, and if one moves into suburban ridings, the circumstances may be different. If one goes into rural ridings, there may be even a greater problem. If one goes into the north, where there are great distances to cover and where aeroplanes are required to travel within the riding and covering those distances takes time, then a new set of problems arises which we must accommodate.

We accommodate diversities of language, we accommodate diversities of racial groups, and we accommodate regional diversities within Canada. There are electoral diversities which we must consider as well.

Quite frankly these are matters which cross my mind as I consider that bill. We never did reach that bill in the course of the last Parliament. I am just as happy we did not because of the differences which there are in the country. I am not suggesting that this bill will not ultimately pass, but I do not think we should rush headlong into it. I believe that hon. members who represent different kinds of constituencies have

different sorts of electoral problems and should have an opportunity to speak in the debate, because the interesting thing about electoral reform in the House of Commons is that we have usually done it in consultation with each other.

The whole Election Expenses Act was an exercise in mutal assistance as the opposition and the government worked together to produce what I consider to be in principle—it is always subject to change from time to time—a masterpiece in the political process. It is that because all kinds of hon. members participated in that election.

It is no argument to say that this bill follows naturally from the provisions of the Election Expenses Act which requires that advertising begin only after the election campaign has been in process for a period of time. Paid advertising may be placed in newspapers, on television and on the radio only in the last 29 days of an election campaign.

I think the general public will agree with me when I say that 29 days is sufficient time. In terms of financing elections, 29 days is too much, however, in terms of the impact upon the public, I guess that 29 days is enough. People complain to us all the time about their favourite programs being pre-empted and how the election ads in the newspapers and over the radio in their automobiles and in their kitchens as they are working have interfered with their usual listening habits, yet this is all part of getting the message across. But the message is enough. However, if my friend is justifying shortening the election period by using the argument of the shortness of the advertising period, then, I say, with respect, he is comparing apples and oranges. I do not think one necessarily flows from the other. My reason is this. The kinds of advertising I am talking about, the paid advertising, is usually done in Canada on a national party basis. Even the leaders of the party depend upon that. The theme of the campaign, the theme of the Prime Minister (Mr. Trudeau), the theme of the contender to the job of the Prime Minister is usually done on a national basis. I do not know about you, Mr. Speaker, but within my budget I cannot reasonably afford, in an election campaign under the Election Expenses Act, to have television advertising. I am sure you cannot afford it. I cannot afford to have the giant ads running in the newspapers. I cannot afford radio advertising, except for a very small part of the campaign, nor can any private hon. member in this House do so, because we are all governed by very strict expense provisions, and so be it. It is right that it should be so. This is not a complaint, it is a fact. This is not supposed to be anything else than the House of Commons.

However, what I can do, and what that time allows me as a candidate and everyone in this room to do is to build up, to augment or to develop an organization that works. Where is it, you may ask. Where the people are, on the street. In the context of an election, it allows me as a candidate, or anyone who stands for public office, the time within the election campaign, not to fly over the riding, not to drive through the riding in a motorcade, but to get out in the street and meet the people and to carry on the work that one should do in this business between elections, but to do it within the election context, when the public mind is focused on the election. That is the importance of time, whether it be in an urban or a suburban constituency.

That is why I think all of us should think very carefully about what we are doing. If we represent rural ridings then there may be another set of problems with which I am only partially familiar. However, they are there. It takes time. There are members now sitting on both sides of this House who represent rural constituencies and who know how much time it takes to go up and down the concession roads, to get out of your car, because one cannot canvass those houses on foot, and go out to meet the farmer, his wife and the members of his family, to get back in your car and get on your way again. No one who has not done it can quite understand the problems. But it all takes time.

I know that our society is becoming urbanized and we are centralizing in cities. But, whatever we do in terms of accommodating potential members of the House of Commons, we must, I think, accommodate the differences which arise with respect to this matter. That is why I do not think we should rush into this adopting this measure and saying it is the greatest thing since sliced bread, because it is not. There will be opinions expressed in the course of this election which will indicate that to the people.

I talked about sending out the lists. I realize there are problems. The parliamentary secretary mentioned some problems that have been brought to my attention, but, I confess, not as forcibly as they may have been brought to his. Even when I was in charge of that bill in the other government, I was not deluged with complaints about the operation of that act. I think we should perhaps work on changing the list and the form of the list. This might be helpful in shortening it.

• (2140)

Why should lists be sent out? It is part of the openness of the election system. It is part of telling people that they are part of a community and who else is in that community. It allows people who live on the street to know who lives up the street and to deal with them on a much more personal basis. It also assists the people who work for parties to assess whether someone who is on the list should be there or whether someone who is not on the list should be on it. It allows friends and neighbours to help others.

Its most important quality is its openness. When only a small number of the lists is produced and they are sent around to only a few people, that has the effect of treating some citizens differently from others. I think in an open election where every vote counts, and only counts once, and every voter is treated equally, they should be treated equally in every part of the process. That is the reason for the list and that is the reason we ought not to move quickly just in order to save some money.

When this bill goes to committee, I hope we will look, for the first time in this Parliament, at the matter of a permanent voters' list. I know this would be expensive but it would be a valuable adjunct to our system. I know it would mean that a

number of people would have to be employed to do this, but I think it would be worth while considering, so that we could make sure that the process is as responsive as it possibly can be.

There is another point about the shortened election which some of us, and perhaps most of us in this House, do not think about. That is that it favours incumbents. It is very easy for us to pass on that and say that we should shorten the election but, in effect, it favours the incumbent. I often wonder if that is fair. I look at some of our practices and wonder if they are fair. I think we have to consider that a short time favours the incumbent. If we are to make the process open and if we are to make sure that it is open to everybody on more or less an equal basis, then we must examine every proposal that comes forward to make sure, whether it is with respect to our constituency offices or anything at all, that we do not favour ourselves as incumbents, even if we do so inadvertently. Even if we do that with the best intentions, I think the shortened election campaign favours the incumbent, and we ought to look at it from that point of view.

There are other hon. members who want to speak on this, Mr. Speaker. I said at the outset that I thought it was important that the bill be brought forward if the government thinks it should be. It is regrettable that it is not considered in the context of a host of other things that we should look at in terms of the election, but there is time to do that. There is no great rush that I know of to shorten the election to 47 days unless my hon. friend knows something that I do not. There is time for us to consider not just this little narrow point—and that is all it is, the narrow point—but some of the broader things that our members will be speaking about as the debate goes on.

It is a way of improving the process, not just for those of us who are here but for everyone who might want to be here and to ensure that it is open to everyone else. That is the spirit in which we will approach this debate. It will allow us as Members of Parliament on all sides to speak to the differences that there are in this country. There is a tendency for us to forget the broadness and diversity of the country from time to time.

One thing that being a Member of Parliament of Canada has allowed most of us to do is to get to know our country better and to realize that the issues of Prince Edward Island, say, are different from the issues that concern British Columbia, the prairies or central Canada. We also learn that the conditions are different, the solutions are different and that the law can apply differently, to discriminate among the different regions of the country. If that is the type of thing we have to avoid, I hope there will be expressions from all sides of the House about how this bill will affect the regions from which members come, the constituencies which are different and the problems which are different.

This is a blanket piece of legislation, whether your constituency happens to be in British Columbia, Ontario, downtown Toronto or somewhere north of sixty. That is the proposition we are going to apply to the whole diverse country of Canada. That is the spirit in which we will approach this debate.

Some hon. Members: Hear, hear!

Hon. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, when the President of the Privy Council (Mr. Pinard) told us at a House leaders' meeting that he proposed to bring forward this bill, I confess that I made an immediate and personal response. I said, what about making it retroactive for the last 16 elections? I have done a little arithmetic and realize that it would have added quite a bit to my life if we could have taken out 13 days from each of the last 16 federal elections in which I have been a candidate. Although that statement makes the point that candidates are concerned about the length of the election, the people who have the greatest interest are the voters of Canada. What we have to come to is a judgment on whether they like elections that last eight or nine weeks or whether they would like them a little shorter. I believe that the general view is that our election campaigns are too long; that they are such that toward the end of the campaign many people lose interest or feel that the same arguments are being thrown back and forth among the contending parties, and if we could cut the time by a couple of weeks it would be better for the process.

I agree with my hon. friend, the hon. member for Nepean-Carleton (Mr. Baker), that there is no final arbitrator who can say what length of time would be best. I suppose we cannot really tell until we have tried the shorter as well as the longer. But I express the view, that as I see it the people of Canada would approve of shortening the election campaign.

I remember that in 1979, after we had gone out of here, the House having been dissolved, the British Parliament was also dissolved. They held an election and their Parliament sat again while we were still out on the hustings. I know that the area of Great Britain is minuscule compared with ours, but that country has twice as many people and elects twice as many members as we do. It also has had twice as much experience as we have had with electing members to a democratic Parliament.

• (2150)

My friend across the way said his face turned red when he was talking about shorter elections. Thank God we do not have the United States system which results in elections lasting for about a year at a time. As a matter of fact, I sometimes wonder about the sense of their electing members to the House of Representatives for a term of only two years when they campaign for about a year. When do they get down to business? At any rate, it seems to me that we would improve the process if we had a shorter period. After all, the proposal in this bill for 47 days does not make it extremely short. It is still longer than any of the elections held in any of the provinces. However, I would hope the idea might be given some consideration.

Let me say right away that I agree with the hon. member for Nepean-Carleton that this is a matter which should be arrived at by consensus. This has been the practice about amendments to the Canada Elections Act down through the years. We usually wait a few months after an election, some-

times into the second session. But we are now into the second year, even if we are not into the second session. At any rate whatever changes are made, they are studied very carefully in committee, and I hope we will find a way to adopt that practice in so far as this matter is concerned.

I say with respect to my colleagues in the New Democratic Party that the same differences exist among their ridings as those to which the hon. member for Nepean-Carleton referred in his remarks. After all, I have a constituency that I can walk around in a few hours. I believe it measures about eight square miles. On the other hand, my friend, the hon. member for Nunatsiaq (Mr. Ittinuar), has an area which is larger than 15 or 20 countries in some parts of the world. Then there is my friend from Churchill and my friend from Skeena with large distances to cover in their ridings. There are others who have these far-flung ridings. As a matter of fact, you do not have to go to the north to find far-flung ridings. In the heart of Manitoba there is the constituency of Selkirk-Interlake. And so it goes. It is only natural that with these different conditions members will have different views.

I may say also there is some concern about what is to be done with respect to the lists. I believe there have been meetings among the bureaucrats of our various parties, persons who are not members of the House at all but who get called into action when there is an election. They have some joint concerns, and these matters could well be looked at by the committee. But I feel very strongly that these differences of views and the need for consensus and the need to study the details of this bill and even to consider other ways to achieve a shorter election period should not stop us from going ahead with this matter.

I gather from what my friend, the hon. member for Nepean-Carleton, said, that there are other members in his party who wish to speak, so that my sitting down now or my sitting down at one minute to ten o'clock would not result in the bill receiving second reading tonight. I see that opinion confirmed by the nod of the head from my friend from Nepean-Carleton.

I hope there might be some interparty consultation about this, maybe among the House leaders or maybe among the persons most concerned, in our parties. I hesitate to make the following suggestion, but I throw it into the pot along with all of the others, namely, that if it is felt that some of the details in the bill are not quite what some members want, then maybe instead of sending the bill to committee we could send the subject matter to the Standing Committee on Privileges and Elections. My hon. friend from Nepean-Carleton says he does not think there is any hurry. That is what he thought on December 10 or December 11 a year ago. He knows what happened then.

Mr. Baker (Nepean-Carleton): You thought there was a hurry and you know what happened.

Mr. Knowles: There probably is not a situation like that one now, but time does have a way of going on. Just because the next election may not be until 1984 or 1985, that does not mean we have all kinds of time. This is 1981, and time marches on.

I hope in one way or the other that we will convey this idea of a shorter election period to the Standing Committee on Privileges and Elections so it can be considered there. I expressed the view that I think the judgment of the people of Canada will be with us, in other words, that a shorter election would be better for the process. That, of course, does not set aside all of the other things in the process to which my hon. friend referred. That does not set aside the extreme importance of the result of the election, but as between a long-drawn-out election of about nine weeks and an election of about seven weeks, I believe the preference of the people of Canada would be for the shorter election.

Therefore, I speak in support of the principle of the bill, although, as I say, our colleagues on the committee will want to go into the various details of it. I hope that before we are finished with this bill we will have arrangements for a shorter and more compact election period the next time members are sent out onto the hustings.

Mr. Robert Daudlin (Essex-Kent): Mr. Speaker, I might indicate at the outset that I have to concur with the hon. member for Winnipeg North Centre (Mr. Knowles) when he indicated his belief in his reading of the electorate generally with respect to the time during which elections are held in Canada. I would like to think as well that my hon. colleague, the hon. member for Nepean-Carleton (Mr. Baker), when he was expressing his concerns with respect to the lists, had not overlooked the other principles in the bill, in particular the reduction of the time period, and that there would be some concurrence in his mind as well. I notice he nods his head affirmatively that the principle of reducing the time period from what has been the historic practice in Canada to something shorter, perhaps to 47 days, which has no magic to it, but is an attempt to reflect the concerns of the electorate generally, has, up to this point, been viewed as being too long.

With respect to my other hon. friend who asked the parliamentary secretary where the concerns about the elections had come from, I ask him to recall the last campaign. Perhaps he might remember that even his campaign workers, particularly during the last two or three weeks of the campaign, heard comments that people really felt they had heard it all before. Television and radio announcements and comments at various all-party meetings and all-candidates meetings were old hat. People had had the opportunity already to reflect on the issues being put forward by the various party leaders. They were already in a position to express themselves and needed no further time to do so.

My hon. friend from Nepean-Carleton pointed out that there are distinctions and differences with respect to various ridings. It is interesting that three of us speaking this evening come from Ontario, and yet all three of us represent ridings which are rather different in their makeup. The first speaker, my colleague, the parliamentary secretary, represents a riding which is essentially densely populated by high rise towers but spreads out hardly at all. My colleague from Nepean-Carleton

represents a riding which perhaps spreads out somewhat farther but does not have as many high rises as the riding of York East. My riding, out of a total number of 180 and some odd polls, has only 20 urban polls in the whole riding. With respect to the rural areas and the necessity for the openness and notoriety of the lists, my hon. friend from Nepean-Carleton points out a difference. I want to put something on the record on which I ask my hon. friends to reflect. My urban friends consider that the stability of the population in rural ridings is a benefit.

* * *

● (2200)

BUSINESS OF THE HOUSE

Mr. Baker (Nepean-Carleton): Mr. Speaker, I do not want to impinge upon the time of the House, but I know you can make an allowance. I would like to ask the Parliamentary Secretary to the President of the Privy Council the business that we will be dealing with tomorrow. What are the intentions of the government with respect to the balance of this week? If he could answer those two questions it would be helpful to all of us.

Mr. Collenette: Mr. Speaker, I know that all members would like to work diligently on Thursday and Monday, but we feel that members deserve a rest. Therefore, it is the government's intention to call tomorrow Bill C-61, the Young Offenders Act. Hopefully we can rise tomorrow night for the Easter weekend.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

MARINE TRANSPORT—NORTH SYDNEY, N.S. TO ARGENTIA, NFLD. FERRY SERVICE

Hon. John C. Crosbie (St. John's West): Mr. Speaker, I rise with reference to an answer to a question given to me yesterday by the Minister of Transport (Mr. Pepin). The minister has developed a policy which is even more punishing to Atlantic Canada and Canadians who are dependent upon transportation than his predecessor, Otto Lang. Mr. Lang excelled in the user-pay principle, but the present minister has come up with a new principle. Transportation needs are to be decided on something called the multimodal principle.

There is a transportation envelope for each province and there have to be trade-offs within that envelope for each province. In other words, he has said that the transportation envelope for Newfoundland will be $210 million a year. To give one example, he said to the Newfoundland government that if they want money spent on the Trans-Canada highway and other roads in Newfoundland this year, or on any transportation service, they will get it by permitting us to discontinue some service now being provided to Newfoundland.

The service the minister has chosen is the ferry service in summer from North Sydney to Argentia in Placentia Bay. He said eliminating this ferry service will save $8 million to $9 million a year. The Newfoundland government and people can then decide what other transportation mode they want it spent on. That is the new policy. The new minister is the Jack the Ripper of Canadian transportation policy, Jean-Luc the Ripper.

With the discontinuance of the Argentia-North Sydney ferry service, 300 jobs would be lost in Newfoundland. The minister is from central Canada where they have all the modes of transportation they need. All modes are efficient modes and they have been built up over 100 years. However, in the Atlantic provinces we do not have satisfactory multimodes or any mode of transportation.

In the envelope for Newfoundland, the minister is including the Cabot Strait ferry service which is required by the terms of union. Presumably he is including all road spending, the Trans-Canada Highway, the subsidies for the coastal steamship service, subsidies on the shipping service by Clark from Montreal to St. John's, the new shipping service from St. John's to Goose Bay where there is a CN marine scandal because they gave the contract under false tendering practices to a Liberal friend, Mr. Woodward of Coastal Shipping Limited, a contract which is now being investigated.

They are including airport spending in Newfoundland, the Newfoundland railway expenditure, VIA Rail bus service across Newfoundland, ferry service to Bell Island, St. Barbe to Blanc-Sablon, Change Islands and so on. They are including navigational service, the marine traffic control centres, ferry services. All these services are included in this envelope.

The people of Newfoundland are told that if they want an improvement in the Trans-Canada highway, their airport services, coastal steamship services and ferry services, they have to permit the government to discontinue spending somewhere else.

The Sullivan royal commission on transportation in Newfoundland did not recommend discontinuance of the Argentia to North Sydney service. They suggested that it continue with improvements. I want to point out to the minister that the MacPherson royal commission of 1961 said that the situation in Newfoundland, "Is a special case distinct from the rest of Canada". But the minister wants to take us in Newfoundland, ignore this special situation and say that we are going to be treated in the same multimodal, trade-off, envelope way as Ontario, Quebec or the rest of Canada. Well, it will not work, and the people of Newfoundland will not accept it, the municipal councils will not accept it, the people of the Argentia-Placentia area will not accept it, I will not accept it, the Newfoundland government will not accept it, and if the five Liberal

MPs who represent other Newfoundland districts here in this House accept it and promote it, they will go down to defeat in the next election, believe me, Mr. Speaker. We are not going to accept it.

• (2205)

We traded off a number of years ago the railway passenger service in Newfoundland. It was a trade-off to get the federal government to assist in spending on the Trans-Canada highway. What we got in return was a bus service from St. John's to Port aux Basques that is inferior in many ways. It never satisfactorily replaced the rail service.

I urge the minister to stop this approach to Newfoundland. We need all of the modes improved in Newfoundland, not one mode set off against the other, not less spending on one if you want more spending on the other. The minister has sunk the synchrolift at the urging of the Minister of National Revenue (Mr. Rompkey). He terminated the Trans-Canada highway agreement. We do not know if he is going to start it again. He is teasing Torbay airport, doing relatively little for it. He has harpooned the harbour improvements in St. John's. This minister is a veritable Jean-Luc the Ripper. That may be all right here in central Canada and Toronto, but even in Toronto he proposes spending $300 million over the next ten years in improvements to the Toronto airport, doubtless needed. I agree that that is a needed expenditure. I will not even mention Mirabel. But he is down gutting our little province saying there is a $210 million transportation envelope, as though this was a gigantic amount when it is very, very little when you divide it among air services, coastal services, ferry services, marine services, water carrier services and the many needs of a province of 48,000 square miles on the island and 110,000 square miles on the mainland of Labrador, with all that implies in scattered communities and transportation needs.

I am asking the minister now—he has affirmed that the Argentia to North Sydney ferry service will continue this summer—to drop this kind of policy in Newfoundland, to make available to Newfoundland perhaps another $80 million to $90 million to enter into a Trans-Canada highway strengthening agreement. The highway is in a desperate condition. We need another three-year agreement, 75 per cent-25 per cent from the federal government. Stop trying to impose this new idea of trade-offs with the people of Newfoundland.

He is going to make Cape Breton suffer, by the way. The representative from North Sydney is in the chamber tonight, and if he wants to help his area in North Sydney, he will do his best to see that this ferry service is not discontinued.

So I hope the parliamentary secretary when he answers tonight will tell me that this ludicrous proposal is going to be dropped, because if it is not dropped, the howl of outrage and protest from Newfoundland is going to give that gentleman quite a lot to do. He will have to do a lot of travelling in Newfoundland this year.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, before the hon. member gets more alarmed about these issues, let me assure him that no decision has been made either with respect to terminating the Argentia ferry or with respect to a new highway strengthening program.

I realize that in the first case he does not want a decision and in the second case he does. It should be some comfort to him at least that the Argentia ferry is assured of sailing as usual this summer.

As the Minister of Transport (Mr. Pepin) has been at pains to explain to him, what is happening is a series of discussions with the province of Newfoundland and the other Atlantic provinces aimed at finding the best uses for the limited amount of federal money available.

The hon. member seems to get terribly excited when the minister mentions the idea of an envelope and trade-offs. This reaction is quite remarkable, since the hon. member himself spawned the idea.

When the hon. member asked the question yesterday, he said that "the people of Newfoundland know what the minister is trying to do to them, eliminate a service here and then spend the money somewhere else". I would like to quote from a document I happen to have on file. It describes a new system for controlling government spending. It says that the system:

—is intended to focus attention on the hard choices to be made and the trade-offs among alternative policy actions.

• (2210)

It talks about the need to "establish known limits". It says that "the creation of resource envelopes is central to the new system".

Perhaps the hon. member recognizes the document. He should, because he tabled it in the House in December of 1979 when he was minister of finance. So all this is really a great compliment to him. The Minister of Transport recognizes the value of the system proposed by the hon. member and is doing his best to implement it rapidly.

MARINE TRANSPORTATION—WITHDRAWAL OF DART CONTAINERLINE SERVICE FROM HALIFAX—HOLDING OF INQUIRY

Mr. Howard Crosby (Halifax West): Mr. Speaker, on March 12, 1981, I had the opportunity to address some questions to the Minister of Transport (Mr. Pepin) in respect of the withdrawal of Dart Containerline service from the port of Halifax.

My main concern at that time was twofold. First I wanted to ask the minister whether he was in fact ordering an inquiry under the Canadian Transport Commission into the withdrawal of Dart Containerline service from the port of Halifax and, second, I wanted him to consider the role of the Crown agencies, the Canadian National Railways and the National Harbours Board, in relation to the operation of container services in the port of Halifax and the port of Montreal. I was concerned, as were many people in the port of Halifax, that the CNR, in conjunction with the activities of the National

Harbours Board, had permitted this removal of Dart from the port of Halifax to the benefit of the port of Montreal.

The minister, much to my surprise, indicated that there was to be no such inquiry under the National Transportation Act of the kind we in Nova Scotia had envisaged. In fact, the Premier of Nova Scotia, the Hon. John Buchanan who had been in Ottawa a few days before, had spoken to the Minister of Transport, and had come away with the impression that there was to be a general inquiry into the activities of container traffic in the North Atlantic using both the ports of Montreal and Halifax, as well as other ports, including the port of Saint John. In fact, in relation to the matter of the inquiry, the minister was simply referring to Section 27 of the National Transportation Act which requires that when a railway company acquires an interest in a shipping company, the acquisition must be brought before the Canadian Transport Commission for examination and approval.

What is happening in this instance is that CP ships are acquiring, or are in the process of acquiring, an interest in Dart Containerline services, and it is the acquisition of that interest by CP ships that has attracted Dart to the port of Montreal.

This matter has to be reviewed by the Canadian Transport Commission, and that will be the subject matter of the inquiry. We do not know how broad that inquiry will be. It is very important for those of us who are interested in the port of Halifax to have the opportunity to present to the Canadian Transport Commission all the factors that have to be taken into account.

What is happening is this. The port of Montreal for the last number of years has been experiencing some difficulty in attracting the large container vessels which are now being employed in the North Atlantic and worldwide marine container traffic. Apparently this has resulted in severe difficulties for shipping companies like CP and Manchester Lines which have seen their north Atlantic traffic drop off. This is the motivation for those companies to become more active and aggressive in acquiring part of the north Atlantic container traffic and has led to moves such as the acquisition of an interest in Dart.

We are concerned because we who are interested in the port of Halifax see some sinister elements in this. In the first place, Canadian National Railways operates the only railway link between Halifax, Montreal and other westward points. The Canadian National Railways last fall, in accordance with an agreement drawn up some years before, acquired an interest in the CAST shipping group. This is an equity interest. It makes CN an owner in the CAST shipping group. It has the right, under its agreements, to acquire a very substantial ownership in the CAST shipping group.

● (2215)

This has caused some concern among other shipping companies, such as Hapag Lloyd, as well as Dart and other international marine transport companies. They are concerned that this unhealthy liaison between CNR and CAST may result in unfair competition to other north Atlantic carriers.

Many of us think that this is what motivated the move by DART to form a liaison with CP Ships. We think all of this ought to be reviewed very carefully and very closely by the Canadian Transport Commission. We are disappointed that the minister has not seen fit to exercise his authority and power under the act through the Canadian Transport Commission by holding a general inquiry to determine whether these activities—that is the liaison between CP Ships and Dart Containerline service, on the one hand, and the liaison between the CAST shipping group and the CNR on the other—are not detrimental to the public interest in terms of competition in international container traffic.

We are mainly concerned because of the great opportunity this gives the port of Montreal. This brings up the role of the National Harbours Board. We wonder what the National Harbours Board is up to. It appears that some time ago, with the help and co-operation of the Minister of Transport (Mr. Pepin), they were busily engaged in expanding very dramatically container terminals in the port of Montreal, both on behalf of the CAST group at the Task Terminal and on behalf of CP Ships in relation to the Racine Terminal. We wonder whether this was a plan and program to expand container traffic in the port of Montreal at the expense of the port of Halifax. We want and need an inquiry.

There are many people in Halifax associated with container traffic operations of Halterm and with the container traffic operations of CNR on the land side who say that no inquiry is necessary. I say to those people that what is happening is not in the best interest of the port of Halifax. It is an attempt to cover up what is going on. Those of us who are interested in the welfare of the port of Halifax want all facts to be brought before our national organization, the Canadian Transport Commission, so that everybody knows what is going on, everybody can see what is happening and can make their objections. It may well be that this whole move from the port of Halifax to the port of Montreal and the consolidation of container traffic within the port of Montreal are not in the Canadian interest. We want the minister to answer for that.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, in the last month there have been several statements in the House on the subject of the hon. member's question. On March 10, I answered a late show question put by his colleague across the Halifax harbour. On March 17, during an opposition day debate, the minister went into considerable detail on the port of Halifax. So, tonight I will simply review the main points of this issue.

The minister indicated that he will not order an inquiry into the Dart move, but that several opportunities exist for those who wish to intervene formally in front of the Canadian Transport Commission.

At his meeting last month with Premier Buchanan, the minister agreed to undertake some further study into the questions of rail freight rates and icebreaking services on the

St. Lawrence. But he pointed out that increases in Halifax-Montreal freight rates over the last ten years were considerably smaller than increases in comparable rates and clearly smaller than increases in the consumer price index. The cost of icebreaking services, to the extent that they could be assessed, would represent a negligible impact on the flow of container traffic.

The other aspect which has been raised is the question of port charges. It is a fact that harbour dues, berthage and wharfage charges are identical for all east coast ports. So there is no discrimination against Halifax. In fact, Halterm enjoys a 50 per cent rebate from the National Harbours Board on wharfage charges, a rebate which amounted to a subsidy of $1.8 million in 1980. It is true that the National Harbours Board intends to raise the land rental rate for Halterm, but Halterm has enoyed a fixed rate of 15 cents per square foot for ten years. The new rate has been determined in exactly the same manner for lessees at all NHB sites.

• (2220)

In summary, most people recognize that in spite of the move of Dart, the port of Halifax retains great promise. The president of Halterm, who stands to lose the most, has rejected the idea of government intervention, and the executive director of the Halifax-Dartmouth Port Commission has painted an optimistic picture of the port's future.

REGIONAL DEVELOPMENT—APPLICATION OF PROGRAM TO DEAL WITH REGIONAL INEQUALITIES

Mr. Bob Corbett (Fundy-Royal): Mr. Speaker, my participation in this evening's proceedings arise out of a question which I asked of the Minister of Finance (Mr. MacEachen) on February 12, 1981. It concerned the designation of the manufacturers' tax credit program which was announced in the budget of last October. The criteria which have been used to determine the base for that program is what I was specifically questioning. I felt it was particularly pertinent that there were several areas in New Brunswick, Nova Scotia and other regions of Atlantic Canada which qualified under the criteria that were made available to the House under the proposed program.

The fact of the matter is that apparently all of this is being managed under the Department of Regional Economic Expansion, which has been in place for a number of years. In that regard I would like to draw a brief history of the program of DREE to the attention of the House, how it originated and what it was intended to accomplish, and then provide to the government a proposal which I think would be much more effective than that which, in my opinion, DREE has not been able to accomplish over the years that it has been in place.

Regional disparities, back in the 1950s, were recognized as being something the government should come to grips with. One of the first programs the government of the day implemented was a program of equalization payments. The purpose of these was to reduce to some extent the difficulties that regional disparities were creating in the country. There were a good many programs which developed after that, including the Agricultural and Rural Development Act, commonly known as ARDA, the Fund for Rural Economic Development, which was known as FRED, the Atlantic Development Board was created, the Area Development Incentives Act was brought before the House and, finally DREE was created.

The purpose of DREE at that stage was to co-ordinate the rest of these programs under one central authority. However, the principal purpose of DREE at that time was to concentrate on the development of those regions of the country which the government felt were in a state of regional disparity. Then after DREE was formed, it undertook an umbrella-like initiative, which included the Regional Development Incentives Act. This act was an inducement to manufacturers to locate in particular regions.

I suggest that DREE has been nothing more than a stop-gap department and it has provided nothing more than band-aid programs and band-aid assistance to certain regions of Canada which have not been long lasting or of any meaningful advantage to the area.

I would like to suggest to the government that people in Atlantic Canada—and I see here the parliamentary secretary from the Atlantic region who cares about what happens there and who will respond to what I am saying—would like to see something much more meaningful than the band-aid approach which has been promoted by DREE over the past several years. They would like to see something which will have a lasting effect. In this regard I would like to suggest that Atlantic Canada be set up as a specifically designated area by the federal government in its negotiations for special trade and tariff recognition in its agreement with the United States. We are geographically a part of that vast market of 48 million people—twice the size of Canada's population. There are 48 million people in New England who are our natural trading partners. If we were to develop a program which recognized the contribution that Atlantic Canada could make to the rest of Canada by giving a specific advantage to that area to manufacturers so that they would locate in that region for reasons of trade with the New England states, I believe that a lasting contribution could be made to Canada by Atlantic Canadians. It would withdraw them from the over-protective attitude of the government which seems to say, "Equalization payments will take care of all your needs", it would reduce the terrifically high unemployment there, and it would be something of lasting value for Atlantic Canada in its contribution to the prosperity and future development of Canada as a whole.

• (2225)

I think that is the approach which they should be taking rather than continuing on with what I refer to as band-aid programs.

Mr. Russell MacLellan (Parliamentary Secretary to Minister of Regional Economic Expansion): Madam Speaker, the minister has been asked many times by hon. members in this House why their constituencies have not been designated to receive the benefit of the Special Investment Tax Credit

Program. I am beginning to derive considerable satisfaction from the importance they attach to this bold and innovative program. Most recently the hon. member for Fundy-Royal (Mr. Corbett) asked why more areas in New Brunswick had not qualified for this tax credit.

I will explain to him again the criteria that were used for designation. I will do so in order that he and other hon. members of the House will fully understand the justifiable bases on which these designations were made.

We, on this side, are concerned about people. We are concerned particularly about those who suffer the most economically, living as they do in areas where family unemployment rates are significantly above the national average and where per capita incomes are lowest in relation to the national average.

The Special Investment Tax Credit Program is designated to give these people a hand, by making it worth while for successful and profitable firms to locate in these areas and to provide them with the employment and other economic opportunities that they have lacked for so long.

But we are also cognizant of the need for fiscal restraint. Therefore, with reluctance, we decided to limit the benefits of the program to the 5 per cent of the Canadian population most in need.

It will be obvious to the hon. member opposite, and to others, that not all areas of Canada, and particularly not all of the Atlantic region, could be designated in the light of this contraint. Being from the Atlantic region, I would like to see more parts of it designated, but obviously this would not be equitable in relation to needs elsewhere.

● (2230)

The first point I would like to make in response to the hon. member for Fundy-Royal is that I, too, would like to see other parts of New Brunswick designated. Perhaps this will be possible in the future if the optimism which the hon. member holds for this program, and which I share, materializes in the form of proven success.

The second point I would like to make is that the SITCP is an incentive program. It is a challenge to the private sector to create jobs. But mostly it is a challenge to create jobs in areas where the need is greatest.

The member for Fundy-Royal has asked why more areas were not designated in New Brunswick. The answer is simple.

The Acting Speaker (Mr. Ethier): Order, please. The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock p.m.

At 10.31 p.m. the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Wednesday, April 15, 1981

The House met at 2 p.m.

● (1405)

ROUTINE PROCEEDINGS

[*English*]

IMMIGRATION

SUGGESTED EXTENSION OF REFUGEE STATUS TO TIBETANS—MOTION UNDER S.O. 43

Mr. J. R. Ellis (Prince Edward-Hastings): Madam Speaker, I rise under the provisions of Standing Order 43 to introduce the following motion. Whereas the Government of Canada has a well-known policy of accepting refugees; whereas Tibetans, having been forced out of their own country, are now under tremendous pressure and harassment to leave Bhuttan; whereas Tibetans have proven themselves to be fine, industrious citizens of Canada, I move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

That the Minister of Employment and Immigration consider extending refugee status to a limited number of Tibetans from Bhuttan.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

ENERGY

NECESSITY FOR AGREEMENT BETWEEN FEDERAL GOVERNMENT AND PRODUCING PROVINCES—MOTION UNDER S.O. 43

Mr. Jack Shields (Athabasca): Madam Speaker, I rise on a matter of most urgent and pressing necessity. Whereas the Cold Lake and Alsands projects are in real danger of being cancelled because of the lack of an energy agreement with the producing provinces, and whereas the cancellation of these projects will have a disastrous effect on the already ailing Canadian economy, I move, seconded by the hon. member for Pembina (Mr. Elzinga):

That this House directs the Minister of Energy, Mines and Resources to have an energy agreement in place not later than June 1, 1981.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

INDIAN AFFAIRS

PROPOSED CONSTRUCTION OF NUCLEAR REACTOR AT BLIND RIVER, ONT.—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): Madam Speaker, I rise under the provisions of Standing Order 43. Indian leaders are gravely concerned about the potential dangers of the proposed Eldorado nuclear reactor at Blind River and have requested an appearance before the Atomic Energy Control Board to voice their concerns. Because their numerous letters, telexes and telephone calls to the Minister of Indian Affairs and Northern Development (Mr. Munro) have gone unanswered, and because their request to appear has now been denied, I move, seconded by the hon. member for Erie (Mr. Fretz):

That the Minister of Indian Affairs and Northern Development immediately shoulder his responsibility for the protection of Indian rights, begin responding to telexes, letters and telephone calls, and arrange for their concerns to be heard before the Atomic Energy Control Board.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

NATIONAL DEFENCE

F-18 FIGHTER AIRCRAFT—SUGGESTED MINISTERIAL REVIEW—MOTION UNDER S.O. 43

Mr. Terry Sargeant (Selkirk-Interlake): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Recently the Minister of National Defence (Mr. Lamontagne) told the Standing Committee on External Affairs and National Defence that he would seek firm answers from United States Secretary of Defence Weinberger concerning the state of the beleaguered F-18 program when the latter visited Ottawa. Today a United States official is quoted as saying that it is unlikely Mr. Weinberger will specify any changes in plans for the United States purchases because any such decision is still pending.

In light of these conflicting statements, and the report that, as a result of congressional budget cuts, the United States

F-18 research and development funds will dry up by mid-June, I move, seconded by the hon. member for Winnipeg-Birds Hill (Mr. Blaikie):

That the minister stop parroting the assurances of McDonnell Douglas and other vested interests, and act expeditiously to protect Canadian interests by ordering his own thorough and complete review of the disastrous F-18 program.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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THE CONSTITUTION

ANNOUNCEMENT OF QUEBEC SUPREME COURT DECISION—MOTION UNDER S.O. 43

Mr. Peter Lang (Kitchener): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact the Leader of the Opposition (Mr. Clark) supposedly champions the rule of law, traditions of Parliament, and the concept of provincial unanimity, and given the historic decision of the Quebec Supreme Court, four to one in favour of the federal constitutional package, I move, seconded by the hon. member for Thunder Bay-Nipigon (Mr. Masters):

That the Leader of the Opposition clarify with his caucus the inconsistency of the Tory property rights package which may well be ultra vires and does not have the support of the premiers, particularly in the west and in the maritimes, and as well that the Leader of the Opposition inform the House of the alleged agreement between the premiers on an amending formula of which he states he is aware today.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: That is a political question.

Some hon. Members: Oh, oh!

Madam Speaker: Is there unanimous consent for the motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ENERGY

NECESSITY FOR AGREEMENT BETWEEN FEDERAL GOVERNMENT AND PRODUCING PROVINCES—MOTION UNDER S.O. 43

Mr. Len Gustafson (Assiniboia): Madam Speaker, I rise under the provisions of Standing Order 43. Energy minister Marc Lalonde said yesterday—

Some hon. Members: Order.

Mr. Gustafson: —that he does not expect to reach an energy agreement by July 1. Given the fact that the Cold Lake and Alsands projects could be shelved by June 1, coupled with the counterproductive effect of the government's energy policies on the economy, I move, seconded by the hon. member for Athabasca (Mr. Shields):

That the government take immediate steps to come to an energy agreement in view of this very serious economic effect on Canada.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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● (1410)

ENVIRONMENTAL AFFAIRS

DUMPING OF EFFLUENT INTO NIAGARA RIVER—MOTION UNDER S.O. 43

Mr. Girve Fretz (Erie): Madam Speaker, I rise on a matter of urgent and pressing necessity. Recent press reports indicate that as a result of malfunctions in the Buffalo sewage plant, millions of gallons of improperly treated waste are being dumped daily into the Niagara River. Therefore I move, seconded by the hon. member for St. Catharines (Mr. Reid):

That this House urge the Minister of the Environment to verify these reports, and upon determining their truth, to inform the United States government immediately of Canada's deep concern about pollution in this international waterway.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE ECONOMY

REASON FOR HIGH INTEREST RATES—MOTION UNDER S.O. 43

Mr. Don Blenkarn (Mississauga South): Madam Speaker, private borrowers in the United States are borrowing money on short term at about 14.75 per cent. The Government of Canada today is paying at least 2 per cent more than private borrowers can borrow money for in the American market. I therefore move, seconded by the hon. member for Western Arctic (Mr. Nickerson):

That the Minister of Finance on motions do explain to the House of commons whether the reason for the difference in rates is the deliberate high interest rate policy of the government or whether the government has run down Canada's credit rating with lenders so that Canada is required to pay a 2 per cent premium to borrow money.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

SOCIAL SECURITY

MOTHER'S ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS—MOTION UNDER S.O. 43

Mr. David Orlikow (Winnipeg North): Madam Speaker, I rise under the provisions of Standing Order 43 with respect to some very discriminatory questions asked by some unemployment insurance officials. Considering that a Canada Employment official recently informed a Hamilton woman that she could be ineligible for unemployment insurance benefits because she was breast-feeding her child, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the Minister of Employment and Immigration issue a directive to all Canada Employment Centres to end this appalling and discriminatory practice which is a consideration in determining unemployment insurance eligibility on the basis of how a woman feeds and cares for her children.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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NATIONAL UNITY

SPEECH MADE BY MEMBER FOR SCARBOROUGH EAST—MOTION UNDER S.O. 43

Mr. David Smith (Don Valley East): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Yesterday's Toronto *Star* carried a very disturbing story about a speech given by the hon. member for Scarborough East (Mr. Gilchrist) to the Alliance for the Preservation of English in Canada, in which he went on record as supporting separatism in Quebec and in which he appeared to condone a threat against the Prime Minister (Mr. Trudeau). I believe all hon. members will agree that such inflammatory statements should be abhorred. Therefore I move, seconded by the hon. member for Willowdale (Mr. Peterson):

That the hon. member for Scarborough East should apologize to all the members of this House and to the Prime Minister.

Failing this, I move:

That this House direct the Leader of the Opposition to follow the lead of his predecessor, the Hon. Robert Stanfield, and expel those members of his party who support separatism, who deny the bilingual character of our country as set out in the Official Languages Act, and who advocate disobedience of the law.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MAURICE STRONG

MOTION UNDER S.O. 43

Mr. Doug Lewis (Simcoe North): Madam Speaker, I rise on a matter of urgent and pressing necessity under the provisions of Standing Order 43. Maurice Strong has followed the natural Liberal progression from President of the Canadian International Development Agency to chairman of Petro-Canada, to commission agent for his friends in the Liberal government to the tune of a $1 million fee. Therefore I move, seconded by the hon. member for Mississauga South (Mr. Blenkarn):

That this House encourage Maurice Strong to take the route that other Liberals sometimes take and run for office, unless of course another take-over intervenes.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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VETERANS AFFAIRS

CALL FOR INTRODUCTION OF LEGISLATION RESPECTING WIDOWS' PENSIONS—MOTION UNDER S.O. 43

Hon. Stanley Knowles (Winnipeg North Centre): Madam Speaker, under the provisions of Standing Order 43, and seconded by the hon. member for Beaches (Mr. Young), I move:

That this House calls on the Acting Minister of Veterans Affairs to give notice next week of the anticipated legislation to shorten or eliminate the six-and-a-half-year phasing-in period respecting pensions for veterans' widows contained in last summer's Bill C-40, it being clear that this House will give quick passage to this legislation.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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PENSIONS

EFFECT OF ANGLO-CANADIAN DOUBLE TAXATION AGREEMENT—MOTION UNDER S.O. 43

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, in light of the burden placed on British pensioners by

the acceptance of this government of the protocol amending the Anglo-Canadian double taxation agreement, which came into effect at the beginning of this year, and which seems to have been directly aimed at the minute pensions available to a large number of elderly Canadian residents, I move, seconded by the hon. member for Moose Jaw (Mr. Neil):

That the Minister of Finance make a statement on motions at the earliest opportunity explaining how the signing of this protocol came about and, in particular, indicating what steps the government proposes to take to relieve the financial burdens imposed on those unfortunate pensioners, many of whom are not even eligible for full Canadian pension benefits.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

● (1415)

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

REQUEST FOR CONVENING OF FIRST MINISTERS' CONFERENCE

Right Hon. Joe Clark (Leader of the Opposition): My question is directed to the Prime Minister, whom I first want to congratulate on receiving what he would regard as good news from the superior court of Quebec—

An hon. Member: Court of appeal.

Mr. Clark: —court of appeal? Court of appeal. I feel that the legal questions should be decided by the courts, and I am pleased that Parliament is agreeing to let that happen.

Some hon. Members: Hear, hear!

Mr. Clark: My question concerns the other part of the process. It concerns the meeting here tomorrow of premiers of eight provinces to conclude their proposal for patriation of our Constitution, with an amending formula. The Prime Minister knows that in the telex to him from Premier Lyon there was a request for a meeting with the Prime Minister after the premiers had met for joint consideration of the new plan. If the Prime Minister receives such a proposal from those eight provinces, will he arrange to convene a first ministers' conference to consider that proposal?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I would have thought that the Leader of the Opposition would be somewhat hesitant to speak on behalf of the provinces in this matter. The last time he raised it in the House, it was to enjoin me to meet with the eight premiers meeting here in Ottawa. When, after some hesitation—considerable hesitation, I would say—I accepted to meet with them, then it appeared that they did not want to meet me. So I think the Leader of the Opposition had better let the premiers handle this, and stay out of this business, himself.

Some hon. Members: Hear, hear!

Mr. Clark: The Prime Minister will want to consult the record to know just how wrong his rendition of history is, although he does confirm that he would prefer to have Parliament stay out of questions which are Parliament's business. My question to him stands. There is to be a meeting here tomorrow which the eight premiers involved believe will yield a new plan for bringing our Constitution home with an amending formula. They have formally requested the Prime Minister of Canada for an opportunity to discuss that plan with him. They have requested that in the telex in which they said:

Subsequently we hope to meet you—

That means the Prime Minister.

—for joint consideration of the new plan.

That is in the telex from Premier Lyon.

If there is a new plan brought forward, as the premiers expect there will be, will the Prime Minister of Canada agree to meet with them to discuss that plan, and will the Prime Minister consider convening a first ministers' conference to discuss that plan by which Canadians could patriate our Constitution and amend it here in an agreed way, and any other questions which he might want to put on the agenda? Will he convene a first ministers' conference if there is a proposal from those eight premiers tomorrow?

Mr. Trudeau: Madam Speaker, the Leader of the Opposition is making the same mistake which he made two weeks ago when he enjoined me to meet with the premiers to discuss something with them, to hear them out and to have a federal-provincial meeting of some sort. I repeat, it was after he had said that and pressed me—presumably, on behalf of the premiers—to meet and to discuss with them, it appeared that they did not want to meet and discuss with me. That is still the situation now.

The Leader of the Opposition says that Premier Lyon has sent me a telegram wherein he says he wants to discuss their plan with me. I have the telegram here, and the only part of it which refers to myself is in the final words. I read them:

It is our intention to communicate the conclusions of the meeting to you on the afternoon of the same day.

That does not sound as though they want to have a discussion with me.

An hon. Member: Read it all.

Mr. Trudeau: It sounds to me as though they are having a meeting in Ottawa, that they will try to discuss and hopefully agree amongst themselves, presumably to put the final touches on something which has not yet been quite agreed to. That is why I repeat, what I said last week in this House, that the veracity of the statement to the effect that they had reached an agreement was somewhat in doubt. It has been put in doubt since then by several of the participants who have said that

they still have some decisions to make. Premier Lévesque said that, and Premier Blakeney said that, so the Leader of the Opposition in this House really is carrying a brief for some who have not asked him to carry it for them.

● (1420)

I will be in Ottawa tomorrow. I am not sure how the intention of communicating the conclusions of the meeting to me will be fulfilled. I do not know if Premier Lyon wants to see me. I do not know if he will send me a letter—

An hon. Member: Oh, oh!

Mr. Trudeau: What is beefing you, my friend?

Madam Speaker: Order, please. The hon. member does not have the floor.

Mr. Forrestall: Who the hell cares?

Some hon. Members: Oh, oh!

Mr. Clark: I can understand the frustration of members of the House when the Prime Minister twice refuses to answer a very simple question having to do with his duty to the people of this country, as the first minister of Canada.

Some hon. Members: Hear, hear!

Mr. Clark: On April 3 Premier Lyon, the chairman of the provincial premiers' conference, sent a telex from which I have already quoted in the House, to the Prime Minister, in which he outlined the plan of the premiers to meet first and then, and again I quote, "Subsequently we hope to meet you for joint consideration of the new plan".

I am not particularly interested in debating with the Prime Minister what happened last week. What I am interested in knowing is whether the Prime Minister will accept his responsibilities as Prime Minister of this country, to resolve in a Canadian way, and in co-operation with the Canadian partners, the provinces, a question of important constitutional significance.

If there is the agreement the premiers expect tomorrow, will the Prime Minister use that agreement as the basis for exercising his duty and convening a first ministers' conference that will allow him and the ten first ministers of the country—the ten provincial premiers—allow the 11 first ministers to sit down and discuss a Canadian patriation package, with a Canadian amending formula? Will he do his duty in that way if he receives that kind of plan?

Mr. Trudeau: Madam Speaker, could I ask the indulgence of the House to recall the events which led up to this question.

I was enjoined by the Leader of the Opposition to meet with the premiers. I said I would do it. Then a few of them, several I believe, said that they did not want to meet me. They said this publicly. This is not a figment of my imagination. They said they were not sure that I was invited. Some said that I could bang at the door but they would not let me in.

Since then I have received a telegram—that is not referring to the April 3 one because it was after the April 3 one that I said that I would meet with them. Then it appeared that they did not all want to meet with me. They had not made up their minds yet about what they would do.

An hon. Member: No wonder.

Mr. Trudeau: Well, no wonder, all right. But they had not made up their minds.

Since then I have received a telegram telling me that it is their intention to communicate the conclusions of their meeting to me. I repeat, I had been prepared to meet with them. Now I am prepared to receive their communication in whatever way it comes. I will be here in Ottawa; I will be available, if one or several want to meet with me to communicate the conclusions. That was made clear ten days ago, that I was prepared to meet with them. I will see what they have agreed to do among themselves. Once again whether they will meet—

Mr. Lalonde: If they agree.

Mr. Trudeau: If they agree—whether they will want to meet or to send me a letter or what, but I am quite sure that the Leader of the Opposition will also be informed of the position that they take, if any.

The Leader of the Opposition knows the rules to which this House has agreed, that after today we will have Thursday, Friday, Saturday, Sunday, and Monday to consider what we want to do with this proposal presumably of eight premiers.

I do not think that the Leader of the Opposition is suggesting that in these five days we convene a federal-provincial conference. If the premiers indicate their desire to do so, and if a quick canvassing of my colleagues from the other two provinces indicate that they want to do so, certainly I will convene a conference in these five days if there is some measure of agreement. But the way we have written the House order is that on Tuesday evening we must make any final change we want to make to this resolution that is before the House.

● (1425)

The deadline is on the premiers, it is on myself, and it is also on the Leader of the Opposition. I take it that his party will see it as its duty to reflect on the meeting of the premiers. Hopefully the Leader of the Opposition will be communicated with also by the premiers in some way or other. Then his party, my party, and the New Democratic Party will make up their minds as to whether we can include something in the resolution by way of amendment on Tuesday. That is the way the House has accepted to play the rules.

I do not want to encourage the Leader of the Opposition to believe that in these five days we could easily have a conference of 11 first ministers. Two of them have already stated quite clearly that they did not want to meet if it was a matter of just looking at an amending formula without a charter. I must say that is the position of our party too. But still we will

meet with them. Hopefully they will have made some progress. We will see what they say, even on the charter. Then the Leader of the Opposition and the other parties in this House will take their responsibilities for Tuesday night.

TIMING OF FIRST MINISTERS' CONFERENCE

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, we have made some progress. The Prime Minister is now agreeing to a first ministers' conference if that is requested by the eight premiers and if they bring forward a plan. But he has placed a limitation on it. The Prime Minister has agreed to a first ministers' conference within the next five days. I think most of us recognize that that is probably going to be impractical—desirable if possible, but probably impractical.

Is the Prime Minister limiting his suggestion, his willingness to convene a first ministers' conference, to the next five days or the next week? Or is he prepared to tell this House of Commons that whatever happens in the parliamentary agenda, whatever happens with the Supreme Court agenda, he will do his duty as the Prime Minister of the whole country and convene a first ministers' conference to discuss a patriation package agreed to by eight provinces if those eight provinces request such a meeting? Will he do that without time limitations?

Right Hon. P. E. Trudeau (Prime Minister): Of course I will, Madam Speaker. The resolution before the House specifies an obligation on us to do that. It is specified that over the next two years we must have first ministers' conferences to try to get agreement on an amending formula. The Leader of the Opposition says no.

Mr. Clark: No. I am shaking my head at your behaviour.

Mr. Trudeau: It does, Madam Speaker. The Leader of the Opposition wants to have an undertaking from me that I will have a federal provincial conference. I am answering that I will be obliged to do so once we adopt this resolution.

Mr. Clark: If we do.

Mr. Trudeau: I guess the Leader of the Opposition wants to know when it will be held. It will be held in the next five days if we all agree it is useful. If it is not, the Leader of the Opposition accepted the proposition before the House that we want the Supreme Court to see the resolution in its final form. That is the essence of the bargain we made here, that there would be no further amendments after Thursday night, that the Supreme Court would be rendering its decision on the basis of the resolution as it will have been amended next week.

If the Leader of the Opposition is asking me if I will meet the premiers, the answer is yes, Madam Speaker. But I think that the Leader of the Opposition and the premiers themselves should realize that such a meeting will not be able to affect the resolution before the House by the very nature of the bargain that the Leader of the Opposition wrung out of us. That is the nature of it, that we will not be able to accept any amendments after Thursday of next week.

If the Leader of the Opposition is asking me can we have a meeting in May, in June or in July, the answer is yes. But the results of that meeting cannot be in the resolution before the Supreme Court. Since the Leader of the Opposition, contrary I understand to the Premier of Alberta, has indicated that legality was the essence of it, I take it that after the Supreme Court has judged, in our words that will settle the matter. If the Supreme Court judges favourably, then there will be no difficulty in sending the resolution to London. I hope the Leader of the Opposition will agree to that, at least, because the leader of the Conservative Party in Alberta has not agreed to that apparently. He still wants to carry on the political fight.

Let me put it to this House: are we all agreed that once the Supreme Court has ruled favourably, that ends the matter?

Some hon. Members: Order.

Mr. Trudeau: The Leader of the Opposition laughs, as he always does. But it is an important question. Otherwise the referral to the Supreme Court makes no sense.

Some hon. Members: Hear, hear!

* * *

• (1430)

THE ECONOMY

GOVERNMENT PROGRAM TO DEAL WITH INFLATION

Hon. John C. Crosbie (St. John's West): Madam Speaker, my question is for the Prime Minister who knows that any resolution passed by this House can be changed by this House by unanimous consent. The Prime Minister is not very keen on meeting with premiers. My question to him is this. Premier Davis requested a first ministers' meeting to discuss real issues affecting this country, inflation and the economy. The Prime Minister has now said that while he shares the concern of Premier Davis, and he agrees that inflation is an unacceptable burden on the people of Canada, he refuses to meet with the premiers on that subject until the seven industrial nations meet here in Canada in July. He says also that he refuses to meet because the government has laid down an economic program in the budget specifically directed at dealing with inflation. The Prime Minister wants to solve the global problems before he deals with his own problems here.

Madam Speaker: Order, please. I would ask the hon. member to co-operate with the Chair. The Leader of the Opposition took quite a lot of time of the House in his first round—

Some hon. Members: Oh, oh!

Mr. Nielsen: What about the answers?

Madam Speaker: The first round took quite a lot of time. There is an obligation on the Chair to go to other parties in the House. I would ask the hon. member for St. John's West, in consideration of that, to be brief in his two questions.

Mr. Nielsen: Make sure the answers are brief too.

Mr. Crosbie: My question to the Prime Minister is this. What is the economic program of the government that is specifically directed at dealing with inflation? Will he let the House and the country in on it? He refuses to meet with the premiers. What is this program?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I did not refuse to meet with the premiers on the economy or on anything else. Premier Davis did not ask me to meet at any particular date before or after the economic summit of July. The Minister of Finance has had meetings with his counterparts, and he will have others. I very much expect and want to have a meeting of first ministers on the economy. The question is when it would be most usefully held. In my judgment it would be most usefully held after the economic summit, when we will have a clear vision of the economic positions taken by our six industrial partners.

Once again, I will meet them when they want, but I doubt that the hon. member for St. John's West is any more qualified than his leader was in pretending to speak for the premiers in reference to meetings.

Mr. Crosbie: Madam Speaker, in Massachusetts the Cabots speak only to the Lodges and the Lodges speak only to God. Is that the position of this Prime Minister, that he speaks only to God? He does not speak to the premiers.

Premier Davis has requested a meeting on inflation and the economy, and the Prime Minister has refused that meeting. The Bank of Canada rate has just gone up to 17.16 per cent. Inflation is running 2 per cent worse than the budget forecast. Will the Prime Minister outline to the House what this program of his government is to fight inflation? It certainly has not been effective to date. Will he advise the House whether he is going to deal with this before he deals with all the world's problems? Will he deal with the problems of little old Canada and meet with our ten premiers to discuss these economic problems?

Mr. Trudeau: Mr. Speaker, in answer to Premier Davis I wrote these words:

> Following the Ottawa Summit, I shall be seeking the counsel of my colleagues and provincial Premiers on how we might best proceed to ensure a concerted attack on world and Canadian economic problems, including inflation.

Mr. Crosbie: The world is your oyster.

Mr. Trudeau: You're an oyster, my friend.

Mr. Crosbie: You're the Prime Minister.

Madam Speaker: The hon. member for Oshawa.

Mr. Crosbie: The Prime Minister never finished his answer. He hasn't got an answer.

Mr. Trudeau: Why don't you raise a question of privilege?

Mr. Crosbie: The Prime Minister is an oyster's ass.

Madam Speaker: Order. The hon. member for Oshawa has the floor.

REQUEST FOR CONSULTATION WITH PROVINCIAL PREMIERS

Mr. Edward Broadbent (Oshawa): Madam Speaker, my question to the Prime Minister is on the same subject. A request came from Premier Davis for a meeting at the earliest possible moment. I would ask the Prime Minister this. Since the prime rate has now gone up to 17.16 per cent, setting off a new round of cost of living increases for farmers, small businessmen and home owners, who are already suffering, would it not make sense for the Prime Minister to consult with all the premiers to try to get a concerted national policy which could have a positive impact at home and could also be influential in influencing his judgment when he goes to the first summit, so he could go there with a national consensus in terms of what should be done to deal with the Canadian economy?

Mr. Nielsen: He does not want a national consensus.

Mr. Kempling: He has his own consensus.

Right Hon. P. E. Trudeau (Prime Minister): On the contrary, Madam Speaker. The Leader of the New Democratic Party is reading my mind.

Mr. Hnatyshyn: As usual.

Mr. Nielsen: He can't read Greek.

Mr. Trudeau: As usual, the Tory party is coming down on both sides of this question. First they said I did not want to answer. When I said I was going to give an answer and that I had one here, they said, "Oh, but we have dealt with it together." They cannot have it both ways. Here was my answer.

Some hon. Members: Oh, oh!

Mr. Trudeau: I understand that the Tory party is somewhat miffed at their loss in the byelections.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Madam Speaker: Order. I would appreciate it if the Prime Minister would be brief in his answers.

Some hon. Members: Hear, hear!

Mr. Trudeau: And I understand that the Appeal Court of Quebec has not made them any happier.

If they would bear with me, I would like to answer the Leader of the New Democratic Party by saying I have done precisely what he suggests should be done, consult with the premiers before the summit. That is where I write in my letter:

I would be pleased to examine any specific suggestions which you might want to make as to how we might intensify our efforts in combating inflation, either on our own or through federal-provincial measures.

That is in the context of the letter where I say that before the summit we will have a lot of work to do and we will be looking at ways in which we can combat inflation, both in Canada and as a world-wide phenomenon.

Mr. Broadbent: I hope that after the Prime Minister receives the responses from the premiers we will not have to wait for a year before the government acts in terms of some of those proposals to bring down the cost of living for Canadians.

EFFECT OF HIGH MORTGAGE RATES ON HOME OWNERS—POSSIBILITY OF PLANNING ASSISTANCE PROGRAM

Mr. Edward Broadbent (Oshawa): On a specific item the government could act on now, without waiting for any advice from the premiers, I would like to go to the Minister of Finance. Mortgage rates are already at record levels. With the interest rate up again today, they are bound to jump. Hundreds of people are losing their homes, people who have to renew mortgages. Considering that the banks are earning record level profits, will the government, and specifically the Minister of Finance, at least call in the heads of the chartered banks, point out their profit margins to them, and force them to work out a program for mortgages that the average Canadian family can afford?

Hon. Allan J. MacEachen (Deputy Prime Minister and Minister of Finance): Madam Speaker, the hon. member is asking that I call in the heads of the chartered banks. I do not think that would be a very constructive proposal at the present time. What I have been doing is—

Mr. Crosbie: Sleeping.

Mr. MacEachen: —analysing the situation with respect to home owners facing renewals in the current year.

Mr. Crosbie: The old analyser.

Mr. MacEachen: It is my belief, based upon this analysis in the light of increased incomes that are occurring along with increases in mortgages, that the vast majority of home owners will be able to renew their mortgages in this current year without increasing the proportion of their income that is customarily assigned to accommodation.

Mr. Broadbent: The Minister of Finance should do a little more analysing. He would find that what he just said is profoundly misleading. He should tell that to the literally hundreds of Canadians from coast to coast, if not thousands, who have lost their homes because they cannot afford to renew their mortgages.

• (1440)

FARM CREDIT CORPORATION

SUGGESTED INCREASE IN BUDGET

Mr. Edward Broadbent (Oshawa): Madam Speaker, I would like to ask the Minister of Agriculture whether he will provide a little assistance to another group of Canadians, namely, farmers, who are having trouble with the high interest rate policy of the government. Will the government raise the budget of the Farm Credit Corporation by $150 million and hold its lending rate to 12.5 per cent as requested by the Canadian Federation of Agriculture, so that corporation can meet the real needs of Canadian farmers and at least prevent a few of them from going out of business?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, we are looking at what the hon. member suggests. We are considering ways and means of operating the Farm Credit Corporation, gearing some of its funds to the young starting farmers with either lower interest rates or no interest rates at all for the first few years. There has been no decision made in that regard. This is in relation to long-term money. The money young farmers need at this time is short-term money, the capital needed to finance hog operations, cattle operations, and the purchasing of fertilizer, etc., for this year's operations. Whatever we can do in that area we will do. There is very little we can do, but some of the provinces have special programs they have initiated on their own. Ontario, for instance, has not seemed to have become very much involved in this sort of program, but some of the other provinces have, with subsidized interest rates.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MR. CASPAR WEINBERGER, U.S. SECRETARY OF DEFENCE

Madam Speaker: May I draw to the attention of the House the presence in our galleries of Mr. Caspar Weinberger, Secretary of Defence of the United States.

Some hon. Members: Hear, hear!

PRESENCE IN GALLERY OF HIS EXCELLENCY JANKHEER EMILE VAN LENNEP, OECD SECRETARY GENERAL

Madam Speaker: May I also draw to the attention of the House the presence in our gallery of His Excellency Jankheer Emile van Lennep, Secretary General of the Organization for Economic Co-operation and Development, who is accompanied by Dr. Sylvia Ostry.

Some hon. Members: Hear, hear!

REGIONAL ECONOMIC EXPANSION

GRANT TO FORGES HPC LIMITED OF CAP-DE-LA-MADELEINE, P.Q.

Hon. James A. McGrath (St. John's East): Madam Speaker, my question is for the Minister of Regional Economic Expansion. The minister will know that on March 27 the assets of a company known as Forges HPC Limited of Cap-de-la-Madeleine were seized to satisfy $7 million in debts, and this was just a few days after the company had been awarded a $2.7 DREE grant. Did the minister know of the financial position of the company, and, if so, why did he authorize the awarding of that grant?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): Madam Speaker, it is always easier to criticize a decision taken by managers of that program, in retrospect. Actually over 4,000 grants were made in that province by those officials and less than 5 per cent of the projects have failed.

In this case, as in all other cases, before sending the cheques we made the usual checks; we phoned the banks and the creditors and all of them said the project was moving according to—

An hon. Member: Plan.

Mr. De Bané: —plan, yes. We were comforted by the fact that the government of Quebec, Consolidated Bathurst, and a major European interest were the three shareholders in that company. We are going to do our best on our part to reopen that plant. If the shareholders, including the government of Quebec, do not want to reopen it, we will do our darndest to get our money back.

Mr. McGrath: Madam Speaker, my supplementary question is directed to this very diligent minister who usually knows his department. An award in the amount of $2.7 million would have to be approved by the minister; it would require his signature. Did the minister satisfy himself, because he could have by merely calling the local credit bureau in Cap-de-la-Madeleine, that this company was not in financial difficulty and, if not, why not? That is a simple question, Madam Speaker.

Mr. De Bané: Madam Speaker, this is a very important question, but I would like to make a clarification. The minister personally approves all cases involving public grants over $1 million. The minister does that, of course, at the inception. One of the main rules is that when you apply to the government you must not have made any contractual commitment or obligations. That was done a long time ago when the application was made. Months later when we have to issue the cheque we have no other discussion. We ascertain that all the conditions which were set in the beginning have been respected. In this case what we did before issuing any cheque was to ascertain that all the conditions were met. We phoned all the creditors and shareholders to be sure that everything was okay.

PETRO-CANADA

ACQUISITION OF PETROFINA—FEE PAID TO SWISS BANK

Hon. Ray Hnatyshyn (Saskatoon West): Madam Speaker, my question is for the Minister of Energy, Mines and Resources, and it relates to an announcement or statement today by Petro-Canada to the effect that a fee of $1 million was paid to a firm named Sogener of which the principal officers are a Mr. Hentsch and Mr. Strong; that is Maurice Strong who is well known to members of this House.

On the basis of a letter from the minister to the Leader of the Opposition dated March 4, 1981, it was pointed out that Mr. Hentsch and Mr. Strong, the principal officers, had about a half a dozen phone calls, two or three meetings, two or three letters, and apparently some very deep thoughts. What I would like to know in regard to this transaction is whether this was a contingency fee arrangement, exactly what work was involved for this very substantial fee on the part of Mr. Strong, and whether the minister is prepared to allow the House of Commons through an appropriate committee of the House to consider the details of the work done for this substantial fee.

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, as I indicated in my letter of March 4 to the Leader of the Opposition, which was tabled in this House at the same time, Petro-Canada some time last year retained a long-established Swiss bank by the name of Sogener to be its agent in the negotiation of the possible acquisition of Petrofina. As I indicated, Mr. Hentsch is the chairman of this bank and Mr. Maurice Strong is the vice-president. I am advised also that Mr. Strong has had an interest in that bank for some years. It is very much a minority interest. I am advised it is somewhat below 5 per cent. I am also advised that the fee for this particular transaction is below the usual commercial fee for such transactions.

As far as negotiations were concerned, Sogener was involved in the transaction which was, in the end, successful earlier this year. I am advised by Petro-Canada that all the arrangements were made according to the practices followed by corporations in this particular regard. Officials of Petro-Canada have appeared at various times before committees, and I am sure that at the next opportunity the opposition will be welcome to ask questions of members of Petro-Canada.

Mr. Hnatyshyn: Madam Speaker, I now fully understand the Liberal campaign motto, "Lalonde is strong."

Some hon. Members: Oh, oh!

Mr. Hnatyshyn: I wonder if the minister could perhaps now explain whether any other agencies were considered, and whether in fact the money has been paid to a Swiss bank account or has already been expended by Petro-Canada. I think a lot of people, in respect of this kind of transaction, would be very interested in participating, particularly if this is the minister's idea of Canadianization of Swiss banking firms. I want to know whether there are any more takeovers contemplated in respect of which intermediaries are to be used, and

would the minister consider putting out the intermediary role to tender?

Some hon. Members: Oh, oh!

Mr. Lalonde: Madam Speaker, I would be very happy to inquire of the management of Petro-Canada as to the various points raised by the hon. member, and report to him.

* * *

● (1450)

THE DISABLED AND THE HANDICAPPED

GOVERNMENT POSITION ON AFFIRMATIVE ACTION PROGRAMS

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, my question is directed to the Minister of Employment and Immigration. Last week his colleague, the Minister of Supply and Services, stated that he would not be able to meet the recommendation of the special House of Commons committee on the handicapped which would require larger firms to have affirmative action programs in order to do business with the federal government. I would like to ask the minister if, in rejecting affirmative action programs, his colleague, the Minister of Supply and Services, was speaking for the Minister of Employment and Immigration, and also was he speaking for the government?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, at this particular point in time a decision has not been made one way or another by the government. I think the minister was expressing the fact that at the present moment he would not apply that particular restriction because a decision has not been made, but it is a question, as the hon. member for New Westminster-Coquitlam well knows, that is being discussed. The hon. member knows we have implemented a major affirmative action program in the public service. We are implementing affirmative action programs in a number of training agreements we are now signing with private industry. The success of those programs will be gauged and evaluated in determining what the next step of the government will be.

FIRMS CONTRACTING TO SUPPLY GOODS AND SERVICES TO GOVERNMENT

Miss Pauline Jewett (New Westminster-Coquitlam): Madam Speaker, I am speaking of contract compliance in the private sector. Last September 27 the minister stated at a Manitoba women and trades conference, and I quote "I will be bringing a paper on contract compliance to cabinet this fall". That was last fall. There are over 600 companies doing business with the federal government. Only 18 in the private sector have contract compliance. The minister promised it last fall. When is the minister going to bring his program for contract compliance to cabinet, or is he letting the Minister of Supply and Services have the whole field in this matter?

Hon. Lloyd Axworthy (Minister of Employment and Immigration): Madam Speaker, in the speech from which the hon. member quoted I indicated that we would be examining the issue of contract compliance, but there was no indication of what the specific recommendations might be. That remains for the government to decide, and that decision will be made after the consultations which are now taking place with unions, private business and a variety of volunteer agencies throughout the country to determine how we can achieve our objective of ensuring that there is more access to the workplace for disabled people, native people, and women. That is a commitment of the government, and we intend to fulfil it, but we must bring in the measures most appropriate to that, and we will do that after fair consultation.

Miss Jewett: Where is the paper?

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PENITENTIARIES

RUMOURED CLOSING OF KINGSTON PENITENTIARY

Mr. W. Kenneth Robinson (Etobicoke-Lakeshore): Madam Speaker, I have a question for the Solicitor General. Can the Solicitor General confirm or deny the rumour in the newspapers recently to the effect that the Kingston Penitentiary is to close?

Hon. Bob Kaplan (Solicitor General): Madam Speaker, there has been a number of rumours over the years about the closing of Kingston Penitentiary. Taking account of the age of that institution alone, a good case could be made for closing it, but its closing would create a number of problems with respect to settlement, of employment, custody of inmates, and alternative uses of the location. I was surprised that the commissioner of the correctional service of Canada was quoted in the press as having announced that that would be closed, because the problems to which I have referred have not yet been solved to my satisfaction, and no decision will be made until those other problems have been dealt with.

* * *

INFORMATION

PRINTING AND DISTRIBUTION OF PRIME MINISTER'S SPEECH ON THE CONSTITUTION

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, I have a question for the Prime Minister. Can the Prime Minister confirm that his office instructed the Canadian United Information Office to print some 15,000 copies, with a second possible order of 10,000 copies, of a cleaned-up version of the Prime Minister's constitutional speech and that those copies are currently being distributed by Liberal Members of Parliament and the Liberal Party of Canada? Can the Prime Minister assure the House that the cost for the printing and distribution of these speeches will be borne by the Liberal Party of Canada and not by the taxpayers of Canada?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I cannot give the answer to that, but I certainly will inquire. I must say that I am not in complete agreement with the conclusions stated by the hon. member. I believe when I make speeches, whether they be good, bad or indifferent, they are distributed freely to the people of Canada, first to the people of the press gallery and than to anyone else who wants a copy. I do not think the hon. member would object to that.

Mr. Beatty: Madam Speaker, what is particularly at stake here is the abuse of the CUIO and the inability of the Prime Minister to differentiate between the funds of the taxpayers of Canada and the funds of the Liberal Party of Canada.

ALLEGED USE OF TAX DOLLARS TO MEET COST

Hon. Perrin Beatty (Wellington-Dufferin-Simcoe): Madam Speaker, I want to ask the Prime Minister how he justifies this expenditure of tax dollars, in view of the fact that the creation of the CUIO was justified on the ground that it be used to promote only the views of the whole of the Government of Canada and not just the views of one man on a resolution which is currently before Parliament for debate. Can the Prime Minister assure the House that he will put a stop to this practice of using the CUIO as a $23 million propaganda machine for the Liberal Party?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, as I said in answer to the first question, I think it is somewhat hypothetical. I do not know the answer to how it was done and who is paying for it, but I repeat that when, as Prime Minister, I make speeches, these speeches are communicated to many people. They are communicated first to the press, then I believe to members of this House, and then to anyone who asks for them. I suppose when the Leader of the Opposition was the Prime Minister it was the same thing.

An hon. Member: Nobody wanted to hear him.

Some hon. Members: Oh, oh!

Mr. Beatty: They were not communicated by the CUIO.

Mr. Chrétien: Nobody wanted to have his speeches; that was the difference. There was no demand.

Mr. Trudeau: I understand the hon. member's concern about the Liberal Party but, once again, when a speech is made by me, whether it be to a group in Toronto or at a press conference, I know we make a transcript of it, and this transcript is available and used.

Mr. Beatty: Is it bound?

Mr. Trudeau: It is not charged to the Liberal Party any more than I am sure the transcripts of speeches of the Leader of the Opposition were charged to his party. It is as simple as that.

Mr. Clark: The Canadian Unity Information Office?

Mr. Trudeau: The hon. member is worried about the fact that the copy is bound. I suppose that is a matter of costs, and it is also a matter of presentation. It may be cheaper to present it in that form than to have thousands—

Mr. Clark: Certainly cheaper to the Liberal Party.

Mr. Trudeau: Let me finish—or hundreds of thousands of copies of *Hansard* printed with all the other speeches which it contains, including perhaps the hon. member's speech in which nobody is interested.

Some hon. Members: Hear, hear!

* * *

ADMINISTRATION OF JUSTICE

ACTION TO DEAL WITH WAR CRIMINALS

Mr. Svend J. Robinson (Burnaby): Madam Speaker, my question is for the Solicitor General. Over a year ago the Solicitor General announced with great fanfare, following a meeting with Simon Wiesental, that an interdepartmental committee was being set up to examine the options available to the government to deal with Nazi war criminals living in Canada. The minister said at that time that the study should take approximately three months. Will the minister make public the report of this committee, which apparently has been submitted to cabinet and rejected by cabinet, and will the minister tell the House what action the government intends to take to bring forward for trial those persons who are now residing in Canada and who are accused of having committed war crimes during the holocaust?

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, this matter comes under my responsibility. We have included in the charter of rights some reference to this, but first we have to deal with the charter of rights in this House before deciding whether to proceed with some legislation.

Mr. Robinson (Burnaby): Madam Speaker, the government knows very well that that is just a cop-out for its inaction and the betrayal of the promises it made in the last election. The fact is that the charter of rights has nothing to do with this matter.

TIMING OF GOVERNMENT ACTION

Mr. Svend J. Robinson (Burnaby): Madam Speaker, having made the promises, the Solicitor General is apparently silent. After his meeting on this question with Simon Wiesental, the Solicitor General said, and I quote, "I am satisfied there are witnesses, and war crimes could be proven".

If the Solicitor General is prepared to answer, my question is, what action will the government take and when will it take it, to live up to the promises it made in the last election

campaign and to end 35 years of inaction on this very important question?

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Madam Speaker, I answered that question earlier. We first studied the problem in the constitutional committee and there was a reference to that subject. As to whether legal action can be taken at this time against people who reside in Canada, we are now studying the issue and we will take action if necessary because there must be a law under which we can act. The cabinet has yet to make a decision about this, but we will look into it as soon as possible.

* * *

● (1500)

[*English*]

ENERGY

PRACTICES OF OIL COMPANIES IN RAISING RENTS FOR SERVICE STATIONS

Mr. Chuck Cook (North Vancouver-Burnaby): Madam Speaker, my question is directed to the Minister of State for Small Businesses and Tourism. The National Automotive Trades Association of Canada determined that major oil companies are engaged in a massive increase in rents for service stations. As an example, one oil company charged $22,000 for a two-bay station. The new lease went from $22,000 to $85,000 for the first year and, in the third year, the rent was to be $123,000. Another example: rent will rise from $29,000 in 1979 to $287,000 in 1982.

Will the minister investigate these facts and use his strongest persuasion to ask the oil companies to limit increases in rent to 20 per cent or less per year, in order that service station dealers in Canada can survive and the motoring public be protected from huge increases in the price of gasoline due to those increased rents?

[*Translation*]

Hon. Charles Lapointe (Minister of State (Small Businesses and Tourism)): Madam Speaker, I thank the hon. member for his question. I think it is important that there be indeed a certain control over the leasing costs charged to the retailers by the multinationals. However, I would like it very much if the members of the Progressive Conservative Party were to make up their minds some day. Do they want more or less intervention from the government?

[*English*]

Mr. Cook: Madam Speaker, is the minister aware that unless action is taken and oil companies comply voluntarily, the country may face a massive action by the National Automotive Trades Association to demonstrate the seriousness of the problem?

[*Translation*]

Mr. Lapointe (Charlevoix): Madam Speaker, we are aware of the problem and that is why I would urge the hon. member to do his utmost to convince his colleagues that they ought to support the petroleum industry Canadianization policy.

* * *

[*English*]

HOUSE OF COMMONS

EASTER ADJOURNMENT

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, after the usual consultations with my colleagues opposite, we have reached an agreement that the House shall not sit on Thursday, April 16, 1981 and on Monday, April 20, 1981.

Madam Speaker: According to the agreement, the House will adjourn this evening at six o'clock. Is the House agreed?

Some hon. Members: Agreed.

* * *

PRIVILEGE

MR. GILCHRIST—NOTICE POSSIBLE QUESTION TO BE RAISED

Mr. Gordon Gilchrist (Scarborough East): Madam Speaker, unfortunately I was not in the House earlier when a motion under Standing Order 43 was raised concerning a *Toronto Star* editorial. I am not sure who raised it; I received a copy from a page, but there is no reference to the mover. I see the hon. member for Willowdale (Mr. Peterson) is mentioned. I wish to reserve my right to raise a question of privilege concerning this motion because it impugns my statements which were reported in the *Toronto Star*. It is exactly 180 degrees from the actual positions I gave.

Madam Speaker: Order, please. I am not sure the hon. member has a question of privilege. The motion under Standing Order 43 was dealt with the House today. If it is dealt with, it is dealt with. However, the hon. member might look at *Hansard*, and if he has a question of privilege, he need not give verbal notice; he can give written notice with a statement of what constitutes his question of privilege.

* * *

INFORMATION

CANADIAN UNITY INFORMATION OFFICE—COST OF PRINTED MATERIAL

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, on the matter raised concerning the Canadian Unity Information Office, I just wanted to inform the House, under the guise of privilege, with Your Honour's permission, that I have been told by the parliamentary secretary, the hon.

member for Scarborough Centre (Mr. Kelly), that the printed material has been paid for by the Liberal Party of Canada.

Some hon. Members: Hear, hear!

* * *

[*Translation*]

HOUSE OF COMMONS

EASTER ADJOURNMENT

Hon. Yvon Pinard (President of the Treasury Board): Madam Speaker, I referred earlier to an agreement between the House leaders. In order to make the record straight, would you kindly put the motion to the House so that it may have the required unanimous consent and therefore when the House adjourns tonight at six o'clock, it may stand adjourned until next Tuesday at two o'clock p.m.?

[*English*]

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, there has been those discussions, and we are agreeable to that being made a House order.

Hon. Stanley Knowles (Winnipeg North Centre): Agreed.

Madam Speaker: My feeling was that I had asked whether the House agreed to this proposition. Is there unanimous consent?

Some hon. Members: Agreed.

Madam Speaker: Agreed and so ordered.

ROUTINE PROCEEDINGS

[*English*]

FINANCE, TRADE AND ECONOMIC AFFAIRS

Ninth report of the Standing Committee on Finance, Trade and Economic Affairs—Mr. Cullen.

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

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[*Translation*]

FINANCIAL ADMINISTRATION ACT

TABLING OF FINANCIAL STATEMENT OF PETRO-CANADA FOR 1980

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, pursuant to Section 75(3) of the Financial Administration Act, I wish to table in both official languages the consolidated financial statements of Petro-Canada for the year ending December 31, 1980.

* * *

[*English*]

PETITION

MR. KEEPER—CUTBACK IN POSTAL SERVICES IN RIDING

Mr. Cyril Keeper (Winnipeg-St. James): Madam Speaker, I rise to present a petition which was signed by citizens from my riding in the west end of the city of Winnipeg. The petition is in the proper language. It makes reference to two important concepts: grievance and remedy.

The grievance which these citizens have in common is that the government has callously cut back postal services in the area and intends to remove the services of a full postal station from the area and to substitute a sub post office. The remedy must be presented by the House, that is, to stop the closure of that full postal station.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 62, 978 to 980 inclusive, 990 to 992 inclusive, 1,007, 1,203, 1,596, 2,132, 2,211, 2,242 and 2,302.

I ask, Madam Speaker, that the remaining questions be allowed to stand.

[*Text*]

PROFESSOR HUGH GEORGE HAMBLETON OF LAVAL UNIVERSITY

Question No. 62—**Mr. Cossitt:**

1. To the knowledge of the government, what contacts did Professor Hugh George Hambleton, of Laval University, have with Miss Lijana Galeva and (a) what was the purpose of these contacts (b) is Miss Galeva now in Yugoslavia?

2. What are all the other details known about any connections with these two individuals?

Hon. Bob Kaplan (Solicitor General): The Government of Canada believes that it would not be in the public interest to either confirm or deny or provide additional information on the RCMP investigation into the activities of Professor Hambleton.

"OPERATION RED PEPPER"

Question No. 978—**Mr. Cossitt:**

What is a full description of "Operation Red Pepper" conducted by the RCMP including (a) its purpose (b) the date of inception (c) its duration (d) the name of the most senior officer in charge along with his/her job designation?

Order Paper Questions

Hon. Bob Kaplan (Solicitor General): (a) "Operation Red Pepper" was a counter-espionage operation.

(b), (c), and (d) It is not in the public interest to provide additional information on this operation.

Question No. 979—**Mr. Cossitt:**

To the knowledge of the government, did a KGB agent defect to the United States as a result of "Operation Red Pepper" and, if so (a) what is his/her name (b) what are all the details?

Hon. Bob Kaplan (Solicitor General): See question No. 978 answered this day.

Question No. 980—**Mr. Cossitt:**

To the knowledge of the government, what are the complete details of all connections the United States Central Intelligence Agency had with "Operation Red Pepper"?

Hon. Bob Kaplan (Solicitor General): See question No. 978 answered this day.

MR. RUDOLPH HERRMANN

Question No. 990—**Mr. Cossitt:**

1. Does the government possess any knowledge whatsoever concerning Mr. Rudolph Herrmann and, if so (a) what connection, if any, did he have with Professor Hambleton of Laval University (b) was he a KGB colonel or officer of any kind in any division of the Russian intelligence service (c) was he at any time employed by the CBC as a cameraman or by any department or Crown corporation and, if so, on what dates and what was the nature of his work, etc?

2. To the knowledge of the government, did Mr. Herrmann defect to the U.S. Federal Bureau of Investigation or to the Central Intelligence Agency or was he caught by them engaged in espionage activities?

Hon. Bob Kaplan (Solicitor General): The Government of Canada believes that it would not be in the public's interest to either confirm or deny or provide additional information on this investigation.

PROFESSOR HAMBLETON OF LAVAL UNIVERSITY

Question No. 991—**Mr. Cossitt:**

1. To the knowledge of the government, did Professor Hambleton of Laval University, work for the KGB in (a) Canada (b) France (c) Israel (d) Saudi Arabia (e) Spain (f) certain sections of Latin America (g) any other country?

2. To the knowledge of the government, did Professor Hambleton make the statement, that if he was charged and put on trial "a lot of big names in Ottawa are going to go down with me"?

Hon. Bob Kaplan (Solicitor General): The Government of Canada believes that it would not be in the public's interest to either confirm or deny or provide additional information on this investigation.

Question No. 992—**Mr. Cossitt:**

1. Did Professor Hambleton of Laval University admit to having contact with a known agent of a foreign power and, if so, was he charged under the Official Secrets Act and, if not, for what reason?

2. Was he receiving coded wireless instructions from Moscow, depositing messages in "dead letter" drops, etc?

3. What is a complete history of all employment directly or by contract with the government or any Crown corporation by Professor Hambleton, and did he perform certain duties in connection with the Canadian International Development Agency and, if so, what are the details of such duties?

Hon. Bob Kaplan (Solicitor General): The Government of Canada believes that it would not be in the public's interest to either confirm or deny or provide information on this investigation.

CUSTOMS FORM B32

Question 1,007—**Mr. Friesen:**

1. With reference to customs and tariffs classifications, under what legislative or regulatory authority is form B32 applied?

2. Was there a pilot project in Hamilton, Ontario, to test the feasibility of applying form B32 at an international level and, if so, on what date did it (a) commence (b) end?

3. As a result of the project, how many times were forms issued in the Hamilton area and how many (a) appeals were made by the firms involved (b) times did they win the appeal (c) times were withdrawal of privileges to import and/or export issued against the firms as a result of their failure to comply with the form?

4. Did the form come into effect for general use at a national level and, if so, on what date?

5. How many times was the form issued to individual firms since the project was initiated in the (a) first three months (b) next three months (c) next three months and so on?

6. How many times were withdrawal of privileges to import and/or export issued against firms to which a form had been issued?

7. (a) Since the form came into effect, how many times have appeals been made by firms as a result of the form being issued to them in the (i) first three months (ii) next three months (iii) next three months and so on (b) in each of the periods, how many appeals were won by the firms?

8. How many times was the form applied to a firm retroactively for a period of between (a) 0 to 3 (b) 3 to 6 (c) 9 to 12 (d) 12 to 15 (e) 15 to 18 (f) 21 to 25 months?

Hon. William Rompkey (Minister of National Revenue): 1. The introduction of the form B32 which replaced the form T32 did not require the passage of regulations because the change was of an administrative nature.

2. Yes.

(a) January 16, 1978.

(b) A decision was made in January, 1979, to implement the forms and procedures nationally; consequently, Hamilton region has been using the forms since January, 1978.

3. January 16, 1978 to March 31, 1980—8,433 B32's were issued.

(a) Statistics not available. Requests for re-determination and re-appraisal are not recorded as to arising from B32 or otherwise.

(b) Statistics not available. See 3(a) above.

(c) 34 (again for period January 16, 1978 to March 31, 1980).

4. Yes.

Ontario regions—June 1, 1979.

Quebec and maritime regions—July 1, 1979.

Western regions—August 1, 1979.

5. (a) July to September, 1979	16,445
(b) October to December, 1979	15,857
(c) January to March, 1980	16,661

6. Statistics not available. Withdrawal of privileges not recorded as arising from non-payment of B-32 or other.

7. (a) and (b) Statistics not available. See 3(a) above.

8. Statistics not available. Generally the form B32 is issued within the 0-3 month period.

MR. RUDOLPH HERRMANN

Question No. 1,203—**Mr. Cossitt:**

1. Is the government aware of a document dated March 3, 1980, issued in Washington and easily available from the Federal Bureau of Investigation in which Mr. Rudolph Herrmann, formerly a KGB agent and latterly a double agent for the United States, is mentioned in part as follows, "Herrmann has also provided significant leads on previously identified Soviet agents including Mr. Hugh George Hambleton, a professor at Laval University, Laval, Quebec, Canada" and which later states that Professor Hambleton was identified by Mr. Herrmann as a "long time Soviet agent"?

2. Has the government taken action in view of this document and Professor Hambleton's reported admission of being a Soviet spy for 30 years to both *The Ottawa Journal* and the RCMP and, if not, for what reason?

Hon. Bob Kaplan (Solicitor General): 1. Yes. The document referred to was provided by the F.B.I. to media personnel during a press briefing held in Washington, D.C. on March 3, 1980.

2. This information was assessed by the RCMP and a full brief was presented to the Department of Justice. The evidence available did not indicate, in the opinion of justice, the existence of an offence under the Official Secrets Act.

FBI BRIEFING IN RESPECT OF MR. RUDOLPH HERRMANN

Question No. 1,596—**Mr. Cossitt:**

Is any security branch of the government, particularly the RCMP aware of a briefing dated March 3, 1980, issued by the U.S. Federal Bureau of Investigation concerning the activities of former Soviet KGB agent Colonel Rudolph Albert Herrmann and, that the briefing stated in part, that Mr. Herrmann furnished the U.S. with "leads on previously unidentified Soviet agents including Hugh George Hambleton, a professor at Laval University in Quebec, Canada" and, further in part, that "Hambleton, whom Herrmann identified as a long time and trusted Soviet agent, has recently been interviewed by Canadian authorities" and, if so, was such information assessed by the RCMP and was Professor Hambleton, a Canadian citizen who was allegedly a Soviet agent, charged under Canadian laws and, if not, for what reason?

Hon. Bob Kaplan (Solicitor General): The RCMP is aware of the publicly available press release by the Federal Bureau of Investigation dated March 3, 1980.

This information was assessed by the RCMP and a full brief was presented to the Department of Justice. The evidence available did not indicate, in the opinion of justice, the existence of an offence under the Official Secrets Act.

Order Paper Questions

SECRETARY OF STATE—ADVERTISING IN NEW BRUNSWICK PRESS

Question No. 2,132—**Mr. Howie:**

1. Did the Secretary of State place advertisements in the New Brunswick press since December 1, 1980, and, if so (a) in what newspapers (b) at what cost?

2. Are advertisements planned between February 16 and March 31, 1981, and, if so, in which newspapers?

3. Are advertisements planned for the period beyond April 1, 1981?

4. Were such advertisements placed in all New Brunswick papers and, if not, for what reason?

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): 1. Since December 15, 1980, the Secretary of State has placed advertisements in New Brunswick's French-language newspapers as a pilot project with three objectives: to promote the Official Language Minority Groups Program; to increase the clientele of the Official Language Minority Groups Program; to stimulate development in an official language minority community.

(a) and (b) For the period from December 15, 1980, to March 31, 1981, these advertisements will cost:

L'Évangéline	$51,120
Le Voilier	$ 2,520
La Boueille	$ 2,520
Le Point	$ 2,520
Le Madawaska	$ 2,520
L'Aviron	$ 2,520

2. Yes, in the same newspapers.

3. Yes, if the assessment of this pilot project is positive, a similar project, on a national scale, will be developed.

4. These advertisements were placed only in New Brunswick's French-language newspapers because of the experimental nature of the project and the objectives sought.

CLOSURES OF CN EXPRESS OFFICES

Question No. 2,211—**Mr. Cossitt:**

1. During the past five years, what was the total number of CN Express offices that have been closed and (a) what is the number for each year (b) what are the locations of all such offices?

2. What was the total number of offices closed per province in each of the five years as well as in all the years combined?

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): The management of Canadian National Railways advises as follows:

1. 44.

(a) 1980—20
1979— 7
1978— 8
1977— 3
1976— 6

Order Paper Questions

(b) Province	Name
Nova Scotia	Truro
	Antigonish
	Shelburne
Ontario	Collingwood
	Hearst
	Guelph
	Stratford
	Gravenhurst
	Kingston
	Brantford
	Longlac
	Atikokan
	Cornwall
	Fort Frances
Quebec	New Carlisle
	Montmagny
	Arvida
	Mont Joli
	Richmond
	Senneterre
	Chicoutimi
	Waterloo
	Amos
	Chandler
	Gaspé
	Joliette
	La Tuque
	Shawinigan
	St. Hyacinthe
	St. Jean
	Sorel
	Valleyfield
	Victoriaville
Saskatchewan	Melville
	Canora
	Tisdale
	Melfort
	North Battleford
	Yorkton
	Moose Jaw
Manitoba	Lynn Lake
	Dauphin
	Flin Flon
New Brunswick	Newcastle

2. Terminal closures by province and year

Year	B.C.	Alta.	Sask.	Man.	Ont.	Que.	P.E.I.	N.B.	N.S.	Total
1976					4	1			1	6
1977					2				1	3
1978			4	1	1	2				8
1979						6			1	7
1980			3	2	4	10		1		20
Total			7	3	11	19		1	3	44

DND—CONTRACT WITH CARL ZEISS CANADA LTD.

Question No. 2,242—**Mr. McKinnon:**

Did the Department of National Defence place a $141,082 contract with Carl Zeiss Canada Ltd. for a stereocord system and accessories and, if so, for what purpose?

Hon. J.-J. Blais (Minister of Supply and Services): A contract was awarded by the Department of Supply and Services on behalf of the Department of National Defence to Carl Zeiss Canada Ltd. for a stereocord system and accessories. The Stereocord system is used to interpret aerial photographs.

DEPARTMENT OF INSURANCE ACT

Question No. 2,302—**Mr. Blenkarn:**

Is the government considering changing the Department of Insurance Act to provide a guarantee fund to protect those who buy casualty insurance from the defaults of the casualty insurers?

Hon. Pierre Bussières (Minister of State (Finance)): The Department of Insurance is studying a number of aspects of the legislation governing insurance companies with a view to preparing recommendations for appropriate amendments or perhaps a general revision. In the course of that study, the department will be giving attention to the guarantee funds that exist in some other jurisdictions. The government has not fixed any policy in connection with these matters.

[*Translation*]

Madam Speaker: The questions enumerated by the hon. parliamentary secretary have been answered. Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

MOTIONS FOR PAPERS

Mr. Collenette: Madam Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Madam Speaker: Shall all notices of motions for the production of papers be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

YOUNG OFFENDERS ACT

MEASURE TO ESTABLISH

Hon. Bob Kaplan (Solicitor General) moved that Bill C-61, respecting young offenders and to repeal the Juvenile Delinquents Act, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Madam Speaker, this is the first bill I have had the opportunity to present as Solicitor General. Indeed I am very proud to be able to bring forward Bill C-61, respecting young offenders and to repeal the Juvenile Delinquents Act.

At the outset I must say that this bill did not originate with me. Indeed, the legislation it is replacing is 73 years old; it has been virtually unchanged over that period, but not unexamined. Within the last 14 years and, more intensively, within the last nine years, there have been steady examinations of it and consultations about it between the levels of government. Because of the large number of solicitors general of Canada in the last five or six years, possibly none of them has been in a position to review the provisions and bring forward a bill which they would have been prepared to explain, defend and discuss with the provinces in the final sense.

● (1510)

Having now had the opportunity to be Solicitor General for a year and one month, I have been able to put myself in a position to bring this bill forward as my own recommendation to cabinet and to the House and I look forward to a full examination of it. I hope it may even be possible today to refer it to the justice committee so that it can be examined in depth and that the many experts across the country who are interested in this bill, and who have been consulted about it, will be able to come before the committee, make their views known and give their advice with respect to the bill. Although the bill merits considerable discussion, and I know it is of considerable interest to many, I hope it may be possible to refer it to the justice committee today.

I expect the bill will enjoy substantial support. I think the views presented to the committee will greatly illuminate discussion by Members of Parliament. That is why I think a

relatively short period of time should be devoted to second reading and then the bill could be referred to committee.

As I indicated, this new legislation will repeal the Juvenile Delinquents Act, which is now seriously out of date and out of time with contemporary practices and attitudes regarding juvenile justice. It is inadequate to meet the current problems of young persons in conflict with the law. The proposed legislation, which is aimed at providing an updated and comprehensive process to deal with juvenile crime which encourages both respect for the law and protects the well-being of both the young offender and society, is long overdue.

The new legislation, which is to be known as the Young Offenders Act, is the result of extensive study and consultation by the federal government with the provinces, academics, professionals and practitioners in the juvenile justice field, as well as major associations and groups, private agencies and the general public. I acknowledge that all of this consultation has had a major impact on formulating the underlying principles and the over-all substance of this legislation.

Despite the fact that this basic approach was developed out of a sense of benevolence and welfare, many are now of the opinion that treatment and rehabilitation can no longer stand on their own to serve or protect the better interests of children in a system which deals with offenders under the authority of the criminal law. It is further argued that, as society insists more and more on responsibility on the part of the young offender, his right to fair treatment in accordance with the principles of natural justice can no longer be left, as they have been under the present law, to the discretion of those persons in authority.

I believe that we should no longer condone by prolonging the existence of the Juvenile Delinquents Act injustices and shortcomings such as the following: discrimination against young persons by unnecessarily criminalizing them for various acts and behaviour which are not illegal for adults and which in most instances more properly belong to the domain of child welfare and youth protection legislation. I refer, for example, to the offence of being a juvenile delinquent, which is an offence under the existing law. It is very vague in its nature and it is sometimes used in parts of our country to deal with, for example, a young person who will not tell his parents where he goes at night and why he has money in his pocket. It is the type of offence which is too vague and not in keeping with modern ideas of young people having equal rights as adults have.

The second difficulty is the subjection under the existing law to indeterminate court sentences which may not be related to the seriousness of the offence committed and which may be more severe than the sentence an adult would receive for committing the same offence.

Another shortcoming is the subjection of young persons to an arbitrary review process whereby they may be brought back before the court at any time until they reach the age of 21, when new sanctions can be applied against them without new offences having been committed, including a belated transfer

to adult court. This, in effect, is double jeopardy which applies under the existing law.

The final point I want to refer to is the subjection of young persons to informal court procedures and decision-making which do not guarantee them the right to legal counsel or a full opportunity to challenge their accusers and participate in decisions which affect them.

While I could go on, I prefer to limit the listing to the most obvious inequities and deficiencies. In so doing I want to assure hon. members that it is not my intention to impart the impression that such represents a description of the daily practice of juvenile courts in the country, but rather I would point out that some of these inherent weaknesses in the existing law have a tremendous potential for abuse and arbitrary action. Credit should be paid to juvenile judges and provincial administrators who, in most instances, have extended to young persons rights which are well beyond those provided by the letter of the law and which will be taken account of on a fundamentally secure, judicial basis under the proposed legislation.

The proposed legislation blends three principles. The first is that young people should be held more responsible for their behaviour, but not wholly accountable since they are not yet fully mature and are dependent on others. The second point is that society has a right to protection from illegal behaviour, even though committed by a minor. The third point is that young persons have the same rights to due process of law, natural justice and fair and equal treatment as adults, and that these rights must be guaranteed by special safeguards. Thus, the bill is intended to strike a reasonable and acceptable balance between the needs of young offenders and the interests of society.

I would like to highlight some of the provisions contained in the proposed legislation which seek to implement these principles. A significant feature of the proposed young offenders legislation is the abolition of the omnibus offence of delinquency itself. Under the new legislation, a young person would only be charged with a specific offence against the Criminal Code of Canada or other federal statutes and regulations. Misbehaviour, which presently constitutes the so-called "status offences", would no longer be an offence under the act. This proposal more realistically reflects the jurisdictional responsibilities of the federal and provincial governments under the Constitution. As well, it reflects the practice developed in many jurisdictions of decriminalizing behaviour which is seen as not being sufficiently serious to rationalize its continued inclusion under criminal law.

The age of criminal responsibility would be raised from seven years of age to 12. I firmly believe that the age of seven is much too young an age at which to attribute criminal responsibility. Children so young should more realistically be the subject of non-criminal proceedings such as child neglect and protection proceedings. I think I ought to note that there is, I believe, unanimous agreement among provincial attorneys general about this particular provision.

Under the existing law the provinces enjoy the flexibility of having the maximum age of jurisdiction set at any level, varying from under 16 to 18 years of age. Accordingly, the maximum age now varies across Canada. While promoting a maximum age of under 18 years, the new legislation will continue to allow the federal government to vary the maximum age at under 16 or 17 years at the request of a province. The most common criticism levelled against the new legislation is the lack of a fixed, uniform age for the entire country. Although it is clearly the preferred position of the federal government that uniformity should prevail, and many provinces agree with this concept, it has become abundantly clear as a result of the consultation process that there is no agreement and that it is impossible to achieve agreement on a uniform maximum age to apply across the country.

• (1520)

Provinces cannot agree on what that maximum age should be for dealing with young persons in a specialized juvenile justice system, both for philosophical and practical reasons. Differences exist as to when an individual is or should be considered sufficiently mature to be held responsible and dealt with as an adult. Practically speaking, due to the specialized programs, resources and services which are in place to deal with young offenders, considerable program shifts and adjustments would be required if the maximum age, which is under 18, were to be made uniform. Accordingly, it is proposed that the flexible upper limit be retained. Nevertheless, as a standard I hope the provinces—those who do not presently do so—will consider moving toward the age of under 18, as has been suggested by the federal government.

One particular feature of the proposed legislation is the acknowledgement that alternative measures to the court process can be used at appropriate times and in appropriate cases. It has been recognized for some time that many persons are brought to court unnecessarily when other effective ways may exist to deal with them and their behaviour problems. Such alternatives which have become popularized in the form of screening and diversion are not intended as a substitute for the judicial process, but rather to provide additional options for dealing with young persons who commit offences.

Informal and discretionary pre-judicial processes have become part and parcel of juvenile justice policy and administration in Canada. Police discretion, for instance, has for years been a fundamental cornerstone in the administration of justice. Probation and social service personnel make and accept referrals and undertake to initiate alternative agreements and programs with offenders, all in the interest of settling disputes and avoiding the utilization of formal court proceedings. Such approaches not only avoid unnecessary referral to the courts, but can offer the young person the opportunity to accept responsibility for his behaviour and become voluntarily involved in the resolution of his wrongdoing, frequently with the victim being involved.

However, we have been equally conscious of the controversy which exists between individuals and groups who espouse the

informal versus the formal disposition of juvenile cases. There remain many concerns about the inherent dangers of exercising unfettered discretion in the application of diversion programs and to make sure that informality not trench upon the basic legal rights of young persons and their equitable treatment.

One of the criticisms of the new law has been to the effect that the federal government should have made diversion mandatory and more explicit. But the proponents of such arguments fail to recognize the importance to the young person of having the right to plead not guilty and the role of the provinces in the exercise of prosecutorial discretion. The use of alternative measures, in my opinion, is better left to the discretion of provinces which can develop programs to suit their particular circumstances.

For these and other reasons, including the belief that there is yet much to learn through experience about the diversion concept itself, new legislation does not prescribe any formal model or mechanism of diversion. While the legislation will sanction such practices in law, it will leave it to the provinces to decide what type of diversion programs will be implemented. Of particular importance, however, is the fact that the legislation does contain a number of conditions and safeguards which must be applied so as to protect young persons against potential abuses and arbitrary action. For example, that the young person must freely consent to participate and retains the option, at any time, of having the matter dealt with by a court; that the young person has the right to consult legal counsel before agreeing to any diversion program; and that alternative measures are not to be used in any case unless there exists sufficient evidence to proceed with the prosecution of an offence.

Another of the deficiencies of the existing law is in regard to its disposition or sentencing provisions. The proposed legislation will directly address the outdated and inadequate features of present sentencing policies by furnishing the youth court with a range of dispositions which delineate not only the over-all shift in the philosophy of the proposed act, but, more specifically, address currently accepted sentencing principles. Accordingly, the new legislation proposes a precisely defined range of sentencing options which will take into account the special circumstances and needs of young persons, while allowing sufficient scope and flexibility to provide for the rights and needs of victims of crime and address the need to protect society in appropriate cases.

Increased emphasis will be placed on formalizing in law community-based dispositions, such as community service, compensation and restitution orders, as methods of promoting, on the part of the offender, a greater sense of responsibility and understanding for his illegal behaviour, while at the same time attempting to promote reconciliation between offender and victim. These dispositions would be in addition to those of a supervisory nature, such as probation orders, where special conditions and requirements could be attached to meet the assessed needs and concerns both of the individual and also the community. Other dispositions would include an absolute discharge or the application of a fine which, under the proposed legislation, could reach a maximum limit of $1,000 as compared to the limit in the existing law of $25. In effect, the option of a fine, which is a very efficient form of punishment where appropriate, has really been unavailable because of the low ceiling imposed by the existing law which causes it to be a type of penalty that is not very meaningful.

Under the new legislation, the use of custody will be seen as a final resort which, when contemplated, is to be exercised with the utmost restraint. When it is being considered, it should reflect the seriousness of factors attendant to a specific offence or offences. Custodial dispositions will therefore only be given after very careful consideration, since they represent a radical restriction of a young person's freedom.

The youth court judge who is considering custody for an offender must request a predisposition report. Reasons must be given by the court for all dispositions. Custodial dispositions will be for definite periods of time but may not exceed two years in duration for a given offence, nor can they exceed the maximum period for which an adult could be sentenced for the same offence.

With regard to custody, it is important to note that the definition thereof is very broad, allowing a province to designate a variety of custodial facilities ranging from detention or containment centres to wilderness camps, community training residences or group homes. The essential feature in regard to all custodial facilities is that the young person's access to the community is restricted.

While the new legislation recognizes that the youth court is the authority which should decide whether young persons will be committed to custody, it also recognizes that there must be some built-in flexibility to allow the director of the provincial services plan to implement effective programs. Therefore, once the youth court has made a custody order, it leaves to the provincial director the administrative decision on the place and level of custody appropriate for the young offender.

The provincial director also has the flexibility to move offenders between institutions and programs and can authorize temporary releases to the community. In addition, the director can initiate an early release of a young person who is in custody to allow him or her to serve the balance of the disposition on probation in the community. Such a release is however, subject to review by the youth court at the request of the parties concerned.

It is the intent of the new act that the progress and welfare of young persons who receive custodial or other types of disposition should be subject to continuing attention and monitoring during the term of the disposition. To meet this objective, and to ensure that the public interest is safeguarded, an innovative and extensive review process is provided for, which will give all parties the opportunity not only to initiate the review of any dispositions but to attend and be heard. There will be a mandatory review in the case of any custodial disposition exceeding one year.

● (1530)

Contrary to the Juvenile Delinquent's Act, which is silent on the matter, the new legislation contains provisions regulating the creation, maintenance, confidentiality and use of juvenile court records. Under the present legislation, it is possible for an individual to carry the label "delinquent" well beyond his youth and, indeed, possibly for life. Although young offenders are intended to take responsibility for their illegal behaviour, the consequences for them are not intended to be as severe as those applied to adults in the ordinary courts. Therefore, when a young offender has completed his or her sentence and committed no further offence for a qualifying period, the record will be destroyed. The young person will thus be given a fresh start when he or she has shown it is deserved. The effect of this provision is that there would in law be no conviction against the young person; he or she would not face all the disabilities that flow from having a criminal record. That provision, I feel, should provide a young person with a major incentive to mend his or her ways.

The final aspect of the new legislation which I wish to deal with and which is of major significance is that of the rights of young persons. In determining the responsibility of young persons under new legislation, it is to be recognized that young persons have particular rights and freedoms, including the right to be heard in the course of, and to participate in, the processes that lead to decisions that affect them, as well the opportunity to be informed of their right as guaranteed under the law.

The foregoing principle is representative of our belief that the full exercise of due process under the law should be extended to young persons. We can no longer operate under a system of procedural irregularity when a young person's freedom and liberty are at stake, nor should a young person be exposed to the sanctions of the criminal law without at the same time receiving the benefits of the built-in protections it has to offer. A young person must be given the opportunity to defend himself and be judged in accordance with the principles of natural justice. No longer can we dispense with such fundamental rights because they are seen to conflict with treatment and rehabilitation ideologies, nor allow the exercise of unfettered discretion in dealing with young persons. I believe that the goals of reformation and rehabilitation for children are compatible with the protection of procedural guarantees.

Under the proposed legislation, the young person would have the right to retain and instruct counsel at all stages of proceedings in which he is involved. Special safeguards would be established in order to assure proper and equitable practices in the taking of statements. Parents would be notified of any arrest, detention and court appearance respecting their child and granted the opportunity to participate in the proceedings. Rules of evidence and procedure would provide the opportunity to challenge the Crown's case and present a defence. Furthermore, young persons would be granted the same rights of appeal as are available to adults.

It must seem strange to those who are unfamiliar with the existing legislation which affects young persons to hear that these rights and procedures do not presently exist. I look forward very much to moving those particular aspects of the legislation forward. The proposed legislation, which has undergone many changes and modifications in response to the views and recommendations expressed through a lengthy consultation process, will bring us a significant step closer to the achievement of a desired equilibrium between the prime objective of the criminal law to protect the public from criminal behaviour and the desirability of ministering to the needs of young persons who come into conflict with the law.

Last summer I had the honour and privilege of leading the Canadian delegation attending the sixth United Nations congress on crime and treatment of offenders in Caracas, at which the subject of juvenile justice was an official agenda topic. I was greatly encouraged by the fact that the only resolution adopted on this subject was to the effect that standard minimum rules for the administration of juvenile justice should be developed so as to protect the fundamental rights of young persons. The specific principles agreed upon largely reflected those included in the proposed Young Offenders Act.

I must say I am equally gratified to see the solid support and encouragement extended to the government and myself by the press and others who have commented on the new legislation. I am hopeful, as I indicated at the outset, that the bill can be referred to the Standing Committee on Justice and Legal Affairs for further examination at an early date, and I will do my utmost to prevent any unwarranted delays in the passage of this legislation, the realization of which is so crucial to the youth of the country.

I want to add a word about a study, which I authorized and is now under way, of the juvenile justice system. What I have in mind and what is being developed by the research division of my ministry is a study on the functioning of the juvenile court to examine the activities undertaken by juvenile justice personnel in response to young persons being introduced to the juvenile justice system, observing the processing of juveniles in court, conducting surveys of court personnel and of parents and juveniles observed in the court. This is a study which will involve seven private research organizations in Vancouver, Edmonton, Winnipeg, Toronto, Montreal, Halifax, Kelowna, B.C., Granby, Cowansville and Saint-Hyacinthe. There will also be a research initiative directed toward the rural circuit outside of Edmonton.

What I have in mind and what this study, which will cover a period of years, will develop is an assessment of the efficiency and effectiveness of the juvenile justice system, in the hope that changes can be made to the administration and that there can be an assessment of the effectiveness of the legislation I am now presenting in its early years of operation. This would show whether there are ways that the system could be made more effective and efficient in order to achieve its goals and also to satisfy taxpayers that it is operating as effectively and efficiently as possible.

May I conclude by urging the House to refer this legislation to the justice committee, so that the views of experts can be added to those of Members of Parliament, the legislation can be given full consideration and brought into effect as expeditiously as possible.

Hon. Ray Hnatyshyn (Saskatoon West): Mr. Speaker, I should like to pick up on the last sentence spoken by the Solicitor General (Mr. Kaplan) with respect to this very important legislation. I know this has been a long session. We have had a long constitutional debate and a lot of us are tired, so I do not want to overreact; but if the Solicitor General is sincerely interested in getting this legislation through and in dealing with it in an expeditious and efficient manner, he might start off with the normal courtesy of bringing the legislation on when the official critic of our party is in the House. The Solicitor General was in touch with me yesterday. He knew that the hon. member for Durham-Northumberland (Mr. Lawrence) was required to be out of the city today on official business.

This matter has been sitting on the Solicitor General's desk for well over a year. It is no secret, and he admits it, that the legislation was essentially drafted for him by his predecessor, the hon. member for Durham-Northumberland. It is unfortunate that he has taken the unusual step of bringing it forward when he knows that our critic is not here, expecting us to deal with it in a propre manner. While I have an overview of the subject, I do not have the detailed and expert knowledge of the legislation that could be provided by the hon. member for Durham-Northumberland. I am sorry that the spirit of co-operation which should prevail in this House was not shown here.

It was not bad enough for the minister to bring this legislation in at an inappropriate time, in the absence of the hon. member for Durham-Northumberland and the hon. member for Edmonton-Strathcona (Mr. Kilgour), both of whom have given a lot of consideration to this topic, but he has the effrontery to bring it forward at a time when the Standing Committee on Justice and Legal Affairs is sitting in another location on Parliament Hill and dealing with a very important matter.

● (1540)

Mr. Kaplan: Mr. Speaker, I rise on a point of order. I had a fairly lengthy discussion with the official Conservative critic, the hon. member for Durham-Northumberland (Mr. Lawrence), about this matter. I indicated to him that I would not reflect on or mention his absence, but my friend has done so. I think one ought to remind the House that Parliament is sitting now and the top priority of the Members of Parliament should be to attend to the requirements of this chamber.

The Acting Speaker (Mr. Ethier): Order, please. The hon. member for Saskatoon West (Mr. Hnatyshyn).

Mr. Hnatyshyn: Mr. Speaker, I simply reiterate that the hon. member for Durham-Northumberland is away on official business. This was known to the minister.

Many of us have been faithful in our attendance in the Standing Committee on Justice and Legal Affairs. We have been dealing with a very important piece of legislation with respect to freedom of information. A very important witness is there today, a former colleague of ours, Mr. Ged Baldwin. The problem which causes many of us some embarrassment is not being able to be in two places at one time. The minister can ask for co-operation from our side. However, once he starts co-operating on his side, he can rest assured that we on this side will do everything possible to give this bill proper, efficient and adequate consideration. We will not be unduly delaying this matter. Rather we want to get this bill into committee.

Mr. Kaplan: Why did your House leader agree?

Mr. Hnatyshyn: The minister asks why the House leader agreed. The minister phoned and asked me specifically while I was in a committee meeting yesterday about the timing of bringing this legislation forward. I do not want to dwell on this aspect too long. I just want to let the minister know how unhappy I am with the way in which he has conducted himself. I agreed to make some calls to see whether it would be appropriate to go ahead and accommodate the minister in his request, but before I got back to my office I was advised that the deal was already finalized. We were advised and informed unilaterally by the government House leader, without any suggestion that there was anything wrong with it, that this legislation would be brought forward today. I have said enough about it now; I do not want to waste any more time. I simply say that I am very unhappy with the way in which this matter has been dealt with. I just want to vent my spleen, if I may, on the minister at this point so I can deal with the merits of the legislation in a proper way.

I want to deal with the bill and some of the developments which have taken place in regard to it. As the minister has pointed out, the legislation which this bill is replacing, the Juvenile Delinquents Act, was adopted in 1908. It was passed as a result of a concerted campaign by several child care workers and magistrates who were inspired by the youth court movement in the United States and the social reform ideas in vogue at that time.

In 1929, the act was consolidated with amendments which revised it somewhat. That was as a result of a federal-provincial conference on the revision of the Juvenile Delinquents Act. Despite minor amendments made by Parliament in 1932, 1935, 1936, 1947, 1949, 1951, 1972 and 1979, the act is to all intents and purposes the same legislation as that which existed in 1929.

I want to draw to the attention of the House some of the main features of the legislation. The philosophy of the present Juvenile Delinquents Act is a *parents patriae* social welfare type of approach wherein juveniles are seen as not being responsible for their actions. Juvenile courts are given complete jurisdiction over a child who has committed a delinquency, which might consist of a violation of the Criminal Code, a federal-provincial statute, a bylaw or an ordinance of a munic-

ipality, performance of immoral acts of some description or definition.

Under the present legislation, no formal diversion procedure exists whereby a young person is sent to a social agency rather than being processed by the court. Under the present legislation, if a young person has committed a delinquency, a judge can impose sanctions alone or in combination with such things as a fine of up to $25, placement on probation or placement in a foster home. There is provision for committal to the care of the Children's Aid Society or committal to a training school as well as the possibility of imposition of other conditions, such as restitution or the performance of a community service.

It may be important for us to understand what has led up to this particular legislation. There has been a considerable amount of consultation and study. A number of publications and reports have been prepared and issued on the problem of juvenile delinquents. In 1961, the then minister of justice established a five-man departmental committee on juvenile delinquents. In 1966, the standing committee in this House reported on juvenile delinquency and the report was tabled in the House. In 1968, a federal-provincial conference of justice ministers was held. They discussed the justice committee report and the reform of the juvenile justice system. In 1970, legislation was introduced through Bill C-192 in that year; it was called the young offenders act. It received first reading but was allowed to die because of some severe criticism levelled at the legislation during the course of that year.

In 1973, a federal-provincial conference of corrections ministers was held. They established a federal-provincial review group on the juvenile justice system. Also in that year, the solicitor general at the time set up an interdepartmental committee on young persons in conflict with the law. In 1975, that committee submitted its report. Between 1975 and 1977, the solicitor general's department initiated a consultative process on the 1975 committee report. In 1977, the solicitor general tabled a document called "Highlights of the Proposed New Legislation for Young Offenders". In June 1977, a federal-provincial conference of attorneys general and ministers of corrections discussed the highlights of the proposals. In 1979, the parliamentary secretary to the then solicitor general tabled the document entitled "Legislative Proposals to Replace the Juvenile Delinquents Act".

The present state of affairs in Canada is simply this. The juvenile justice problem is a significant one. In 1978, there were close to 91,000 delinquencies processed under the existing act. It is widely recognized that the law as it presently stands is outmoded and ineffective. It is badly in need of modernization. The preceding administration of the Progressive Conservative government had undertaken to make significant changes in the law, as evidenced in the document tabled in the fall of 1979 to which I have just referred.

To the extent this bill, C-61, is a manifestation of a realization that the law is in need of change, it is welcomed literally by everyone in the justice field. Many studies and reports that have been done in recent years indicate clearly there is need for change.

I want to look briefly at some of the provisions of the bill and consider the consequences and changes that are affected by this legislation. First, in terms of the policy approach of the bill, the minister made reference to the basic premise and philosophy of the bill in his opening remarks today. He referred to the three principles of the legislation. First, that young people should be held more responsible, although not wholly or fully accountable, with respect to their activities; second, that society does have a right to protection; third, that the young offender does have a right to due process and fair treatment.

The philosophy of the existing legislation respecting juvenile delinquents is found in Section 3(2). It provides that a child shall be dealt with "not as an offender, but as one in a condition of delinquency and therefore requiring help and guidance and proper supervision." If members refer to the paper tabled in this House in October 1975, they will see that the provision in the bill is similar to those set forth on pages 2 and 3 of the legislative proposals tabled by the then solicitor general.

● (1550)

Second, with regard to offences covered by jurisdiction, this bill covers only specific offences against the Criminal Code and other federal statutes and regulations. The offence of delinquency under the present law is abolished; the minister made reference to that. I will return to that aspect of the bill because there are some areas in which intensive negotiations and discussions with provincial counterparts will be absolutely essential to ensure that the legislation is fully effective. Without the assistrance and co-operation of the provincial authorities, the legislation will not be effective. In fact, it will suffer some very serious defects.

The position with respect to restricting the application of this legislation to the federal area of jurisdiction is in keeping with the recommendation made by the Law Reform Commission. It suggested excluding less serious conduct from the ambit of criminal law. I again refer hon. members to the 1979 report, page 4.

The third aspect is the way in which this bill deals with jurisdiction by age. The minister pointed out that the age of criminal responsibility has been raised from seven to 12 years of age. The maximum age will be 18 years. However, at the request of a province, the government may set the age of under 16 or 17 as the maximum in a particular province. The present legislation sets the maximum age at under 16, but allows for the establishment of different maximum ages upon provincial request.

This provision is quite interesting to me. I will refer to that later as well. It is an arbitrary age. There are some difficulties in terms of legislation affecting people on the basis of age. There are different people involved, different levels of maturity and development and different circumstances. I am sure everyone here will agree with the increase in the age to which this legislation would apply. As the minister stated, there have been consultations with the provinces. Two provinces suggest-

ed that the minimum age be raised to 14. The remaining provinces, the majority of those consulted, were satisfied with age 12. Statistics show that a significant number of 12 and 13 year olds are in conflict with the law. We should look at this revision if there is some area of complaint with respect to the way in which these particular provisions are going to apply in relation to uniformity of law across Canada.

In our debate recently on the Constitution, the government introduced the concept of opting out. Yet this is a very undesirable trait in legislation, according to the Prime Minister (Mr. Trudeau) and other spokesmen for the government, including the Minister of Justice (Mr. Chrétien). We have to ask ourselves whether this kind of provision will provide for the so-called checkerboard effect across Canada. For example, a young person may commit a criminal offence on the Macdonald-Cartier bridge which crosses the Ottawa river between Ontario and Quebec. At which end of the bridge the offence is committed will have some bearing. At one end of the bridge, if charged, he can take advantage of the Young Offenders Act, whereas if it occurs at the other end in the other province, it is quite a different proposition. One province may have determined the appropriate maximum age is 16, whereas in the other jurisdiction it may be under 18. I do not know where that would lead. Young offenders may decide to move to a jurisdiction where they can take advantage of a more modern law.

In terms of principles of criminal law and the uniformity concept, we should look at bringing some uniformity to this provision. It has been suggested by such people as the distinguished member for Brampton-Georgetown (Mr. McDermid) that during the course of committee meetings we provide an option to those under the age of 18 years to make application in an adult court to have the young offenders provisions apply. In other words, young people across Canada could have available to them the provisions of this act even though the age of majority varies from province to province.

Suggestions will be made in committee in the hope we can come to some conclusion. I take it from the remarks of the Solicitor General there will be full and thorough examination in committee. There will be an opportunity to consult broadly with the people involved, young offenders and other young people, counsellors and others involved in pilot projects across Canada. The committee should have the advantage of that kind of testimony and full opportunity to ensure that the legislation will be the most effective that we can pass in this House. That is certainly the intent of members of my party, and I trust of all members of the House.

I want to deal with another aspect of the bill with regard to the diversion provisions. The bill makes special provision for diversions. Not all young persons who break federal laws have to appear in the youth court. Under this legislation, in lieu of having a case tried before the court, they have the option of providing a community service or agreeing to make restitution to the victim. This is all voluntary. It is an interesting and novel provision which I believe will receive general support.

There is nothing in the bill to preclude the accused from having the right to have the matter tried in the young offenders court where guilt or innocence can be established. Under the present legislation, there is no provision for a formal diversion procedure. There are provisions which have a similar effect in that a judge may have a hearing and then provide that the matter be adjourned *sine die,* to a date in the future not specified, without having guilt established if the accused agrees to some type of rehabilitative program. While there has been the development of this kind of practice in the courts, this new legislation will give formal recognition to the ability of the court to allow the accused young offender to perform a community service or make restitution without the necessity of fighting the case. It seems to me it has been recognized for some time that the criminal law need not be invoked in all circumstances. Many young people are needlessly appearing in juvenile courts.

● (1600)

I want to turn now to the nature of proceedings under this particular legislation. The bill is said to establish strong guidelines for proceedings. Offenders rights are made explicit; there is a right to counsel at all stages of the proceedings and a judge is required under this legislation to advise young people of their rights. This is different from the present act which is silent on rights. It provides that under summary conviction procedures the provisions of the Criminal Code apply. It also provides that all trials shall be as informal as possible. We will want to look at these provisions to make sure the rights and interests of not only the alleged young offender but also of society as a whole are adequately protected. We are entering new ground, uncharted waters, in this area.

The fifth aspect I should like to deal with has regard to the provisions in respect of detention and bail. The bill gives the same entitlement to bail as exists for adult offenders at the present time. The legislation does contain provisions by which notice must be given to a young person's parents, and provisions under which a young offender will by and large, in every case possible, be detained separately from adult offenders. The bill does provide that a young offender can be placed in the hands of a responsible adult to avoid the strict custody contemplated by incarceration in an institution.

The sixth aspect deals with transfer to adult court. This bill would allow such transfer when an offence is committed by a young offender after his fourteenth birthday. There are explicit criteria provided to guide a judge's decision. A judge must consider the so-called predisposition report and the parents' representations before making a transfer order, and transfer orders in themselves are subject to appeal. Again this is another area we will want to look at very closely, particularly the criteria judges must consider when making an order, to make sure the rights of young offenders and society are adequately and properly protected.

The seventh aspect is in respect of disposition. The minister has referred to disposition, known otherwise as sentencing powers. There is a wide range of options, anywhere from

absolute discharge to incarceration for up to two years, with a wide range of additional conditions which a judge may feel appropriate under the circumstances.

Other aspects of the bill which are dealt with are fingerprinting and photographs. The bill does provide for photographs and fingerprints to be taken, but these are to be destroyed if there is an acquittal or if the proceedings are discontinued. There are also special provisions in respect of storage of these kinds of records, with control of access to the information in respect of young offenders. The present act is silent with regard to the authority to take photographs and fingerprints. This issue has been the subject of conflicting judicial determination in the recent past, so these provisions will be helpful in clarifying a situation which is now unclear, at least on the basis of judicial interpretation.

The bill does provide for public hearings. As members of the House know, juvenile delinquency matters have by and large been carried on in camera, away from public scrutiny. At the present time there is a prohibition against publication in the press particularly of names mentioned in the deliberations before a juvenile court. Under this bill the courtroom will be open, but restrictions remain on press reports regarding trials in juvenile courts.

The philosophy under the present act was that trials of children should take place without publicity and separately and apart from the trials of other accused persons. Everyone will agree that in camera hearings should be, and generally are, viewed with some suspicion and are more susceptible to potential abuse. As long as protection is afforded the young offender, with a prohibition against the publication of names and identifying information in relation to the young offender, it may be a step forward in opening the whole process of allowing more access to these courts, placing the court, its officers and even the judiciary under public scrutiny.

I will conclude my comments by dealing with some of the principles of the bill. With regard to youth court records under this legislation, when a sentence is completed and no further offence is committed within a qualifying period the records will be destroyed. The qualifying period is two years for a summary conviction and five years for an indictable conviction.

In the present situation there is no provision for the destruction of records, and there are no regulations for the creation and maintenance of confidentiality of, or accessibility to, juvenile records. Indeed, a young person after conviction could be labelled a delinquent for life under the law as it now exists. That situation will be changed by these provisions. As I say, there can be no argument against the proposition that young persons should be responsible for their actions, but one would hope that these illegal acts carried out by people in their youth should not carry severely undue consequences. One thing hoped to be accomplished by this legislation is that young people will be given an opportunity to make a fresh start in life through rehabilitation and redemption.

I think it fair to imply in general terms that our party agrees with the concept contained in this legislation. It is in fact modelled very much on the legislation brought forward by my colleague, the hon. member for Durham-Northumberland, when he was solicitor general. I recall that the hon. member for Durham-Northumberland said when this legislation was tabled he would grade it in terms of the three Rs. He said the bill does in fact give greater responsibility, does in fact provide for greater rights in respect of young offenders and does provide for greater flexibility in rehabilitation.

As I said at the outset, I do not know why the Solicitor General had to wait for the one day in the whole year when the hon. member for Durham-Northumberland was out of the House to bring forward this legislation. That hon. member may have been away another day because of illness, but I believe this is only the second day he has been absent. He is a faithful attendant. The fact of the matter is that the matter has been before him for some considerable time. He has indicated there are some provisions which must be looked at in terms of our committee work. It is very important for us to see that we obtain the best possible legislation, and I have addressed myself to some of its aspects. Obviously this bill cannot be the whole or total solution to the problem. It can only treat the symptoms of the disease. Young people in our country in their formative years need to be given some alternative to being on the streets and facing very severe criminal consequences.

● (1610)

There are some statistics which are quite distressing in terms of the development of criminal records and in terms of criminal activities in our country. Between 80 per cent and 90 per cent of adult criminals in Canada had their first brush with the law as juveniles. In such places as Winnipeg, Manitoba authorities have been in contact with more than 10,000 juveniles with respect to a variety of delinquencies ranging from highway traffic infractions to murder. The investigation to which I am referring revealed that boys as young as 15 years of age were charged with attempted murder and rape last year. In 1980, ten-year-old males were turned over to juvenile authorities to face charges of indecent assault and wounding. Boys of eight were charged with robbery.

As we sit in our comfortable pews across the country, we sometimes do not realize that these kinds of offences are occurring. I once came home to my own house and found that a magnificent robbery had taken place there. There was hardly a trace of the robbers. There was a broken window under a porch. It was a very professional job. I saw a couple of leaves on the floor. The perpetrators had gone upstairs without disturbing a thing and had taken a collection of silver coins. I was just amazed at that time to find that the robbers were two eight-year-olds. They were caught because a confectioner in the district became suspicious when he saw those silver coins. He called the police, who apprehended the boys. I happened to be talking to the juvenile court judge the next day. I told him how surprised I was to see these young children involved in this theft. It was hard for me to believe. He said, "This is the third time they have been before me". They each were eight years old.

This shows that some new approach has to be taken with respect to allowing such children opportunities for another new chance. This legislation by itself will not solve all these problems, but let us hope it is some assistance in terms of creating a slightly different attitude toward juvenile offenders.

Of course, certain young offenders are not covered by this legislation. They will be dealt with by social welfare officials, which gives rise to a conundrum. We are raising the age to 12 years, and everyone agrees that that is good, but whether social welfare agencies in each of the provinces will be able to deal adequately with this kind of situation is another problem. I think we should look at these things in committee and try to determine what is best for our young people and for society.

On February 14, 1981 the Winnipeg *Free Press* reported on an interview given by Sister Geraldine MacNamara, the director of the Rossbrook House, which will be known to hon. members from Winnipeg. Sister Geraldine spoke about young people getting into conflicts with the law at early ages. In the article Sister Geraldine said:

"If you have children getting into conflict with the law at a very early age it seems there are several other factors at work besides simple moral depravity—"

The article went on to say:

These young people are dealt with by professionals briefly or taken care of for a year or two in an institution and are then "immediately thrown right back into the same situation they came from," she said.

They must be given alternatives to a life on the street.

"As long as neighborhoods are allowed to deteriorate and people are left in a virtually hopeless situation, social problems like young offenders will continue," she said.

I suppose people such as the good sister who deal with these problems have an understanding of some of the problems we face in society with respect to dealing with young offenders and the very serious difficulties we have in trying to create an atmosphere in which these young people can have the opportunity in life so many of us have enjoyed in our great country, with its terrific potential and the opportunities which are available. If opportunities are available for so many, they should be available for all.

Some hon. Members: Hear, hear!

Mr. Hnatyshyn: In this context I want also to make reference to the vital importance of working in conjunction with the provinces. Because if this legislation is passed in its present form, children under the age of 12 will no longer be covered under any provisions of the Juvenile Delinquents Act or the proposed young offenders act. Violations of provincial and municipal law will no longer be covered under the legislation, so the provinces need time and should be given time to develop appropriate complementary legislation.

An interview with Ross Paisley, the deputy attorney general of the province of Alberta, was reported in *The Calgary Herald* on February 18, 1981. In that interview Mr. Paisley said, and I quote:

"We've been working on this—

That is, complementary legislation to the proposed young offenders act.

—for some time and now just hope that we have enough lead time to get it into place"—

The article went on to say:

The proposed act does not cover offences under provincial and municipal laws.

The province, Paisley said, must therefore develop complementary legislation to deal with provincial and municipal offences.

He also made reference to the fact that his department will have to examine the child welfare act in that province to see if it needs beefing up in its provisions for children under the age of 12 years. This indicates that each of the provincial jurisdictions will now be directly affected by this legislation since it will put a new onus and a new responsibility on the provinces to deal with the void which now exists because of the changes brought about by this legislation.

In view of the fact that the federal government is taking this initiative, it is absolutely essential that there be full co-operation with provincial authorities to make sure there is, if at all possible, the most uniform treatment of our young people in Canada. It is one thing for the federal government to take steps which would reduce its responsibility under this act; it is another thing to do it only after such time as it is satisfied that there is adequate provision made for young people under the age of 12.

My colleague, the hon. member for St. John's East (Mr. McGrath), has pointed out to me that there has been some work done with respect to a diversion program in his city of St. John's. He indicates to me that it is an extremely impressive pilot project. He points out that the program secretariat was established in May of 1979. In September of 1979, the program received its first cases. Since that time more than 350 juveniles have paticipated in this pre-charge program which has brought both offender and victim together to work out a suitable settlement. Twenty-three volunteer mediators underwent training for their work, and these 23 volunteer mediators have been involved in mediation sessions, which have attempted to focus the responsibility on the offender. I think this is one of the purposes of this legislation.

My colleague has also brought to my attention some research work which has been done by a Dr. Frechette, who has been conducting research on juvenile offenders within the juvenile court system of Montreal. Dr. Frechette's early findings leave no doubt that the expansion of diversion programs, self-help programs and so forth is urgently needed across this country. Thus far, Dr. Frechette has studied 400 juvenile offenders. Of those 400 cases, 50 per cent have already made adult court appearances. Of those 200 individuals, between 70 and 80 have been sentenced to terms in penitentiaries. The question is and remains, how many of those 200 individuals might have been spared appearances in court in their adult years if programs such as diversion had been in operation?

• (1620)

We in this party are prepared to deal in a responsible manner with this legislation. I trust the legislation will be dealt with fairly and expeditiously. I hope it will be before the committee as soon as the committee has completed its work on

the freedom of information legislation, which I hope will be completed before too long.

We compliment the Solicitor General for following the initiative which was taken by the previous solicitor general, the hon. member for Durham-Northumberland. In his very brief period of time, he was an outstanding solicitor general. We hope the current Solicitor General will follow the traditions established by my colleague.

We accept the principle of this legislation, we want to work on it in committee, and I thank the House for its indulgence in allowing me to address this important piece of legislation.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I am very pleased to participate in this debate on what is undoubtedly one of the most important bills which has come before this session of the House of Commons. As the Solicitor General (Mr. Kaplan) indicated, we are dealing with legislation which has essentially been unamended and unchanged in substance since 1908 when it was originally introduced. The hon. member for Winnipeg North Centre (Mr. Knowles) points out that that was the year of his birth; of course, it was a very good year indeed.

In examining the provisions of this bill, it is important to look back at some of the principles which have guided legislators and parliamentarians in the past and which society has applied generally in dealing with the problem of young offenders or young people in society who have violated the law. There have been many attitudes taken to young offenders. Some 2,000 years ago, Socrates wrote:

> Our youths now love luxury, they have had manners, they have disrespect for authority, disrespect for older people. Children generally are tyrants. They no longer rise when adults enter the room . . . They gobble food and tyrannize their teachers.

That was not the hon. member for Winnipeg North Centre speaking about the hon. member for Burnaby; that was what Socrates wrote some 2,000 years ago.

The response to various forms of inappropriate conduct on the part of young people has also varied over the course of history. We have seen very, very harsh measures taken against young people, measures which would be unthinkable today. For example, during the seventeenth and eighteenth centuries, the use of hanging was commonplace in cases of serious offences by children, some as young as seven or eight years old. One example is an English case at Abingdon Assizes before Whitlock. One John Dean, an infant eight years old, was indicted, arraigned and found guilty of burning two barns in the town of Windsor. It appearing upon examination that he had malice, revenge, craft and cunning, he had judgment to be hanged and was hanged accordingly. That is how they dealt in those days with persons who burned barns. We might contrast that with the response of the present day.

As I said, the legislation was initially enacted in 1908. It was principled upon progressive reforms. The tone and purpose of that legislation was not to treat young persons as criminals, but to quote from the legislation itself, as "a misdirected and misguided child"; one needing "aid, encouragement, help and assistance".

There is no question that the Juvenile Delinquents Act of 1908 is seriously outdated today and must be substantially changed. But we must be very careful, in amending and overhauling this important piece of legislation, to keep in mind the important principle which was enunciated in the 1908 legislation, that we must not replace this bill with a Criminal Code for children. We must bear in mind the fact that young people who come in contact with the law must be dealt with in a special manner and that adequate resources must be brought to bear to deal with them.

It has been suggested by the drafters of the legislation that there is a shift in emphasis away from the important principle of 1908. In fact, one policy analyst of the Department of the Solicitor General, Mr. Tom Sterritt, has been very actively involved in drafting the bill. He stated that the new bill changes the focus of the law and that it may not be the needs or the welfare of the child that are paramount any more; it may be the protection of society. Indeed, the protection of society is and must be of great importance, but one must question whether by substituting a Criminal Code for children we in any way enhance the protection of society. I suggest the evidence is very much to the contrary.

Many studies have been done in the past of this important area, starting back in 1965 when a committee of the Department of Justice examined the area. In 1970, a bill was proposed in the House which met with great resistance and was substantially withdrawn by the government. In 1975, the interdepartmental committee tabled a report entitled "Young Persons in Conflict with the Law", which made a number of important and progressive recommendations. I will come back to that report in a few minutes. In 1977, there was a further attempt by the then solicitor general to bring in a document known as "Highlights of the Proposed Young Offenders Legislation", which withdrew from some of the important principles suggested in the 1975 report. Finally, as was mentioned earlier, in 1979 the Conservative government tabled a document indicating the general nature of the legislation they would be proposing in this important area.

There is no question that there are serious deficiencies in this area of the law, in the area of how we as a society deal with young people who have violated the law. Those deficiencies in the legislative structure have led to great frustration on the part of all people affected by them, starting, of course, with the police, who must enforce what is recognized by many to be a totally inadequate law. In many cases the police know that the resources which are being availed to young offenders are completely inadequate. Unfortunately—and I say this in the case of some police officers—their response is one of violence. They believe the young person will not be adequately dealt with within the context of the criminal justice system, and, therefore, in some cases we see instances of brutality against young people who have come in conflict with the law.

Fortunately this is not a common occurrence, but the recent report of a respected group in the province of Ontario, Justice

for Children, documented a number of serious concerns in this area. I point this out as evidence of the fact that the police forces of the country are as frustrated as other elements in the justice community with the inadequacies of the Juvenile Delinquents Act as it presently stands.

There are suggestions of excessive force being used during arrests. There are suggestions of harassment of young people who have come in conflict with the law following their return to their communities. Surely these kinds of things must not be condoned. Hopefully they will be dealt with, not only through changes in legislation, but through changes in resources.

We must also recognize the concern of members of the judiciary. Juvenile court judges have commented frequently on the inadequacies of the Juvenile Delinquents Act and in many cases have expressed their exasperation and despair at the lack of an adequate judicial framework and a lack of resources. I will deal with the question of resources later in the course of my remarks.

We must recognize the element in the judicial equation which is often forgotten, and that is the victim of the offence. Too often we forget about the fact that there is a victim. The victim is shunted to one side, is not informed of what is taking place as a result of the offence, and of course suffers and feels quite justifiably that he is not an important element in the disposition of the offence.

We must bear in mind that there should be adequate victim support mechanisms. I am pleased to note that the Department of the Solicitor General has a couple of pilot studies presently under way which are attempting to focus greater attention on the role of the victim, with follow-up mechanisms to ensure that the victim is not a forgotten member of the justice community in cases such as this.

● (1630)

It goes without saying that in too many instances young people themselves who have violated the law hold those very laws in contempt. In many cases they recognize that they are dealing with the judicial treadmill and that the treadmill is one which is completely unsatisfactory to deal with the very serious concerns which society must face in the area of violations of the law, both in terms of violations of property law and in terms of the increased incidence of violence against persons, such as, for example, assaults. So, this is an important area. It must be dealt with. We must recognize that all elements of the justice community, whether it be the judiciary, probation officers—whom I have not mentioned yet but who are dealing with excessive case loads in many cases—the young people themselves and the police, all say that the time has come to fundamentally overhaul the way in which we deal with young offenders.

What about this legislation? There certainly are a number of welcome provisions in it, provisions which are long overdue. For example, the end to status offences and the hodge-podge of offences which in this day and age must surely no longer be contained in a civilized Juvenile Delinquents Act.

Another such provision is the omnibus charge of juvenile delinquency, which includes sexual immorality or any similar form of vice, whatever that means. We have seen that this is a particularly invidious provision because it often discriminates on the basis of sex. Young female delinquents are much more liable to be charged under this particular provision than are young male delinquents. Statistics for the most recent years show that while 11 per cent of all young people who were charged with delinquency were females, 42 per cent of those young persons who were charged with this particular offence of sexual immorality were females. In many ways it is a crime of female delinquency. We welcome the fact that this will be abolished in the new legislation.

We welcome the provision for public trials. We support the suggestion that while trials should be public, the names of the young people accused should not be disclosed. We welcome the end to indeterminate sentencing which, once again, constitutes discrimination against young people. At the present time no adult is subject to this form of indeterminate sentencing and surely, as a matter of equality before the law, this kind of sentencing should not exist. We are pleased to note that the new legislation would accept the recommendations of a number of committees and put an end to indeterminate sentencing.

We note that there are guidelines on the transfer of young offenders to adult court. At the present time the Juvenile Delinquents Act contains no guidelines. We recognize that the explicit mention of guidelines is long overdue in suggesting to the judiciary that when they exercise their discretion it must be exercised with extreme care. We may be soliciting the views of a number of witnesses as to whether or not the age of 14 is an adequate one and should be maintained for transfer or whether that age should be raised, as the Committee of Young Persons in Conflict with the Law suggested. They suggested that it should be raised to 16 years of age.

We welcome the increase in the age of criminal responsibility from seven years of age to 12. There are arguments which have been made, and we certainly will be examining them with care, to the effect that the minimum age of criminal responsibility should be increased beyond 12 years of age and that it should go as high as 13, or 14, as is the case in the Province of Quebec. Those arguments are compelling arguments, Mr. Speaker. In fact, they were accepted by the very distinguished committee which produced the report, namely, the committee of young persons in conflict with the law. I would suggest that there must be very strong reasons for rejecting that particular recommendation.

Finally, we are pleased to note the long overdue implementation of procedural safeguards, the right to access to legal counsel, the right to bail, and a number of other important procedural safeguards which so far have been denied young people who have come before the juvenile courts, although we might say that a number of judges have voluntarily extended those provisions in their courts. I would note that it was a Juvenile Court judge from the province of Alberta, the very distinguished Judge Litsky, who described the procedures in

juvenile court as being star chamber procedures or black magic courtrooms. As I said, we welcome an end to those particular provisions of the Juvenile Delinquents Act. We welcome the recognition that young people are entitled to the same procedural safeguards as adults, since in many cases they are subject to very serious penalties if they are found guilty.

Having pointed out our support for these provisions in the proposed bill, and frankly, a number of other provisions in the bill, we do have serious concerns which we believe must be addressed. If there is one concern which is greater than all the rest, and which surely represents a flagrant violation of the principle of equality before the law, and which represents, in my view, a violation of the government's own charter of fundamental rights and freedoms, it is the government's failure to bite the bullet and impose a standard age, a standard maximum age right across this land to define what constitutes a young offender. The government has copped out on this important question and its excuses are simply not adequate.

Mr. McDermid: They have opted out.

Mr. Robinson (Burnaby): As the hon. member suggests, they have opted out. Of course, what this does is to create a checkerboard of rights right across this land. We have heard that from the Conservative Party because, of course, they have proposed an amending formula which would permit this very checkerboard of rights right across Canada. The hon. member for Provencher (Mr. Epp) has recently suggested that maybe that is not what they will be doing, and the hon. member for Saskatoon West (Mr. Hnatyshyn) shakes his head quizzically. We are not exactly sure where he stands on this important question of a checkerboard of rights or a floor of rights right across the land. It can surely not be suggested that to define a young person in the city of Ottawa as a criminal and put him into the adult justice system and into an adult penitentiary for exactly the same conduct which a young person in Hull, across the Ottawa River, would be defined a juvenile delinquent, a young offender, and would be given the additional resources and would have been kept out of that adult penal system, is the right way to go about things. So, many of us here recognize that the penal system is almost an admission of failure, because if a young person of 16 or 17 years of age enters into such a system, there is no doubt whatsoever that their chances of getting out are very slim indeed. There have been many groups who have recommended—indeed, insisted—that there must be a simple recognition of equality before the law, a standard upper maximum age. The committee of young persons in conflict with the law in its report considered various options and recommended that the youth court have exclusive jurisdiction to deal with young persons between the ages of 14 and 18 years of age who have committed an offence. That committee has accepted as an absolutely essential requirement that there must be a standard maximum age right across the country.

I have said that the government's actions violate its own charter of rights. Section 15 of that charter says there can be no discrimination on the basis of age. How else can this particular provision of the Young Offenders Act be construed than as discriminating on the basis of age or as denying equal benefit before the law? I predict that if the government is foolish enough to go ahead with this provision, it will be challenged very quickly in the courts of our land where it will be thrown out as a violation of the government's own charter of rights. Thus, Mr. Speaker, that provision must be changed.

• (1640)

We welcome the suggestion that young people should be diverted from the formal criminal justice process wherever possible. But there are very grave dangers in the absence of any kind of adequate guidelines for dealing with diversion in this proposed bill. There are just simply not sufficient safeguards.

The concern here, of course, is one which has been echoed by a number of persons. Once again the excellent report of the committee of young persons in conflict with the law recommended a form of mandatory screening, a suggestion which is presently in effect in the province of Quebec. The Solicitor General (Mr. Kaplan) suggested that he was not prepared to accept that, because there must be an opportunity for a young person to plead not guilty. Of course, that could be a part of this legislation, and naturally should be a part of this legislation. We recognize that there is a very real danger in opening up the possibility of diversion. If adequate safeguards are not applied, the police and the prosecutors will, in some cases, use forms of coercion. When they do not have what they consider to be a safe enough case or a tight enough case legally, they might attempt to divert a young offender who, had he gone to court, would have been acquitted of a particular offence. So we must examine very carefully the diversion provisions. I suggest we must consider very favourably the possibility of a form of mandatory screening. We will want to hear from a number of witnesses on this particular suggestion.

The bill suggests that young people should be separated from adults when they are being detained. I am sure everyone in this House would agree with that principle. However, it permits a cop-out again, because what the bill says is that young people must be detained separately from adults, but when there is no place of detention for young persons available within a reasonable distance, they can be detained with adults. Not only does that violate the provisions of the international covenant on civil and political rights, but surely it must violate all standards of criminal justice which this House is prepared to accept.

To suggest that a young person, 14 or 15 years of age, could be detained pending trial with adults, with people who in many cases have been convicted of a number of offences, surely cannot be condoned. It is happening today. I can give a couple of examples. In the province of Quebec, a 15-year-old boy was kept in an adult jail. Why was he kept in an adult jail? Because there was no facility in Quebec to deal with anglophone juveniles. Nine out of 15 anglophone juveniles last year in the province of Quebec were sent to adult prisons. There is, as the social affairs minister in Quebec admitted himself, a

chronic need for a centre dealing exclusively with anglophones. Of course, this bill would perpetrate that kind of inequity.

We see that in the city of Saint John, New Brunswick, there are young people who are being detained in cells in the same jail as adults. Of course, they are kept in separate cells, but, once again, this is not a separate facility. These children are being kept in a jail with adults. That must not be tolerated and the bill must be changed in that respect.

We have concerns about the provisions with respect to the subsequent use of records from youth court proceedings. There can be an argument made that a judge who is considering sentencing or disposition should have access to the full history of the person before him or her. However, to suggest that this record can be used more generally is, I would submit, a suggestion which could give rise to abuse. We will want to hear again from witnesses on that.

These are some of our concerns about the bill, but I suggest one of the most important concerns which must be addressed in this area of young offenders in the law is the whole question of prevention. This is an area which, with respect, neither of the two previous speakers have addressed. One need only look at the recent report which was tabled by the standing Senate committee on health, welfare and science, an outstanding report, entitled "Child at Risk". It points out that we, as a society, have failed our children, that those children who are being processed through the criminal justice system in many cases have no business being there, had we taken adequate preventive steps. It identifies a number of measures which could be taken, and points out that in many cases the failure to take these steps results not only in a young person coming in conflict with the law at the juvenile stage, but results as well in further criminal activity and in a budget of over $.5 billion for our correctional system in this country.

What are some of the factors that this committee identified? Surprising as it may be to some, perhaps, it said that we must go right back to the prenatal stage. We must look at malnutrition of the pregnant mother. We must look at the whole question of intrauterine abuse, the fetal alcohol syndrome, for example, the effect of smoking, the effect of the use of some drugs on the fetus itself. We must look at the effects of prenatal emotional stress. We must look, as well, of course, even after the child is born, at diet and at possible metabolic disorders. I suggest there should be some form of mandatory screening of all young people to ensure that they do not have dietary deficiencies or metabolic disorders. So, it pinpoints the prenatal stage as being one important area.

It turns then to the paranatal stage and suggests that conditions at birth can influence the subsequent behaviour of the child. For example, it even points to the special care which must be taken with premature children. It then turns to the time-frame of early parenthood and points out that there are significant stresses on single parents, partly because of the inadequate resources which are available to these families in our society at present.

It talks about the effects of emotional deprivation. Study after study has shown that almost without exception, violent offenders have been shuffled between foster homes, have come from broken homes and have simply not had adequate resources when they were young. To quote from one study, they were unwanted at birth, they had frequent placements in infancy, and then graduated almost always from minor offences to major crimes.

The whole area of child abuse is another one which has been identified as an important element in dealing with the question of young offenders: the use of violence against children and the possibility that, in turn, children will see violence as an acceptable alternative. The distinction between a spanking and a beating, and the condonation of that distinction in our criminal code under Section 43, is one which I, for one, cannot support.

There are a number of other recommendations which are made by this excellent study and which I hope will be acted upon by the government. It talks about the influence of violence in the home and about the importance of parents and other role models in the home setting an example on the use of violence. Perhaps one of the most important areas that it pinpoints is the question of violence on television, the fact that in many cases television sets are used as babysitters, that in the course of an average child's lifetime, he or she will see on television some 13,000 or 14,000 people dying; the perpetration of values on television program after television program which suggest that the accumulation of wealth and greed is desirable; the despair and the frustration at the gap between expectation and reality. Violence unquestionably breeds violence. It points out the importance of adequate, well-funded daycare facilities to ensure that when a parent must work, the children are adequately looked after. We certainly support that recommendation.

Finally, it talks about the unquestionable link between poverty, about the fact that there are over one million children in this country who live in conditions of poverty, and the link between poverty and later juvenile delinquency. Let me quote the following from a report which is as valid today as it was when it was written in 1975, a report called "Poor Kids", by the National Council of Welfare:

> To be born poor is to face a greater likelihood of ill health—in infancy, in childhood and throughout your adult life. To be born poor is to face a lesser likelihood that you will finish high school; lesser still that you will attend university. To be born poor is to face a greater likelihood that you will be judged a delinquent in adolescence and, if so, a greater likelihood that you will be sent to a 'correctional institution'. To be born poor is to have the deck stacked against you at birth, to find life an uphill struggle ever after. To be born poor is unfair to kids.

● (1650)

Surely, to be born poor, must be unacceptable to all members of this House.

What are some of the other concerns that must face us when dealing with this area of young people in conflict of the law? What is perhaps one of the most important concerns is the totally inadequate allocation of resources by governments, federal and provincial, to this important area. I need only point to an example in my own province. Recently a report was issued showing that juvenile offenders were being kept in overcrowded centres in British Columbia and that perhaps as

many as 40 per cent or 50 per cent of the kids presently being held in detention centres have no business being there. The only reason they are there is because society has not provided the funds for any other resource. These youth detention centres, one of which is located in my constituency, are grossly overcrowded. There are no facilities whatsoever to deal with the psychiatrically disturbed young offender.

Where are our priorities as a nation when we can put millions and millions of dollars into building new penitentiaries in Renous and Dona Conna but fail to allocate adequate resources to ensure that young people who come in conflict with the law, are dealt with.

There are other concerns, Mr. Speaker. I have mentioned the example of the youth detention centres and the failure to allocate adequate resources to them. Many examples can be given of what we set as the priorities of this nation. I know that my time is limited and I will not abuse that, but I should like to give a couple more examples, if I may.

There are no secure psychiatric facilities whatsoever for juveniles in the province of British Columbia. Emotionally-ill children are mixed in with juvenile delinquents. The supervisor of one of the youth detention centres has said that all they can do is to assign staff to watch over disturbed youths. He said it was a really tough time for the staff because they feel so helpless and that "We just followed her around" referring to a particular patient.

In an article in the Vancouver *Sun* of March 6, 1980, a Dr. Gossage is quoted as follows:

> I am unaware . . . of any facility in this province which can help him. And I have to say I think that't just terrible.
>
> . . . He is but one of many children who are going down the tube because of the failure of society to address this problem.

This is a scenario which is repeated in province after province. In Ottawa, the hospital has stopped admitting young people who are psychiatrically disturbed saying that unquestionably, unless the provincial government of Ontario allocates adequate resources, there will be suicides and serious repercussions as a result.

I could cite examples on and on, Mr. Speaker. What is clear is that our society has not placed adequate priority on the allocation of resources to young people who have come in conflict with the law. We have seen a dramatic increase in the suicide rate among young people. In the province of British Columbia, for example, 50 adolescents committed suicide in 1979. The failure to provide adequate treatment for emotionally disturbed young people is an indictment both of provincial and federal governments and is not dealt with by this bill. There must be adequate minimum standards right across this land.

In conclusion, Mr. Speaker, while I welcome a number of the innovations in this bill and recognize that some important steps forward are being taken, I have serious concerns over and above the concern with the bill itself. I suggest that we as a society must realign our priorities and recognize that our young people, our children, must be a priority. We must implement the recommendations of the committee on the International Year of the Child and of the special Senate committee which wrote the report "Child at Risk". We must surely consult with these and other groups and with the provincial governments which must implement this legislation. I suggest we invite representatives of all provincial governments to appear before the justice committee as an example of the co-operation which should take place in this field.

If we can allocate millions and millions of dollars to the Space shuttle "Columbia" and take great pride in our accomplishments in that area, surely to goodness the time has come to allocate adequate resources to young people in this country.

Some hon. Members: Hear, hear!

Mr. Howard Crosby (Halifax West): Mr. Speaker, I want to thank you for the opportunity to participate in the debate on Bill C-61 which enacts the young offenders act. At this stage of the bill it is appropriate to consider the general principles that underlie it and also some of the specific provisions which ought to be given special consideration.

Before I do that, I wish to make some remarks of a more personal nature. The young offenders act which is to replace the Juvenile Delinquents Act, represents years of evolution with respect to the treatment of young offenders in Canada. In many cases, debate in this House is based upon documented experience, but I have had a long career dealing with juvenile offenders and with the administration of the laws that apply to them. I think it is worth recording that when I commenced my law practice 25 years ago in Halifax, the Juvenile Delinquents Act, which was then the statute in force, did not even apply in the county of Halifax. That particular statute applied at the option of the province in cities and towns and could be excluded in certain places within a province. In 1956 in Halifax county, juveniles did not have the benefit of the Juvenile Delinquents Act but were treated as adult offenders. I give this example to illustrate that while progress is slow, it is made.

One of the reasons there has been such a long period of evolution in the development of law relating to juvenile delinquents is the fact that the Juvenile Delinquents Act was first enacted in 1908 as Chapter 40 of the Statutes of Canada. When one considers the times, it was a relatively thoughtful statutory provision. One of the ideas behind that statutory provision was that it would creat one offence which would apply to all illegal conduct by young persons. That offence was called a "delinquency". The persons who formulated that law at that time had in mind that young persons ought not to be charged in a specific way for the wrongs they might commit or for the violations of laws that might occur.

The idea was to realize that young persons were simply offenders who had breached the law without giving full regard to the exact law that had been breached. It was in this way that the concept of a delinquency was created, and that concept endures to this day. It is a concept that we should not lightly dismiss, that of an offence of delinquency, in favour of a specification of an offence which a young person might commit. That is one thing that we should review very carefully

when we consider this bill in the House and in committee. It is a concept that has stood the test of time. There are many who feel that it ought to be changed, but it is still worth careful consideration before that particular change is made.

I was somewhat disturbed by the remarks of the Solicitor General (Mr. Kaplan) when he entered the debate, with the respect to the absence from the House of the hon. member for Durham-Northumberland (Mr. Lawrence). I think it can be said that the hon. member for Durham-Northumberland, as a former solicitor general, has a great interest in this bill. It is unfortunate that he is not able to participate in the debate on second reading because I think he would have a great deal to contribute. I am sure it was with that in mind that the hon. member for Saskatoon West (Mr. Hnatyshyn) mentioned the haste with which the bill was brought before the House for consideration, not with the intent of casting any recrimination on anyone, but rather to say that this was an unfortunate occurrence.

I sincerely hope that the Solicitor General has not interfered with the non-partisan spirit that ought to pervade in a debate dealing with young persons in Canada, by interjecting that unfortunate remark. I can say to him that in this very House yesterday when Bill C-58 was called, his colleague, the President of the Privy Council (Mr. Pinard) was not here to speak to it. He might confer with his colleague and ask him where he was and why he was not present in this House when the bill he sought to have approved on second reading was being considered. When we cast dispersions on other members with respect to their presence or absence from this House, we enter on dangerous ground.

● (1700)

There is one other matter for which I am entitled to take the Solicitor General to task, and that is his suggestion that Bill C-61 ought to pass this House with a minimum of debate and then be considered in committee, presumably the Standing Committee on Justice and Legal Affairs. I say that because I think all members in this House ought to be very interested in any provision which affects the young people of Canada in such a serious way as this young offenders act does. If any debate was justified in its prolongation in this House so that members could consider and express their thought on such an important measure, surely it is this piece of legislation. Any suggestion that it should be swept through this House with a minimum of debate and discussion is not acceptable to me. In many ways, I think it destroys the credibility of those who seek passage of this bill and approval in this House. The bill is indeed of a non-partisan kind. It was formulated through committees, public discussion and discussion within departments. It was brought forward through previous solicitors general and considered by a great many people. I would certainly like to think that the motivation of those people who dealt with the legislative provisions, now included in Bill C-61, was to improve the situation, create a better law applicable to juveniles and young persons across Canada.

I want to comment briefly on the matter not specifically dealt with by previous speakers and which reflects, to some extent, on the remarks made by the previous speaker. In Canada, we have a very difficult situation, as everyone in this House knows. In their wisdom, the framers of the British North America Act decided to vest in the federal authority, the Parliament of Canada and, the Government of Canada, the right to enact criminal law legislation. At the same time, the Fathers of Confederation vested in the provinces of Canada the administration of that criminal law. So we have these two elements in the administration of justice in Canada: the federal authority enacting a law, and the provincial authority administering the law.

I say that because a great many remarks relate to the treatment of young persons within provinces whether they are young offenders or whether they are in difficulty of a kind which might involve them with other legal process. Those persons, to a great extent, are the responsibility of the provincial authorities. While we would all seek to have them dealt with in an appropriate and gentle way in order to dissuade them from any unlawful activity in the future, it cannot be a part of this particular bill.

As I understand it, this bill is made by the Parliament of Canada pursuant to its authority to enact criminal law legislation. That is what the bill must deal with. Social justice is a subject which ought to be, and I am sure is, important to all members of this House, but it is a matter which cannot be dealt with effectively as part of the implementation of the authority to enact criminal law.

That leads me, first, to consider briefly the history of Bill C-61, because other members have dealt with it. I want to record thanks for the work of the committee which provided a report in 1975 called the report of the committee on Young Persons in Conflict with the Law. I think it is worth while to refer in specific terms to some of the thoughts which were expressed by the formulators of that report. I should say perhaps that the report was made to the solicitor general of the day, the hon. member for Notre-Dame-de-Grâce (Mr. Allmand). The committee was under the direction of the deputy solicitor general of Canada of that time, Mr. Roger Tassé. Contained in the report is a statement which bears recording in this House. Under the heading of "The Challenge of our Times", we read:

> Within a modern democratic society, it is neither possible nor desirable to expect that the life styles and behaviour of individuals will conform to a single standard. A society that places a high premium on the protection of human rights and fundamental freedoms and prizes material success and rewards individual aspirations, must recognize that the pursuit of such ideals also fosters a diversity in forms of behaviour.

I think that thought was well expressed. Canadians ought to realize they cannot expect from our young persons a standard of conduct or a similarity of behaviour. Our system has to realize and recognize there are those who will not conform to the standard and, for a period of time, hopefully a limited period of time, may find themselves in conflict with the law.

The law we want to formulate in this House is a law which will recognize that difficulty and will deal with it as a social

difficulty, not in the frame of mind that we must punish those who, in their youth, find themselves in a difficult situation—although punishment may be a method by which persons are brought to a proper course of action and standard—but to provide a system which redirects the course of those who run afoul of the law.

With that in mind, I want to repeat what I said earlier with respect to the Juvenile Delinquents Act of 1908. It charted a course, which I think has been a very effective one and one which I have watched grow over the years. There are a great many things which can be done to improve the law. We ought to keep that in mind. However, we must recognize that the course which was charted in 1908 is one that we would be wise to follow.

I want to review the provision of Bill C-61 in more detail. First, I want to comment on something which has arisen already in this debate, that is the interrelation of the new young offenders act, enacted by Bill C-61, with the constitutional provisions proposal now before the Parliament of Canada. In very simple terms what I am concerned with is that that constitutional proposal contains a charter of rights. As the heading of the proposal indicates, it guarantees rights and freedoms. One of the freedoms and rights it guarantees is non-discrimination before the law.

I will not detail the provisions of the constitutional proposal other than to say that discrimination is outlawed. I do want to question whether the Government of Canada now seeking to have this proposal approved by this House of Commons and adopted by the Parliament of the United Kingdom and made part of the law of Canada has properly considered those provisions of the charter of rights in relation to laws such as the young offenders act.

I am not questioning the motives of the framers of the provisions of the young offenders act. I am just suggesting to you, Mr. Speaker, and to the members of this House, that this is yet another situation in which the Government of Canada has given evidence that it does not really appreciate, realize or recognize what the effect will be of the charter of rights provisions, or what the effect will be on the people of Canada. In this very bill, as pointed out by previous speakers, the government suggests that there is a provincial option with respect to the application of the act to persons of varying age. Under the provisions of the act, it can be applied to young persons under the age of 18, under the age of 17, or of the age of 16, in accordance with the option selected by a particular province.

Obviously this creates a checkerboard across Canada, as has been mentioned. It creates the possibility of discrimination in relation to the application of a law. It raises the very question with which the charter of rights presumably deals. We question how well thought out this proposal is in relation to the new constitutional provisions.

I want to mention that because there are many other areas I could mention with respect to the application of the charter of rights. Strangely enough, I was present in this House last night when Bill C-58, which amends the Canada Elections Act, was before the House. That act contains provisions relating to voting rights. At the same time, the constitutional proposal in the charter of rights says that every citizen of Canada has the right to vote in an election. There is another illustration in which the government of Canada has not related the provisions of its constitutional proposal, that is, the specific provisions of the charter of rights, to the provisions which we are considering in this House.

● (1710)

When this comes to the committee, somebody will have to look at this very carefully and decide whether the provisions of Bill C-61 which relate to the age at which the legislative provisions apply to young persons in a province can be enacted in light of those constitutional provisions.

My suggestion in that connection is that what we must have and must look for is flexibility in the law, not a discriminatory provision. The law might be so worded that it can be taken advantage of by certain young persons under 18, that it can be applied at their option, or something of that nature.

I can see where there is a difference of opinion as to whether persons of 17 or 18 years of age ought to be dealt with under the law as young offenders or as adults. However, I do not think that the law should apply differently across Canada. That is something which has caused difficulty in the past. If we are going to remedy the mischiefs of the past, this is the time to do it.

With regard to the provisions of Bill C-61, in relation to the definition of young persons, I suggest that some method be established to provide for flexibility. However, we ought not to start on a course that will result in a different application across Canada. In the case of the government of the day, it is not consistent with the course of action they have adopted with respect to the charter of rights in the constitutional proposal.

I have heard other speakers in this House deal with some of the specifics of the bill. I do not want to repeat what has already been said, but there are a number of matters I would like to deal with very briefly. The first is: the provision under the bill for what is called "alternate measures". This provision simply means that a young offender suspected of violating the law, when brought before the authorities, need not be brought to a youth court, that is to say, a judge of the youth court; he or she can be dealt with in a different way. The bill spells out in what way that person can be dealt with. I want to warn people that this is potentially a very dangerous provision. It is totally dependent on the good faith and good offices of those who administer our criminal law. From my own experience, I think it right and proper for me to suggest that one can have confidence in our law officers across Canada, but there is always the exception that proves the rule. There are those among our law officers whom it may be dangerous to entrust with such power or authority.

Under the previous law, it was possible for a juvenile court judge, when he had a youth before him, to suggest a course of action other than proceeding before that juvenile court. I am not entirely sure that that kind of provision is not more

sensible, one that is more likely to avoid any difficulties or mischiefs. I point this out because I know it is of real concern to a number of people who examined the young offenders legislation in its various stages, including the format in which it now appears before this House, namely Bill C-61.

The real pith and substance of this bill is the youth court. The success of the new provisions will rise or fall with the capability of the youth courts across Canada and the persons who act as judges and officers of those youth courts. What we are dealing with in this bill, as in all legislative measures, are people. We can enact any law we want, but if the people do not administer that law fairly and faithfully, the provisions that we enact in this Parliament will go for naught.

I want to examine very briefly the administration of the Juvenile Deliquents Act across Canada in the case of most provinces by the family court or equivalent. In my province of Nova Scotia, as I have indicated, the practice has developed to the point where all juvenile offenders are brought before the family court of Nova Scotia. The family court there, as in many provinces, not only has a legally trained judge, but, in most cases, there are social workers available, as well as psychiatric and other medical help. Indeed, there are other officers who can perform the functions which are required to assess offenders and to chart a course to set them on the road to change. We must recognize very clearly that under this bill the youth court, its function, and the function of its officers will determine the value of this bill when it is enacted and applied across Canada.

Let me point out again that the youth courts are the responsibility of the provinces. When the Solicitor General comes before the House of Commons, presents a bill and sets up a court which is called the youth court, which is merely the family court which has existed and functioned in most provinces for several decades, let us not be fooled that this is an improvement in the law which the Government of Canada is now sponsoring. What the Government of Canada has to provide to create any real effect in an area of this kind is the funds, resources and capabilities which allow for improvements in our provincially constituted and appointed courts such as the family court.

Let us not be fooled into thinking there is any magic in this bill. Let me digress to say that much of my legal career was spent in legislative drafting as legislative counsel for the province of Nova Scotia. I was reminded daily that the laws which we were framing, proposing and enacting would accomplish nothing unless the laws were properly applied. More important, the farther we get away from the basic law, the basic concept of fairness—and, I suggest, the ten commandments are as good a representation of the basic law as you will find—the more difficulties we can create.

I do not want anybody to think that by enacting a new young offenders act with more elaborate provisions and procedures we are resolving the problem. The problem has to be resolved by people, by good faith and by careful consideration of the problems which come before our youth courts and the problems in which the youth courts find themselves involved.

In this connection, mention was made of preventive action. There again we are not referring to the criminal law or criminal justice system but to the whole social justice system. In the many years that I appeared before juvenile and family courts, I have never seen a child who did not have another problem which was not connected with the criminal justice system. In practically every case, although there were notable exceptions, the child brought before the court had experienced difficulties in his or her family life or educational life causing a departure from standard behaviour. It is only through a competent and effective social justice system that we can remedy these kinds of defects.

Let us not forget the parents. Most offenders who come before family and juvenile courts across this land, with notable exceptions, have difficulty in their family life and in their relationships with their parents. The more serious cases in the provinces can be corrected, or at least dealt with by children protection laws. These laws, as far as I am aware, exist in every province of Canada.

● (1720)

I want to be clear again that we do not discharge our responsibilities by merely enacting and passing in this House of Commons a young offenders act. We have to work to improve our social justice system. We have to work to improve the facilities available through our educational system and through our help to families in need so that the situations which result in proceedings before juvenile and family courts are corrected before they reach that stage.

In that sense, I suppose there is a preventive action involved in our deliberations, but it is very clearly one we cannot successfully deal with in this House of Commons by considering a bill of this kind. As I have said, it is wise for us to keep that in mind.

There has been a long history to the Juvenile Delinquents Act in Canada. I want to call to the attention of members, particularly the Solicitor General, what I believe to be the words of his department, at least to the extent that the publication I will now refer to was preceded by a letter from the Solicitor General.

In that document it is indicated that the word "delinquency" has acquired a pejorative connotation. You will recall that I began my address with an explanation of that word. It is now associated with the word "criminal". In this proposed young offenders act we are moving away from the pejorative term "delinquent".

Let me remind all members of this House that this is exactly what this House of Commons thought it was doing in 1908. Members then thought they were moving away from the treatment then given young offenders. They thought they were moving away and creating a new course of action to be applied to young offenders, and they called that new course of action "delinquency". Some 70 years later we are saying that term has acquired a bad connotation and we are simply moving to other terms, "young offenders" and "youth court". I can tell you, just as sure death and taxes, there will be another House

of Commons assembled in 25 years, 50 years or maybe 100 years' time, which will be saying we have to change this young offenders act because it has acquired a terrible connotation. It is now regarded as criminal. It is a terrible thing and nobody wants to be known as a young offender. I know the hon. member for Winnipeg North Centre (Mr. Knowles) will not be here at that time, and neither will I, but I know it will happen.

Mr. Knowles: Speak for yourself.

Mr. Crosby: I did say in 50 years' time. Let us not fool ourselves and let us not try to fool the public about what we are doing and trying to accomplish here. What we are trying to do is simply to improve the system. We are trying to give the juvenile offender and the system that applies to him a new start. That is all we can do. We can introduce new terms, we can make a few changes, but we have to come to grips with the real and effective provisions of this bill.

To demonstrate why we may not be doing that, let me point out that one of the most offensive provisions of the Juvenile Delinquents Act is that provision under which a juvenile can be transferred to an adult court for prosecution. That is one of the most offensive provisions and this proposed act has hardly changed it. Steven Truscott would still go to trial in an adult court. A 14 or 15-year old who commits murder will still probably be exposed to the regular criminal process. That is how we are coping with some of the problems that arise. That is our great evolution in relation to the Juvenile Delinquents Act. In so many cases we are just changing the label; we are just varying the procedures.

As I said, and I repeat—and let me close on this note—what we have to consider are the people who administer justice as it applies to young persons across Canada. We have to consider the personnel in our youth courts; the judges, the social workers and everybody else. Those are the people who are going to make for a better system of dealing with juvenile offenders. Those are the people who are important, not the law.

We can contribute by giving the administrators of the juvenile justice system, if I can call it that, an instrument through which to apply their abilities, allowing them to help offenders and chart new courses for them. That is all we can do. We can work toward that task. As I have said, this does not involve political parties. It is a non-partisan task because we are working for the people of Canada, and I hope the Solicitor General will keep that in mind.

Mr. John McDermid (Brampton-Georgetown): Thank you, Mr. Speaker.

Mr. Kaplan: Question.

Mr. McDermid: You will have to be patient for a little while, Mr. Solicitor General. The Solicitor General is calling for the question, Mr. Speaker, but I think he is just a little premature as there are a number on this side of the House who wish to address Bill C-61, the proposed young offenders act.

I should like to preface my main remarks by congratulating the minister. This is his first bill in the House. Although he cannot claim it as his bill because it was formulated by his predecessor, I am sure it is a great experience to introduce and pilot it through the House. I congratulate him and I wish him luck.

I am the first non-lawyer to speak on this subject in the House, and I do not make any apologies for that at all, not one. My responsibility with the Progressive Conservative Party is in respect of the young wing of the party and of youth concerns. I feel it is incumbent upon me to address this House on this legislation, a bill which has some very long term ramifications for our justice system.

Let me start by saying we agree with the concept of greater rights, greater responsibilities and greater flexibility in dealing with the rehabilitation of young offenders. This is a very good concept. It is long overdue. I am not even going to touch on the subject of its history as that has been covered by my colleagues.

I should like to touch upon a few subjects, the first being age. Under Clause 2(1) of Bill C-61, a child is defined as being anyone who is or appears to be under the age of 12 years; it defines a young person as anyone who is or appears to be over the age of 12 and under the age of 18.

There is also a provision in the same clause that the governor-in-council may issue a proclamation at the request of a province to establish the maximum age of a young person as being either under the age of 17 or 16 years.

The consequence of this provision is that the youth court would have exclusive jurisdiction in respect of an offence committed by a young person between the ages of 12 and 16, or 17 or 18. A person under the age of 12 is to be subject to provincial child welfare legislation. Where the individual is over the age of 16, 17 or 18, he would be subject to ordinary criminal law and the jurisdiction of the ordinary courts.

The change effected by Bill C-61 is that the minimum age of jurisdiction of the youth court is to be increased from 7 to 12 years, and the maximum age is to be increased from 16 to 18 years with the possibility of a reduction rather than an increase, as is presently the case under the Juvenile Delinquents Act.

The effect of increasing the minimum age is that the youth population which will be subject to provincial laws and social welfare programs alone will increase dramatically. This will put a tremendous additional cost on the provinces. Of course, we are interested to find out if there is any increased funding in view of the shuffling off of these responsibilities to the social welfare programs of the provinces. It also would have the effect of decriminalizing any delinquent acts committed by those who are under the minimum age. The effect of raising the maximum age would be to increase the number of young people who would be subject to the juvenile justice system at the upper age limit and require that a province request explicitly that this be reduced. Despite many attempts over the years to establish a uniform maximum age across the country, the

federal and provincial governments have been unable to come to an agreement on this issue, and I think that is unfortunate.

• (1730)

The inequity in our justice system across the country has been well covered today. People will be treated differently because of their ages. In fact, we know that the current age level in the various provinces and territories is as follows: in Quebec and Manitoba the age is 18 years; in British Columbia the age is 17 years; in all the remaining provinces and territories the age is 16 years. In Newfoundland, where the Juvenile Delinquents Act does not apply, the age under provincial legislation is 17 years.

Mr. Kaplan: Sixteen and a half.

Mr. McDermid: Sixteen and a half, is it? The Solicitor General (Mr. Kaplan) is at least following my remarks, and I am pleased about that.

Despite these many attempts, we have been unable to do it, and I hope we can address that particular problem in committee. I tend to agree with my colleagues when they say that this will have serious ramifications on equality of law in the country.

One of the concerns which has been expressed to me by those people who deal with the courts is that there is no provision and no option for those under the age of 12 who do get into trouble with the law and whose cases perhaps should be referred to a youth court. There is no provision for that. We heard today about examples of young people to whom an appearance in family court in all likelihood would be to their advantage and for their well-being, but that will not happen, and I think the minister should examine some of the cases in the province of Quebec. In fact, he mentioned this in his address. In some of these cases in Quebec social workers have handled young people under 12 exclusively and have not referred them to the court. Some of the stories are somewhat disturbing. I hope that is something we will look at in the committee and discuss fully. We should discuss whether an option should be provided to a child under the age of 12 who is a chronic problem. Perhaps such cases can be referred to family courts if it is felt that that is necessary. I cannot see how that would be possible under this bill, unless provincial governments set up other courts to handle these problems or institute legislation giving them the power to refer cases to family courts.

The present Juvenile Delinquents Act does not define offences covered in the legislation as such, but defines as a juvenile delinquent a person between the ages of 7 and 16. The youth court would have jurisdiction now under Bill C-61—which has, as I said, reduced dramatically the number of offences for which a young person could be brought before the youth court—with respect to federal offences only. Under Bill C-61, any violations of provincial or municipal law or any status offences would be subject to provincial child welfare and child protection legislation.

The differences in philosophies between the present Juvenile Delinquents Act and Bill C-61 are most apparent in the social welfare approach of the Juvenile Delinquents Act and the alternate measures we find in Bill C-61. The declaration of principles in the Juvenile Delinquents Act, as I said, takes a social welfare approach by which concerns about the behaviour of young people is expressed, and the courts merely provide a means by which social intervention can take place to deal with the family and environmental causes which lead to alleged delinquent behaviour.

The declaration of principles in Bill C-61 constitutes a somewhat different approach for dealing with young people. First, the new legislation would cover specific acts committed by young people and not their behaviour as such. Second, the declaration of principles recognizes some of the contradictions inherent in applying criminal law sanctions to situations in which individual acts take place in particular socio-economic environments. It recognizes that there are not only individual rights to be protected but also that the social impact of certain acts must be minimized. It recognizes the due process rights of young people but also their responsibilities, as well as those of the family and society.

There is a number of concerns with respect to this legislation about which I want to talk for just a moment. I know they will be discussed more fully in the committee. In this legislation there is no provision for contributing to juvenile delinquency. This has caused some concern, mainly because the acts of a person who contributes to juvenile delinquency will be dealt with in a senior court, and young people will probably in many instances be the only witnesses and will have to testify in senior courts. Clause 60 of Bill C-61, a new clause, covers evidence of a child or a young person and solemn affirmations. This is an excellent clause. I recommend to the minister that it be incorporated into the Criminal Code. If an individual is charged with contributing to juvenile delinquency, perhaps young witnesses will have to appear as the only witnesses in senior courts.

My colleague, the hon. member for Saskatoon West (Mr. Hnatyshyn), touched on differences in ages. Many solutions have been offered. One suggested solution was the option of petitioning a family court to be heard in a higher court for a particular offence. In those areas where juveniles are those people under the age of 16, it could conceivably be that people 17 and 18 might have the option of petitioning higher courts to be heard in family courts. That is another option at which the minister and his officials will look.

The old act allows a family court judge to direct that a child be put into the custody of a municipality or a children's aid society and to direct that certain payments be made to cover the care and protection of that young person. That provision has disappeared now as well. I realize that that will now be under provincial jurisdiction. I expect that it will be under the jurisdiction of a director, who would be under the jurisdiction of the attorney general or the solicitor general of a province. It would be his duty to take care of that particular individual, but that is an option which we have now taken away. We are

narrowing the scope judges have and this, of course, could be extremely dangerous.

There are many other points I want to cover, but I will not do that today. I might, however, deal with perhaps four or five briefly. I know another colleague wants to speak before we call it six o'clock. I will cover a number of situations when we get to the committee.

● (1740)

There are a number of provisions in the present Juvenile Delinquents Act which do not have their equivalent in Bill C-61 and hence are repealed. There is no equivalent in Bill C-61 to Section 17 of the present act which indicates that proceedings are to be informal and are not be affected by any irregularity based upon that informality. Section 22 of the Juvenile Delinquents Act provides that where a parent or guardian has conduced to the commission of an offence by a young person by neglecting to exercise due care of that person, he may be ordered to pay a fine, damages or costs. This section is repealed and is not replaced by an equivalent in the new legislation. In other words, parents will no longer be held responsible for the acts of young people.

Section 23 of the Juvenile Delinquents Act provides that a child's religion is to be respected when he is placed in any foster home or any other residence. There is no equivalent in Bill C-61. I hope it is covered somewhere else, and I hope a child's religion is respected when he is placed in the care of a foster home or whatever. I do not see that provision in this bill. I hope the minister will deal with it in committee.

Sections 27 to 28 of the Juvenile Delinquents Act deal with the creation of a juvenile court committee. These sections are repealed and are not replaced. Section 33 of the act makes it an offence for anyone to have contributed to juvenile delinquency. Sections 34 provides a penalty for inducing a child to leave an institution to which he has been sent by the juvenile court. There are no equivalents to these sections in Bill C-61. I am sure the minister will give these answers in committee.

In summation, we have concerns with this act. We will go to committee with some suggestions. Hopefully the minister will call expert witnesses and will accept suggestions from our side of the House as to who some of those witnesses will be. Hopefully we will carry this bill through, not hastily but wisely, and will bring forward a piece of legislation which will benefit young people of Canada, will provide proper protection of the victims, as well as proper sentencing and care of young offenders so that they will be returned to society, rehabilitated into worth-while and contributing Canadian citizens.

Hon. Bill Jarvis (Perth): Mr. Speaker, I appreciate the opportunity to make a contribution to this debate. I am particularly indebted to the hon. member for Brampton-Georgetown (Mr. McDermid). I know there were other matters in the legislation with which he was concerned, but in order to provide me with a few minutes, he very kindly gave up some of his time.

I understand the Solicitor General (Mr. Kaplan) wanting to get this piece of legislation through quickly at this stage, most ministers feel that way. In fact, I am not sure it is necessarily in anyone's interest to be overly hasty. I do not foresee second reading debate going on day after day, week after week. But I think it is the type of legislation which would not necessarily attract the public attention I would like to see it attract. Sometimes when very bad legislation is drafted, by its very nature it will attract public outcry. Indeed, that happened around 1970 when we were considering this type of legislation.

One advantage of second reading going on for a reasonable length of time is that it brings to the attention of various individuals, groups, organizations and agencies, a matter with which they may not have been otherwise preoccupied, a matter in which they should demonstrate some interest.

We have lived with the present act for over 70 years. There have been no substantial changes since 1929, over 50 years ago. I received the information package from the minister last February. I circulated it in my riding among judges, people working with young offenders and lawyers practising that type of law. I have not received much response to it. Perhaps it is because it is good legislation. I think it generally is. The Solicitor General understands that most of us on this side feel that way, but I hope that as the process develops, if there are concerns out there, that we will receive responses.

I think it is very important for people, such as the hon. member for Brampton-Georgetown who is not a lawyer, to participate. Those of us who are lawyers see this as a movement in the judicial process, from the old act to the new one, and are quite comfortable with it as a process. People who are not lawyers often look at the substance of the change in a much different light. Therefore, I encourage participation on all sides of the House by those who do not necessarily belong to the legal profession.

It is amazing that the present act has stood up as well as it has, considering the social, economic and cultural changes which have occurred since 1929, especially in the past three decades. I think "amazing" is the proper word. It is likely attributable to juvenile court judges and provincial authorities and agencies responsible. During this period of time, I suppose they have taken some poetic licence with the act which had not changed as society changed.

The juvenile court was put in a very unusual position because it was not only adjudicating, it was part of the treatment process. Court officials are not necessarily trained or inclined to be part of the treatment process. Therefore, when the minister paid particular tribute to the juvenile court judges and provincial authorities in his information booklet, I very much agreed and seconded those kind of remarks. If this legislation is any indicia, with good intention and every justification, we have likely infringed upon what is commonly known as basic rights and freedoms. Perhaps it was inevitable and not a matter of public controversy because the courts are closed. I suppose, as part of the treatment process, certain licence had to be taken. It was difficult for the court to be part of the treatment process. Given the legal confines regarding rights

and freedoms, the two roles, challenges and responsibilities could not be discharged satisfactorily.

The legislation changes the role of the court significantly from a treatment agency to one of a legal function. It is not simply a legal function in adjudicating guilt or innocence. As an aside, I have always found the adjudicating function in the present system to be rather difficult because the adjudication consisted of asking: Is this young person a juvenile delinquent? There were many guidelines for this, but it was almost as difficult as an adult court asking: "Is this accused an habitual criminal?" The meaning of the words was broad.

Another legal function which will be given to the court under this new legislation is to define the responsibility of the intervention flowing from the disposition. When I say "intervention", I mean the agency or the person who picks up once the disposition has been made, whether it is custody, probation, restitution or community service. There is no awarding of wardship, as I understand it, compared to the present act. Therefore, we do not have a situation where intervening agencies could extend or increase the period of control. It is desirable, indeed essential, that the court establish the maximum degree and length of the intervention. It is also desirable, although it may not be essential, that the agent can initiate the lessening of that period but should not increase it without a reference back to the court. This is recognized in the bill before us.

● (1750)

Before dealing with some other parts of the legislation, I want to emphasize one concern which bothers me more than any other, that is, the relationship between the two levels of government in this area. First, the minister in referring to committee talked about expert witnesses appearing before that committee. I concur in that. But he did not say that this would include the provincial perspective. I believe it is incumbent upon the Solicitor General to not only permit provincial witnesses, but, I think, he has a responsibility to enlist provincial witnesses at the committee stage. This may not be a good analogy, but I went through a similar type of procedure in committee with respect to the Fisheries Act. That act is federal legislation and administered in certain provinces by provincial authorities. We were assured in committee that extensive consultations had taken place. Indeed, they had. But unfortunately the federal government consulted with one and not both of the two provincial elements which were concerned—environment and fisheries. Therefore, while there had been consultation and concurrence on the one arm of the provincial government, the second group was never consulted. The second group was very upset with this legislation. They came before committee at the last minute and made a very strong plea for substantial changes to the legislation. I do not want to see a repeat of this. It was unnecessary. It caused unnecessary delay to important legislation. We did not have the proper amendments because it became very much an adversary approach between the two levels of government. Therefore, at the committee stage I hope we will hear from provincial governments. We do not need to hear from ten. I presume there is a community of interest and a consensus there so that we can hear from one spokesman what the problems or criticisms are.

I agree with what everyone has said about a serious attempt being made to set a common maximum age. I do not think I need dwell on that subject any longer. But there is a serious shortcoming. Given this government's track record with respect to federal-provincial relations, I very much doubt that a serious attempt to set a uniform age has been undertaken.

I think we must plug some gaps in the system which are created by the legislation since it only deals with offences under the Criminal Code, offences under federal legislation and regulations. It does not deal with provincial legislation. It does not deal with municipal ordinances and bylaws. Looking at the latest statistics available from Statistics Canada from the justice statistics division, I noted that there were somewhere in excess of 6,000 cases in 1979 which dealt with legislation other than federal legislation, in other words, provincial and municipal. These 6,000 cases were cases where the young person was found to be a juvenile delinquent. I am not sure if the machinery exists in the provinces to immediately fill the gap which would be created upon Royal Assent being granted to this legislation. Therefore, I think the provinces need some time. I would like to know from the Solicitor General at the committee stage how much time will be needed to fill that particular gap. I am concerned because I am told that in certain provinces the system is already overcrowded in many of its parts.

I am also concerned with the provision for children under the age of 12. Again, looking at the figures of the justice statistics division, I find that over 2,300 persons were found delinquent who were 11 years of age or under. Of the 2,300, over 2,000 were offences under the Criminal Code. Therefore, by raising the age from seven to 12 I believe another gap will be created.

I point out to the Solicitor General that I find the same trouble as he, I am sure, with respect to statistics dealing with juvenile delinquency. They are not terribly reliable and the reporting system is bad. I sympathize with him but I cannot offer him any assistance. I am very concerned about the gaps that are created mainly for provincial governments as a result of this legislation. I am delighted that my colleague from Halifax raised this because I find the same trouble as he with this diversion or alternate measures system contained in section 4 of the act. I find it very vague. For example, in the information brochure which my colleague was looking at, the question posed is: Will every young person who breaks a federal law appear in the youth court? The answer given is "Not necessarily". The minister goes on to deal with this alternative measures provision. It says that these programs which are called diversion programs may entail community service involvement, special education programs, counselling and restitution agreements. The common characteristic is that they are all voluntary. There is nothing about that in the legislation.

I agree with my colleague that, the key instrument here is the person who is considering whether to use such measures, that is, the alternative measures. This could be a very bad flaw. I do not know if there is a way to make this less vague, but I find it terribly vague. In the hands of an unscrupulous person, agency or authority, some very serious consequences could flow from this section.

I understand that there is an escape provision. I agree with that. Certainly if the accused does not wish to go that route, he cannot be forced to. I again emphasize that the abuse of the measure under subsection (5) is no bar to future proceedings. My main quarrel with that provision is its vagueness on the one hand and, on the other hand, I do not see the checks and balances which I would like to see in terms of the exercise of authority by the person who initiates the alternative measure process.

I am again assisted by my colleague from Halifax who has had much more experience with this subject than I have. There is no indication in Section 4 that the young person has been advised by legal counsel in terms of agreeing to take the alternative measures route. I think the Solicitor General will have to deal with that at the committee stage and assure us that this is the best he can do. I know diversion is a key element of the whole program, and I support that. But I have some very serious questions about that particular section and its efficacy procedures.

There was one other matter I wanted to raise with the Solicitor General. I believe I have only a minute left in which to do it. This is a question on which maybe the Solicitor General will drop me a note or about which he will speak to me privately. The principles here are very important because it says that the act shall be interpreted in light of them. I do not understand the difference between responsibility and accountability. It says that one of the principles is that the offender shall be responsible but not necessarily accountable. I am a lawyer and I have played with words for a good number of years and I cannot get around that particular aspect of the act. But it is a small point.

This is the final point I wish to make. I understand the need to eliminate truancy, incorrigibility and sexual immorality. I know the capricious nature that has often resulted in a person appearing before the court, but there are some very desperate parents out there who have legitimately used this provision from time to time. I do not know where parents can turn at this point.

May I call it six o'clock, Mr. Speaker?

Mr. Deputy Speaker: It being six o'clock p.m., the House stands adjourned until Tuesday, April 21, 1981 at two o'clock p.m.

May I add that the Speaker extends the usual invitation to hon. members and the staff to enjoy some hospitality in Room 16. I hope it is possible for all hon. members and members of the staff to attend.

At six o'clock the House adjourned, without question put, pursuant to Standing Order.

HOUSE OF COMMONS

Tuesday, April 21, 1981

The House met at 2 p.m.

• (1405)

ROUTINE PROCEEDINGS

[*English*]

HOUSING

CALL FOR REDUCTION IN INTEREST RATES—MOTION UNDER S.O. 43

Mr. Stan Darling (Parry Sound-Muskoka): Madam Speaker, I rise on a matter of urgency under the provisions of Standing Order 43. Due to the fact that the housing situation in Canada is in a horrendous state because of the high cost of land, materials, high interest rates, and a noticeable decrease in available mortgage money, forcing an increasing number of Canadians in all provinces to abandon both house building and house buying, I move, seconded by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie):

That the government take immediate steps to reduce interest rates to a more affordable and stable level as a means of preventing further and possibly disastrous chaos in the housing market.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

THE CONSTITUTION

POSITION TAKEN BY NATIVE PEOPLES—MOTION UNDER S.O. 43

Mr. Stan Schellenberger (Wetaskiwin): Madam Speaker, I rise under the provisions of Standing Order 43. Now that it has been indicated that the NDP-Liberal collusion has produced an anaemic amendment not acceptable to the Native Council of Canada with regard to the constitutional resolution, and since the NIB is also indicating its withdrawal of support, I move, seconded by the hon. member for Prince George-Bulkley Valley (Mr. McCuish):

That the government explain the statement by Mr. Daniels that "there was pressure on the natives to accept what Ottawa offered in January" and, furthermore, that the government seriously consider today the recommendations suggested today by these two groups.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

HEALTH AND WELFARE

STUDY OF CHILD WELFARE LEGISLATION—MOTION UNDER S.O. 43

Mr. Tom McMillan (Hillsborough): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. The Department of National Health and Welfare has commissioned Ottawa lawyer Corinne Robert-Shaw to prepare a report on existing legislation across Canada relating to hcild welfare. In view of the fact that this study has been refused the funding required to include child abuse as one of the topics to be investigated, despite petitions from welfare groups in every part of Canada, I move, seconded by the hon. member for St. John's East (Mr. McGrath):

That the reporting date of the Robert-Shaw study be extended by six months, that its mandate be broadened to include the urgent problem of child abuse, and that the necessary additional funding be provided for that purpose.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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SMALL BUSINESS

REIMBURSEMENT FOR COST OF COLLECTING FEDERAL SALES TAX—MOTION UNDER S.O. 43

Mr. Nelson A. Riis (Kamloops-Shuswap): Madam Speaker, I rise under the provisions of Standing Order 43 on a matter of urgent and pressing necessity. Recognizing that hundreds of thousands of small businesses across Canada collect sales tax on behalf of the federal government, and recognizing that this tax collection service is required by law with absolutely no compensation, and recognizing that this task adds significantly to the already heavy paperwork burden experienced by small businesses, I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That this House request the Minister of Finance to provide compensation for this service by allowing small businesses to retain 3 per cent of the federal sales tax collected, up to a maximum of $1,000 annually.

S.O. 43

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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[*Translation*]

THE LAW OF THE SEA

REQUEST THAT CANADA RE-AFFIRM SUPPORT FOR FUNDAMENTAL OBJECTIVES OF CONFERENCE—MOTION UNDER S.O. 43

Mr. Alexandre Cyr (Gaspé): Madam Speaker, I rise, pursuant to Standing Order 43, concerning a matter of utmost importance about which I have already secured the support of the parties.

Considering that the Third Conference on the Law of the Sea opened in 1974 at the United Nations; considering the decision reached at the end of the Ninth Session of the Conference to conclude the negotiations during the Tenth Session, so that a new Law of the Sea Charter may be adopted and signed here at the end of 1981; considering also the limited progress made during the first part of the Tenth Session which ended last weekend in New York City, due in part to the desire of the United States of America to carry out a complete revision of the results achieved to date at the Conference before adopting its final recommendations, I move, seconded by the hon. member for Richmond-South-Delta (Mr. Siddon):

That this House reaffirm the support given by the Canadian people to the basic objectives of the Third Conference of the Law of the Sea and urge the United States Administration to undertake forthwith the revision of the draft Convention in order to increase the chances of concluding the work of the Conference when the Tenth Session resumes in Geneva in August 1981.

● (1410)

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Motion agreed to.

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[*English*]

GRAIN

COMPENSATION TO FARMERS FOR EMBARGO ON SHIPMENTS TO RUSSIA—MOTION UNDER S.O. 43

Mr. Gordon Towers (Red Deer): Madam Speaker, I rise under Standing Order 43 to draw the attention of this House to an urgent and pressing cash flow squeeze which is affecting western farmers because of the government's tardiness and delinquency in processing and delivering grain compensation payments which are as a result of the boycott on Russian shipments. The Minister of Agriculture (Mr. Whelan) in answering questions on the timing of payments is fond of the phrases "soon" or "in a few days". I therefore move, seconded by the hon. member for Assiniboia (Mr. Gustafson):

That the ministerial stipend of the Minister of Agriculture be suspended until such time as grain compensation payment cheques begin flowing to western farmers, hopefully "soon" or "in a few days", to assist farmers with the heavy initial costs incurred at seeding time.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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ROYAL CANADIAN MOUNTED POLICE

NEGOTIATION OF SERVICE CONTRACTS WITH PROVINCES—MOTION UNDER S.O. 43

Mr. Howard Crosby (Halifax West): Madam Speaker, I too rise under Standing Order 43. The failure of the Solicitor General (Mr. Kaplan) to negotiate new contracts between the Government of Canada and the provinces that employ the Royal Canadian Mounted Police has undermined police services in those provinces and caused further damage to federal-provincial relations. Accordingly I move, seconded by the hon. member for Malpeque (Mr. Gass):

That this House instruct the Solicitor General to review the obstinate stand taken by the government respecting the financial arrangements in the RCMP contracts with the provinces and continue the negotiations based on good faith and common sense and not on threats to withdraw services.

Some hon. Members: Hear, hear!

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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AIRPORTS

TORONTO INTERNATIONAL AIRPORT—CALL FOR PUBLIC HEARINGS ON MASTER PLAN—MOTION UNDER S.O. 43

Mr. Neil Young (Beaches): Madam Speaker, I rise under the provisions of Standing Order 43. In view of the fact that the Minister of Transport (Mr. Pepin) is trying to encourage public debate on his department's master plan for Toronto's international airport by holding limited public hearings at what he calls open houses, I move, seconded by the hon. member for Hamilton Mountain (Mr. Deans):

That this House instruct the Minister of Transport to hold full public hearings over a period of time that will enable individuals and organizations the opportu-

nity of presenting constructive proposals on this important matter of public transportation policy.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

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MEMBERS OF PARLIAMENT

REPORT OF STATEMENTS ATTRIBUTED TO MR. GILCHRIST—MOTION UNDER S.O. 43

Mr. Jesse P. Flis (Parkdale-High Park): Madam Speaker, I seek the attention of all hon. members of this House on a matter of urgent and pressing necessity under the terms of Standing Order 43. The *Toronto Star* of April 15, 1981, under the heading "MP's Humour Isn't Funny", reports that the member of the House of Commons for Scarborough East (Mr. Gilchrist) would like to invite to Canada the fellow who shot President Reagan.

Mr. Baker (Nepean-Carleton): Order.

Mr. Flis: The *Toronto Star* states that the member for Scarborough East would like to have that fellow shoot the Prime Minister of Canada (Mr. Trudeau).

Some hon. Members: Oh, oh!

Mr. Flis: The member for Scarborough East says that this is one way to get rid of the Prime Minister.

I move, seconded by the hon. member for Mississauga North (Mr. Fisher):

That all members of the House indicate that such ideology is inappropriate for a Canadian who is elected by his peers to serve in this House, and that all members condemn, deplore and censure the crass political advocacy of the member for Scarborough East.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): Your motion is deplorable.

Madam Speaker: Is there unanimous consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

• (1415)

[*Translation*]

NATIONAL SECURITY

REQUEST FOR MINISTERIAL STATEMENT CONCERNING GOUZENKO INQUIRY—MOTION UNDER S.O. 43

Mr. Donald W. Munro (Esquimalt-Saanich): Madam Speaker, I ask the unanimous consent of the House pursuant to Standing Order 43 to move a motion on a matter of urgent and pressing necessity.

In view of the persistent and mysterious reports concerning Canadians involved in some way or another in the Gouzenko case or in other espionage networks affecting national security and the disappearance of other related papers, I move, seconded by the hon. member for Central Nova (Mr. MacKay):

That the Solicitor General be required to make a statement in the House on behalf of the government in order to remove any doubt raised about that thorny problem.

Madam Speaker: Such a motion requires the unanimous consent of the House. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

* * *

[*English*]

RAILWAYS

BOOKING PRACTICES APPLIED TO RAILWAY EMPLOYEES—MOTION UNDER S.O. 43

Mr. Bill Blaikie (Winnipeg-Birds Hill): Madam Speaker, I rise pursuant to Standing Order 43. Whereas rail travel is considerably more energy efficient than most other established modes of transportation, whereas it should therefore be the policy of this government to encourage rather than discourage it, and whereas railroad employees have long appreciated the benefits of rail travel through the use of their passes, which passes they received over the years as the result of collective bargaining and not through the generosity of the railways, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That VIA Rail, Canadian National and Canadian Pacific be instructed by this House to stop the discriminatory practice whereby railway employees are now not permitted to book sleeping accommodation more than seven days in advance, in spite of the fact that VIA Rail is fully compensated by the employees themselves for such accommodation, and that this practice be stopped immediately so as to permit railway employees to be able to plan to use rail travel for their summer holidays which they really cannot do under the present rules.

Madam Speaker: Is there consent for this motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Madam Speaker: Oral Questions.

Oral Questions

ORAL QUESTION PERIOD

[*English*]

THE ECONOMY

GOVERNMENT PLANS TO DEAL WITH INFLATION

Hon. Sinclair Stevens (York-Peel): Madam Speaker, my question is for the Prime Minister and it touches on the sad record we are experiencing in this country with respect to inflation. I wonder if the Prime Minister would indicate if he has noticed that inflation in the United States has come down quite dramatically in the last quarter, having reached a 7.8 per cent level, while the inflation level in Canada is well over 12 per cent. If he indicates to the House that he has noticed this, would he also indicate if he plans any new measures to try to curb inflation in this country, or are we to assume that the government is content to continue to fiddle while our economy is literally being burned by inflation?

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, it has often been said that inflation affects everybody, but it is affected by everybody as well. In his budget the Minister of Finance has clearly indicated that the fight against inflation was a priority for this government. The hon. member gives the statistics for the first quarter of this year concerning a decline in inflation in the United States. If corresponding figures for the first quarter were available in Canada, we could make a comparison. The figures quoted by the hon. member to draw a parallel with Canada are not those of the same quarter since they apply to another quarter. Therefore, we cannot make a comparison between different quarters.

[*English*]

EFFECT OF INFLATION ON FARMERS AND SMALL BUSINESSMEN

Hon. Sinclair Stevens (York-Peel): If the Prime Minister chooses to duck out on answering to the House with respect to inflation, perhaps I could put a further question to the Minister of State for Finance who, I think, gave a pathetic answer to my original question. Of course we all know that inflation affects everyone. Would the minister indicate if he is aware that it affects the farmer to the extent that almost 100 per cent more farmers went bankrupt last year than the year before as a result of rising interest rates and inflationary pressures?

Second, small businessmen, in higher and higher numbers, are going under in this country as the result of the government's stubbornness in not digging in and doing something about inflation and lowering inflation rates.

[*Translation*]

Hon. Pierre Bussières (Minister of State (Finance)): Madam Speaker, I must say that the hon. member is particularly set upon the phenomenon of interest rates. He ought to know himself that, according to the method used in Canada, those interest rates do reflect inflationary expectations and that until such times as all economic agents are truly determined to launch a genuine and effective fight against inflation those pressures on interest rates will remain. Madam Speaker, the hon. member refers as well to the category of agricultural producers. I am convinced that if he were to examine the output of agricultural producers and the situation, he would realize that the situation is excellent and that the programs designed especially for agricultural producers and implemented by the Minister of Agriculture protect them against rising interest rates. I would also like to add that any individual, any class in society, be they agricultural producers, small businessmen or private individuals, must share the costs that a society must bear, namely, the cost of inflation.

• (1420)

[*English*]

Mr. Stevens: Madam Speaker, my last supplementary question is for the same minister who says that interest rates are governed by the expectation of inflation. Does the minister not realize it is his government that is triggering the inflation?

Some hon. Members: Hear, hear!

Mr. Stevens: If the minister does realize that, would he indicate to the House whether he is content to see interest rates in this country stay at the peak level of something over 18 per cent as far as the prime lending rate is concerned, while the American rate has fallen 4 per cent compared to the U.S. peak level? Could the minister explain that to the House?

[*Translation*]

Mr. Bussières: Madam Speaker, I appreciate that the hon. member was not on the government side long enough to know that the action any government can take is limited. He is still nursing certain illusions which he has been entertaining for a number of years and which, fortunately or unfortunately for the economy of our country, he will continue to have for a few years yet. I should also like to indicate to him that if he draws a comparison between current interest rates on certain short-term commercial instruments in the United States and in Canada, he will find out that the gap between the interest rates on those instruments is getting ever narrower, so that Canadian interest rates are not overvalued but they do reflect market trends and the over-all economic situation.

[*English*]

ACTION TO HELP CONSUMERS

Mr. Geoff Scott (Hamilton-Wentworth): Madam Speaker, it is obvious the Prime Minister does not see fit to address questions about inflation. He is above all those matters of importance to average Canadians.

Mr. Darling: The Prime Minister wrestled inflation to the ground.

Mr. Scott (Hamilton-Wentworth): Therefore, I will address my question to the Minister of Consumer and Corporate Affairs. In view of doubts expressed by two national organizations about the accuracy of the Consumer Price Index, and since even according to Statistics Canada we are now one tenth of a percentage point away from the highest rate of inflation in modern times, can the minister of many hats—and I hope he is wearing his hat as Minister of Consumer and Corporate Affairs today—say what steps he will take to protect the consumer from the ever-increasing pressure of inflation? Does he or his government have any real or accurate feeling for the plight of the Canadian consumer?

[*Translation*]

Hon. André Ouellet (Minister of Consumer and Corporate Affairs and Postmaster General): Yes, Madam Speaker, the Canadian government has already brought down a budget whose first priority was to deal with the neediest in Canada; it did not wait for the comments of the hon. member. In his budget, the Minister of Finance provided for the retired, the people who are the most severely affected by rising costs due to inflation. On the other hand, the hon. member asks what I intend to do: I intend to continue to work in close co-operation with my colleagues in the cabinet in monitoring the situation closely and ensuring that our economic policy meets the needs of Canadians.

[*English*]

Mr. Scott (Hamilton-Wentworth): Madam Speaker, I have this morning conducted my own instant fresh-frozen survey of everyday going prices in metropolitan supermarkets in Vancouver, Edmonton, Winnipeg, Dundas, Ottawa, Montreal and Halifax.

Mr. Darling: What about Burks Falls?

Mr. Scott (Hamilton-Wentworth): I am sorry, I missed Burks Falls.

Some hon. Members: Oh, oh!

Mr. Scott (Hamilton-Wentworth): I checked the prices of such things as a three-bag container of 2 per cent milk, a loaf of bread, a pound of hamburger and a dozen eggs. I asked people if the last budget had really helped them at the supermarket counters. Needless to say, the average worker will not be able to afford the basics unless this government does something to halt the unbelievable rise in inflation.

Can the Minister of Consumer and Corporate Affairs tell the House what he will do, other than being vigilant, about living up to his responsibilities as the Minister of Consumer and Corporate Affairs? Also, will he ensure the average Canadian will not be forced into paying a buck fifty for a bus ride, or $1.50 for a loaf of bread in about five years time? What is he going to do?

• (1425)

[*Translation*]

Mr. Ouellet: Madam Speaker, a recent study made in the United States reveals that it takes fewer hours of work in Canada to feed oneself. The same study also indicates that of all industrialized countries, Canada is the one where food costs are lowest. The hon. member should know that.

* * *

[*English*]

HEALTH AND WELFARE

STUDY OF CHILD FATALITIES CAUSED BY PARENTAL NEGLECT

Mr. Edward Broadbent (Oshawa): Madam Speaker, I have a question for the Minister of National Health and Welfare. A continuing federal study has revealed that up to 200 Canadian children die each year as a direct result of parental or guardian abuse. In plainer language, that is homicide. Considering that important peole involved in the study want it completed, why has the minister decided to terminate it?

[*Translation*]

Hon. Monique Bégin (Minister of National Health and Welfare): I suppose, Madam Speaker, that the hon. member is referring to the study mentioned recently in the press and conducted by Mrs. Corinne Robertshaw, a public servant who prepared a project for my department during the International Year of the Child and to whom I granted a ten-month extension to complete her project.

I have satisfied myself, and she has confirmed to me through my deputy minister, that this project is now completed. I am happy to say that I shall publish her report on child abuse. I thank the hon. member for mentioning this in the House because I believe that many members will then want to bring pressure to bear on their provincial governments to improve the child protection legislation.

[*English*]

Mr. Broadbent: Madam Speaker, the public information is not that the study has been completed but that the minister has decided to put an end to the work that has been done up to this point. That is an important distinction. I would like to ask the minister two questions related to that. First, is she telling us that all of those involved in the study are satisfied that the work has been completed? If the answer to that is no, why does she not allow them to finish the work, which I understand would only take a few more months? Second, with regard to publication, will she assure the House that all of the information involved in that study will be published, and not just the recommendations?

[*Translation*]

Miss Bégin: Madam Speaker, I can tell the hon. member that I have indeed checked that the report, which was prepared by Mrs. Corinne Robertshaw alone, is now completed. This

report took a total of 28 months to prepare. It concerns child abuse and revolves around Section 43 of the Civil Code, which, as the hon. member is well aware, deals mostly with provincial legislation and services. I have ensured that the report in its present form can help the services and the people involved in this area.

As for whether or not the entire report will be published, I must say to the hon. member that I shall have a complete legal opinion about this only tomorrow. This involves determining whether the child abuse cases referred to could be detrimental to the children whose individual case histories are known to us. If required, I shall ask Mrs. Robertshaw to edit her report so that that part of it will remain confidential.

[*English*]

REQUEST THAT GOVERNMENT ASSUME ONGOING RESPONSIBILITY

Mr. Edward Broadbent (Oshawa): We will look with interest, of course, at the report when it comes out in detail. We respect the problem that may be involved in confidentiality as it pertains to children. However, we will look with great care to see that there is no cover up of any kind. At this point I am prepared to accept the minister's guarantee that there will not be. My last question is this. A few years ago the federal government initiated, in terms of the creation of some new bodies at the federal level, a study of the situation of women in Canada, which led to some important recommendations that, indeed, are finding their way into the new charter of rights. I would like to ask the minister a question about this very important area of child abuse. Will the federal government create a centre for the responsibility of children, at the national level, that will have an ongoing responsibility for looking into the welfare of Canadian children?

• (1430)

[*Translation*]

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, today is the 21st of the month and the hon. member is three days late. I announced the creation of the centre which will deal with violence against children within the jurisdiction of my department, on the 18. In fact, I announced it on the 17th, and it is reported in the *Toronto Star* of the 18th which I have here. The hon. member is therefore somewhat behind in the news, and the reply is yes. I am creating such a centre which will serve as a clearing house or information centre for all concerned in Canada.

I would also like to draw the attention of the hon. member and of the Progressive Conservative Party, which moved a motion under Standing Order 43 on this subject, that the Badgley task force established by the Minister of Justice and myself has been working for several months on the more specific problem of federal responsibility for sexually abused children.

[*English*]

REQUEST THAT MINISTER MEET WITH PROVINCIAL COUNTERPARTS

Hon. James A. McGrath (St. John's East): Madam Speaker, if the minister is not prepared to authorize the continuation or completion of this study, is she at least prepared to meet with the provinces as a tangible expression of her concern? She has admitted there is a jurisdictional problem. Will she meet with her counterparts in the provinces at least to discuss the findings of this report, because child abuse in Canada is much more widespread than this House realizes?

[*Translation*]

Hon. Monique Bégin (Minister of National Health and Welfare): Madam Speaker, I must point out to the hon. member that he did not understand that this work deals specifically with all types of violence against children and revolves around Section 43 of the Criminal Code—I believe that I said Civil Code earlier—which deals with practical problems which come basically under provincial jurisdiction. I am therefore satisfied that the report now available is adequate and of such significance that it should be released immediately. I believe that it will then be up to the provinces to decide what they want to do individually in an area which is basically within their jurisdiction.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

NEGOTIATIONS WITH UNITED STATES ON ACID RAIN TREATY

Mr. Tom McMillan (Hillsborough): Madam Speaker, my question is directed to the Minister of the Environment.

Last Thursday *The Globe and Mail* reported Mr. Robin Porter, senior State Department official in Washington, as telling a group of visiting students from Toronto in Washington that an acid rain treaty with Canada is at least three or four years away.

In view of the fact that such a statement contradicts the minister's own assurances in this House that the August, 1982, deadline for the treaty is still on target, does he give any credance to Mr. Porter's statement, and what is the government's current timetable for completion of negotiations with the United States toward the signing of an accord on acid rain?

Hon. John Roberts (Minister of State for Science and Technology and Minister of the Environment): Madam Speaker, I too saw the report to which the hon. gentleman has referred and I am told, as a result of inquiries which have been made, that the statement which was reported was taken somewhat out of context. A parallel was drawn, during the discussions with the high school students, to the negotiation of the Great Lakes water quality agreement which did, I understand, take that length of time to complete. There was an indication

that there may be problems similar to those in the Great Lakes quality agreement negotiations when we get to the stage of negotiating formally the trans-boundary air pollution treatment. The United States administration has assured us that it intends to keep the timetable which we established; that is to say, we expect the formal negotiations to start sometime early this summer.

Mr. McMillan: Madam Speaker, my supplementary question is directed to the same minister. Is the minister's reply based on assumptions or secondhand information, or has he or his officials in the Department of the Environment been in touch with Mr. Porter to confirm his statement or seek some sort of an explanation for it?

Mr. Roberts: Madam Speaker, as I think I reported to the House previously, I have been in touch with the Secretary for the Interior. I met him in Washington. He confirms the determination of the administration to meet the timetable which President Reagan confirmed to us on his visit to Ottawa. We have been in touch with officials of the United States since the newpaper report and have received assurance that that timetable will be met.

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NATIONAL SECURITY

INVESTIGATION OF ALLEGED ACTIVITIES OF JOHN WATKINS

Mr. Otto Jelinek (Halton): Madam Speaker, my question is directed to the Secretary of State for External Affairs. Last month, on March 24 to be exact, I asked the minister to look into the case of former Canadian ambassador to Moscow, Mr. John Watkins, and his alleged espionage activities, which led to his death during RCMP interrogations in Montreal. The minister promised to look into the case at that time. Now that he has had an opportunity to do so, and following up on the somewhat belated and not totally accurate front page story in *The Globe and Mail* last Saturday, will the minister shed some official light on this matter, particularly in view of the probability of subsequent connections arising from that unexplained case?

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, as the House will appreciate, this matter is also under the jurisdiction of the Solicitor General. I think I can say from the point of view of my department that at the time in question the ambassador had been retired for several years as a result of ill health. We were informed, as a result of the investigation which took place, that there was no evidence whatsoever to support any allegation that he was acting for the government of another country.

REQUEST FOR FULL-SCALE INVESTIGATION OF ESPIONAGE ACTIVITIES

Mr. Otto Jelinek (Halton): Madam Speaker, my supplementary question is directed to the Right Hon. Prime Minister. In light of the minister's indecisive response, and in view of the long history of known espionage activity in Canada, starting with the Gouzenko revelations in the 1940s right up to last year's expulsion of diplomatic personnel from the Soviet embassy and, most recently, the disappearance of a portion of the Taschereau papers, I would ask the Prime Minister whether he is now finally prepared to initiate a full-scale investigation into espionage activities in Canada, both present and past, where they are connected, for the sake of national security. I would ask the Prime Minister whether there has not been enough evidence to warrant an investigation. How long must we wait to get to the bottom of this whole stinking mess, because that is what it is and continues to be?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I do not agree with the hon. member that this whole thing is a stinking mess, to quote his words. We know of some clear instances of espionage around the Gouzenko case, and there are other cases where persons in foreign embassies were declared persona non grata and expelled from the country. Presumably espionage has been going on, is going on, and will go on. If we know of any spies we will get rid of them. If we do not know of any, I fail to see how an investigation by some public body will turn up any names of spies that could not be turned up by other methods. Finally, it seems to me that the hon. member opposite was a member of a Conservative government for some fleeting months in 1979, and I know of no initiatives they took to start an inquiry into the whole stinking mess they left behind.

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AGRICULTURE

PLANS TO MEET DROUGHT CONDITIONS IN WESTERN CANADA

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, my question is for the Minister of Agriculture. In parts of prairie Canada dust storms and extreme drought conditions appear again to be heralding another difficult year for sheep and cattle producers. Would the minister outline what kinds of assistance programs are in place or being prepared in order to maintain producers in the beef, dairy and sheep industries in these dry areas?

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, we have a set of contingency plans in case the weather does not change for the better but stays dry. We hope and pray it does not stay dry, but we do have a set of plans we can put into force in case there is a long or prolonged drought in western Canada.

PROCESSING OF APPLICATIONS UNDER HERD MAINTENANCE PROGRAM

Mr. Vic Althouse (Humboldt-Lake Centre): Madam Speaker, my supplementary is again directed to the Minister of Agriculture in the absence of the minister for DREE.

I understand that a certain amount of last year's herd maintenance applications which could not be dealt with by the review board under their administrative guidelines will have to be transferred to Ottawa. We know that something called ministerial discretion will be used when this happens, but can the minister tell us just what that entails in terms of the criteria which will apply, which ministers will be involved in the process, and when we can expect a final decision on all applications?

● (1440)

Hon. E. F. Whelan (Minister of Agriculture): Madam Speaker, the hon. member asks many questions under the guise of one, but the main thing I think he wants to know is what we will do with approximately 2,500 applications which were not cleared by the appeal board and by the officials in Regina under the auspices of, as he said, the minister in charge of that program, the minister in charge of DREE. There will be a group of ministers dealing with that shortly in Ottawa. I hope we can deal with it in a few days.

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PIPELINES

FINANCING OF TORONTO TO MARITIMES PIPELINE

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, my question is directed to the Minister of Energy, Mines and Resources, and it concerns the TQM pipeline to the maritimes. The minister has committed himself to the building of this pipeline and, in so doing, he has extended the pricing zone to maintain the same price for all regions east of Toronto. He has also said quite recently that he wants to have an attractive development from the point of view of the province of Alberta and the Alberta natural gas producers.

Since the line is not likely to be economic, is the $500 million amount which is provided for in his energy policy to cover the operating deficit which is likely to develop as a result of this line, or is that $500 million to be reserved exclusively for capital costs?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, in the National Energy Program we set aside $500 million to ensure the completion of certain pipelines in Canada to bring natural gas to regions which are not served by natural gas at the present time. A part of that amount would obviously be available for the pipeline to the maritimes. That would reduce the capital cost of the line and thereby ensure that a rate could be established which would ensure also a higher netback to the producers in Alberta than would have been the case without such support for the construction of the pipeline.

PROJECTED PRICE OF NATURAL GAS TO EASTERN CONSUMERS

Hon. Michael Wilson (Etobicoke Centre): Madam Speaker, the minister has answered only half my question. He has not responded to the part relating to the operating deficit which is likely to occur.

Since the minister has said that this will be attractive to the maritimes as well as to Alberta producers and the province of Alberta, has he in mind an increase in the price of natural gas over what is now projected—which will impact most severely on Ontario consumers—as a means of balancing the cost of this pipeline and making it profitable for the developers of the line?

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, the subsidy which would be provided for the construction of this pipeline would come from all Canadian taxpayers in a proportionate way, so it is not true to say that this cost would be borne by the Ontario consumer.

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FOREIGN INVESTMENT REVIEW AGENCY

INTRODUCTION OF LEGISLATIVE AMENDMENTS

Hon. George Hees (Northumberland): Madam Speaker, I have a question for the Minister of Industry, Trade and Commerce. Is it the intention of the minister to present to this House for consideration amendments in relation to the operation of the Foreign Investment Review Agency, with the object in view of tightening restrictions on foreign ownership, when Parliament resumes on May 12?

Hon. Herb Gray (Minister of Industry, Trade and Commerce): Madam Speaker, the throne speech opening this session spoke of the intention of the government to propose three changes to the act. One is to give public notice of large takeovers. The second is to have a system of review of performance of large multinationals. The third is to have a financial facility to assist Canadians in providing alternatives to takeovers. This is in the throne speech—

Mr. Siddon: Twelve months ago.

Mr. Gray: —and this is what we are working on.

As to whether the time of such action will fit into the period suggested by my hon. friend, that is a matter for consideration by the government in light of the progress of the work of the House.

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HOUSING

POSITION OF MINISTER ON RENT CONTROLS

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, my question is addressed to the ever-changing minister responsible for housing. In the middle of the Ontario election campaign the minister stood up in this House of Commons to deny that he had ever called for an end to rent controls. He was innocence personified at that time, in the middle of the

Ontario election campaign. However, the clothes are once again off the emperor. At the weekend he was quoted—and I suppose he could have been misquoted—as saying that he is in favour now of an end to rent controls.

In light of the fact that housing costs and rental costs are skyrocketing right across the country, and that housing speculation in Vancouver, Calgary and Toronto has gone wild as a result of the free market, high interest rates and skyrocketing inflation, I wonder if the minister could please explain to the House why he is advocating at the present time that tenants be equally subject to the same skyrocketing inflation which is hurting everyone else so badly? Why is he now saying that tenants have to be faced with that kind of skyrocketing inflation?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, at the National Housing Conference convened earlier this year, an all-sector conference, I had the opportunity to listen to debates on both sides of the issue of rental control. It was just prior to that conference that I indicated that I was not expressing a personal opinion on that subject or any other subject dealing with housing, awaiting that conference. As a result of that conference I am sure that the hon. member and many in his party, some of whom attended the conference, will know that the issue of rent controls, although it is under provincial jurisdiction, is identified as being a significant player in the cost of housing and availability of housing, whether in the rental sector or whether the spillover is into the private sector.

Although there are only three provinces at the present time which do not have rent control—the province of British Columbia is in the process of de-phasing—I am sure it is known by any respectable economist or any respectable person knowledgeable in the market, that rent controls have had an effect. They have made it difficult for the young person first coming into the market to obtain rental accommodation. They have made it difficult for people moving into tight metropolitan markets to find accommodation. That was because people were not building, and that was due in large part to rent controls.

Mr. Rae: Madam Speaker, the minister does not know what he is talking about. He cannot possibly know what the housing situation is like in Vancouver or even in his own home town of Toronto. He cannot understand what the situation is. He does not even realize that rent controls do not apply to new home building.

MINISTER'S POSITION ON INTEREST RATES

Mr. Bob Rae (Broadview-Greenwood): Madam Speaker, I would like to ask the minister why he has not been making any statements about the level of interest rates in our society? Why is he not making any statements about that? Why has he not been making any statements about the speculation—

Madam Speaker: Order.

Mr. Rae: Finally, Madam Speaker, why has he not been making any statements—

Madam Speaker: Order. I did call the hon. member to order. I thought he had asked his question.

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I have had the opportunity of addressing a number of housing sector groups. I have addressed the question of, for example, protection to those people who are most seriously impacted as a result of some of the deteriorating markets. I have indicated that the government, having increased social units by 5,000, sees that as an assistance to people who can ill afford to compete in the tight housing market today.

However, I think I also have to remind the hon. member of questions earlier in the day as to what this government is doing to combat inflation. Surely the answer is not quite as simple as that proposed by other members of the hon. member's party, who say we should spend a million dollars on this program or that program and the problem is solved. That means an additional deficit, which we can ill afford.

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ENERGY

POSSIBILITY OF REACHING AGREEMENT WITH ALBERTA

Mr. Jack Shields (Athabasca): Madam Speaker, my question is to the Minister of Energy, Mines and Resources. As the minister is aware, there is a real threat that the Alsands project and the Cold Lake project could be permanently cancelled if an energy agreement is not reached by June 1. Is the minister going to reach an energy agreement with Alberta by June 1?

• (1450)

Hon. Marc Lalonde (Minister of Energy, Mines and Resources): Madam Speaker, obviously I cannot answer this question since it takes two to make an agreement.

Mr. Shields: Madam Speaker, the minister knows full well that he can do a lot to put some sense into the negotiations. But will he aim for an agreement by June 1, recognizing that these two plants, which are equivalent to a $20 billion to $25 billion investment in the oil industry, could go down the tube if an agreement is not reached by June 1? Will the minister aim for an agreement by June 1?

An hon. Member: Yes or no?

Mr. Lalonde: Madam Speaker, since last November we on this side of the House have indicated that we were eager to reach an agreement as soon as possible and that we were willing to show flexibility. Obviously any agreement would imply an equivalent amount of flexibility on the other side also. I hope this flexibility will be forthcoming in our next discussions. As far as I am concerned, I will certainly do my best to have an agreement at the earliest possible time.

Oral Questions

HOUSING

CRITERIA TO QUALIFY FOR SHELTER ALLOWANCE PROGRAM

Mr. Bruce Lonsdale (Timiskaming): Madam Speaker, my supplementary question is directed to the Minister of Public Works who is responsible for housing. In recent newspapers reports the minister indicated that he perhaps prefers the phasing out of rental controls, with the co-operation of the provinces. Could the minister advise the House as to how shelter allowances will be negotiated with the provinces?

Second, he indicated that a shelter allowance would be provided to people who were paying more than 30 per cent of their disposable incomes. Would the minister be prepared to consider that 30 per cent and to re-examine it, in light of the different income levels whereby people earning substantially large incomes could conceivably be paying more than 30 per cent of their disposable incomes, yet poorer people with perhaps cheaper income levels could not conceivably maintain proper rental facilities with 30 per cent of their incomes? Would he perhaps consider reducing it to 25 or even 20 per cent of disposable income, rather than using a figure of 30 per cent?

Some hon. Members: Oh, oh!

An hon. Member: That is a lot better than NDP questions.

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, the question of a shelter allowance, as I indicated in the House previously, is being studied in the social cabinet by the ministers responsible for social areas in the administration of this government. They have undertaken a study of the issue of shelter allowance, the device which is presently in place in four provinces of Canada. It is one that has been a useful tool to respond to a very tight market and to respond to a difficult market in other jurisdictions, for example, in the United States. It is one that provides and is a very good targeting device to respond to rental markets and people having difficulty in rental markets. However, having said that, it is also a difficult item in this sense that any action by the federal government would have to be co-ordinated with the provinces.

Mr. Epp: Oh, come on.

Mr. Cosgrove: I fully expect it is an item that will be on the agenda and that it will receive serious study and discussion with the provincial ministers of housing, officials of the Canada Mortgage and Housing Corporation, and myself, later on in the year.

STATE OF MORTGAGE INSURANCE FUND

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, my brief supplementary question is directed to the minister responsible for housing. I want to ask him about the situation respecting the mortgage insurance fund and whether he will give us a definite answer as to the state of that fund. Has it actually improved its position as a result of the sales program instituted by our government, by Mr. Boivin? Have more moneys come into the fund than have been drained away from it as a result of walkaways and other contingencies? What is the state of that fund today?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, I thank the hon. member for the question. It appears as if I am invited by him to give a status report, almost quarterly, on the fund. Of course I do not have the specifics today as to the exact amount or the exact position of the fund, but I can repeat the answer I gave the hon. member before. With the market tightening and with market conditions improving, it goes without saying that the corporation is recouping money back into the fund from the sale of homes which had been recovered from defaults. This means that the fund is improving, that the money borrowed from the government is being repaid, and that the target date of March, 1982, for complete repayment of funds borrowed is still a realistic and likely target.

GOVERNMENT POSITION ON SHELTER ALLOWANCE PROGRAM

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I have a question supplementary to the one posed by the hon. member for Timiskaming. In response to that question the minister said two contradictory things. First, he said that the government was considering a proposal in its social policy unit of cabinet. Second, he said that that proposal would be introduced for discussion with the provinces. The second statement would indicate that a decision has been made. Will the minister tell the House of Commons whether a decision has been made in principle to proceed with a shelter allowance?

Hon. Paul J. Cosgrove (Minister of Public Works): Madam Speaker, if there was an inclination or assumption drawn by the right hon. member that the statements were contradictory, it was not intended. Of course any minister, dealing with any counterparts in any area of responsibility, must have some position to take for discussion to the provinces.

The federal government has not adopted a position vis-à-vis rent controls. It is an area on which I would have to have instructions from my cabinet colleagues. Given the wide range of options, I suspect it would be a reasonable way in which to propose discussions with the provinces. As I said, some already have shelter allowances, some are now investigating it, and it would take a lot of negotiating and a lot of background work before any position could be identified.

Mr. Clark: I will try to make this simple, Madam Speaker. Is the government considering a proposal on a shelter allowance to put before the provinces? Has a decision on that proposal been made, and what is that proposal?

Mr. Cosgrove: Madam Speaker, I think I would be repeating myself to say that the government authorized an analysis—

Some hon. Members: Oh, oh!

Mr. Cosgrove: —of how shelter allowance could be introduced, bearing in mind that some provinces are already in the field, some provinces are in the process of studying it, and how, if the federal government were to act in that way, such a program could be brought in with those things as given. I think that is no contradiction.

Mr. Baker (Nepean-Carleton): Oh!

* * *

NATIONAL DEFENCE

MOVEMENT OF 420 AIR RESERVE SQUADRON TO SUMMERSIDE, P.E.I.

Mr. J. M. Forrestall (Dartmouth-Halifax East): Madam Speaker, my question is directed to the Minister of National Defence. It concerns the 420 Reserve Air Squadron at Shearwater. Regretting the decision of the minister to turn around his earlier commitment to leave that Squadron at Shearwater, might I ask him two basic questions which are quite different?

First, at the time he approved or authorized this subsequent decision to move 420, together with 880, from Shearwater to Summerside, did he believe that there would be enough trained and skilled personnel in the Summerside or the general western Prince Edward Island region to support the 420 Squadron which, after all, is the only air reserve squadron in Atlantic Canada?

Hon. J. Gilles Lamontagne (Minister of National Defence): Madam Speaker, I am very pleased to hear that the hon. member for Dartmouth-Halifax East understands the problem very well. As he will remember, when we decided to shift the 415 Squadron from Summerside to Greenwood, we decided to compensate Prince Edward Island by shifting these squadrons from Shearwater to Summerside. This he understands very well.

As far as the 420 Air Reserve Squadron is concerned, I understand very well that the move from Shearwater to Summerside will make it difficult for the people in this reserve squadron to exercise their competence in Summerside while the 420 is being shifted there. However, we are looking into alternatives to ensure that we do not lose the competence which has been developed over the years in the 420 Squadron exercise. We are looking at an "air reserve augmentation flight' so that we could perhaps diminish any loss of the competence of the people in the 420 Squadron. But this is under study at the moment.

● (1500)

Mr. Forrestall: Madam Speaker, I appreciate the minister's sensitivity. I gather that he was aware, one way or the other, how Squadron 420 would survive with respect to trained personnel. In the past the minister was kind enough to consult with the appropriate civic leaders in the area. Would he extend that courtesy to civic municipal leaders, as well as to military personnel who may have demonstrated through their roles and professionalism an expertise in the area of the survivability of Squadron 420? Would the minister undertake to meet with those interested people and parties for the purpose of securing a better understanding with respect to this matter? In the interim, would the minister give some assurance that he will make no final decision until such time as he has had an opportunity to meet with the responsible people?

Mr. Lamontagne: Madam Speaker, the hon. member is well aware that I have already written to Mr. Harrison of the Dartmouth Chamber of Commerce, as well as to the mayor of Dartmouth, Mr. Brownlow. I would be very glad to meet with them to discuss the matter further.

* * *

POINTS OF ORDER

MR. COSSITT—MR. STEVENS—ALLEGED USE OF UNPARLIAMENTARY LANGUAGE—RULING BY MADAM SPEAKER

Madam Speaker: Sometime ago I was ready to rule on points of order which were raised by the hon. member for Leeds-Grenville (Mr. Cossitt) and the hon. member for York-Peel (Mr. Stevens), but they were absent from the House. I see that they are both present today. Their points of order concerned the use of the words "obstruct" and "obstruction", which were said to be unparliamentary. I gave a preliminary ruling at the time these matters were raised, but I also said that I would like to look into the matter further. I do not want to go into all of the meanings which one can ascribe to the words "obstruction" or "obstructionist", but I will quote from a ruling given by my predecessor, Mr. Speaker Jerome, on May 26, 1975, wherein he said:

> In respect of the word "obstruction", several meanings have been ascribed to it. One does not have to examine the precedents. It is not an infrequent occurrence in this House that one side refers to the actions of the other side as being an obstruction of one kind or another, so much so that on one occasion where precedent does provide some assistance the use of the word "obstruction" in respect of an individual and specific member was found to be not out of order . . .

At that time it was the hon. member for York-Peel who was allowed to use the word "obstruction" in reference to another member. The usage at that time was not judged to be unparliamentary; therefore I would be hard pressed to determine now that the word is unparliamentary.

* * *

PETITION

MR. KEEPER—CUTBACK IN POSTAL SERVICES IN RIDING

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the forty-ninth report of the Clerk of Petitions stating that he has examined the petition presented by the hon. member for Winnipeg-St. James (Mr. Keeper) and finds that it meets the requirements of the Standing Orders as to form.

Order Paper Questions

ROUTINE PROCEEDINGS

[*English*]

NUCLEAR ENERGY

TABLING OF AGREEMENT WITH AUSTRALIA

Hon. Mark MacGuigan (Secretary of State for External Affairs): Madam Speaker, with leave of the House I would like to table in both official languages the agreement between the Government of Canada and the Government of Australia concerning the peaceful uses of nuclear energy which was signed and came into force on March 9, 1981.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 1,666, 2,168, 2,170, 2,228, 2,239 and 2,278.

[*Text*]

DND—TRANSPORTATION OF GENERATORS

Question No. 1,666—**Mr. McKinnon:**

1. Was a Canadian Armed Forces Hercules aircraft used on July 13, 1980, to transport a 21,000 pound electric generator, owned by Woodward Oil Company, from Armed Forces Base Goose Bay to Gander International Airport and, if so, what amount did the Department of National Defence receive for this shipping service?

2. Did the company seek and obtain clearance from the Canadian Transport Commission to ship by this method?

3. Did the company seek and obtain clearance from any commercial carriers who were able to carry the electric generator?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. Yes. $4,945.02.

2 and 3. The requirement to ship an electric generator became a matter of emergency on Saturday, July 12, 1980. A commercial carrier with the capacity to lift such a load was not available. Since, as stated above, this was an emergency and it occurred during a weekend, the Department of National Defence was contacted and a request was made to provide assistance on a cost recoverable basis. This service was provided on Sunday, July 13, 1980. The CTC was informed of this action on July 12, 1980, as part of regular procedure for responding to emergencies without prior CTC authorization.

DND—CIVILIANS TRAVELLING TO EUROPE

Question No. 2,168—**Mr. Jelinek:**

1. How many civilian personnel travelled to Europe on regular DND flights between November, 1980, and January 30, 1981, and how many were approved through (a) Fitness and Amateur Sport Directorate (b) the Department of National Defence, and of those approved through DND, how many required the Air Transport Commission's approval?

2. For the same period, what was the total number of vacant seats on all DND flights?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): 1. 1,133.

(a) 27.

(b) The breakdown of the remaining number is as follows:

Members of military families on posting or leave	899
DND civilians proceeding on temporary duty or posting	129
Non-DND civilians on departmental business	56
Others approved by DND	22
Total	1106

None of the above personnel required approval from the Air Transport Commission.

2. 237 (on all 18 DND regular flights to Europe).

DREE—FOREIGN OWNERSHIP IN COMPANIES RECEIVING GRANTS

Question No. 2,170—**Mr. Herbert:**

1. Does the Department of Regional Economic Expansion record the percentage of foreign ownership of the companies to which subsidies are given and, if so, what percentage (a) given to companies (b) of the amount given in the Montreal special area in the period 1977-1980, was to companies having a foreign ownership in excess of fifty percent?

2. What are the corresponding figures for (a) Quebec (b) Canada?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): The reply for the Department of Regional Economic Expansion is as follows: 1. Under the programs of the Department of Regional Economic Expansion, companies are eligible for incentives and other forms of financial assistance under certain conditions. Because such assistance is available irrespective of the nationality of shareholders, information is not recorded on the percentage of foreign ownership of the companies to which assistance is provided.

2. Not applicable.

HERD MAINTENANCE PROGRAM

Question No. 2,228—**Mr. Gustafson:**

1. Under the Herd Maintenance Assistance Program (a) what amount was paid to date to farmers (b) how many producers received payments?

2. On what date will the program be completed?

Hon. Pierre De Bané (Minister of Regional Economic Expansion): The reply for the Department of Regional Economic Expansion is as follows:

1. (a) $33,579,397;

(b) 20,331.

2. Reviews are being completed on outstanding appeals by the review board and PFRA staff. The final cheques will be issued when these reviews are completed.

CHARLES CAMSELL HOSPITAL, ALTA.

Question No. 2,239—**Mr. Herbert:**

1. Was the Charles Camsell Hospital in Alberta transferred to the province and, if so (a) on what date (b) what was the number of employees on staff at the time?

2. What amount was included in the 1979-80 and 1980-81 estimates for the cost of operating the hospital?

3. (a) Was an agreement signed with the government of Alberta to protect the accumulated seniority, sickness, holiday and pension rights of the employees (b) what were the monetary terms of the agreement?

4. Has the government retained a continuing role in the use or administration of the hospital?

Mr. Doug Frith (Parliamentary Secretary to Minister of National Health and Welfare): In so far as the Department of National Health and Welfare is concerned:

1. (a) Yes—at 00:01 hours on December 1, 1980.

   (b) 648 employees.

2. 1979-80—$11,976,000.

   1980-81—$9,787,000.

3. (a) Yes.

   (b) The Government of Canada will pay the province of Alberta the sum of $1,043,000 for the purpose of upgrading the Charles Camsell Hospital. The Government of Canada will also pay for the transferred vacation and furlough leave credits and the transferred pension credits.

4. The Charles Camsell Hospital will provide, free of rent, an area of 433 square feet on the 4th floor, for a period of five years. This will be used by the Government of Canada for their Northern Health Research Program. The Government of Canada has no continuing role in the administration of the hospital.

DND—TEACHERS OVERSEAS PROGRAM

Question No. 2,278—**Mr. McKnight:**

For each year 1975 to 1980, by province and by territory, what was the number of teachers selected under the two-year Department of National Defence Dependants Schools Overseas Program?

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence):

Province	1975-76	1976-77	1977-78	1978-79	1979-80
British Columbia	13	13	17	17	14
Alberta	3	12	4	1	8
Saskatchewan	6	7	3	4	3
Manitoba	6	5	4	7	9
Ontario	43	52	67	37	50
Quebec	19	11	7	18	15
New Brunswick	0	3	1	0	2
Nova Scotia	4	3	2	2	3
Prince Edward Island	0	1	0	2	1
Newfoundland	0	0	1	0	1
Yukon and Northwest Territories	1	0	0	1	2

[*English*]

Madam Speaker: The questions enumerated by the parliamentary secretary have been answered.

Mr. Collenette: Madam Speaker, I ask that the remaining questions be allowed to stand.

Madam Speaker: The remaining questions shall stand.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Mr. W. C. Scott (Victoria-Haliburton): Mr. Speaker, I would like to finish the remarks I started some time ago on this resolution. I am mindful of the statement of the Prime Minister (Mr. Trudeau) in Vancouver that if the country splits up over his constitutional resolution then the country is not worth saving. What an arrogant, narrow attitude for a Prime Minister to have.

Before I leave the first schedule and move on to the charter of rights, I would like to refer to the part of the resolution which would repeal Section 20 of the British North America Act. Section 20 reads as follows:

There shall be a Session of the Parliament of Canada once at least in every Year, so that Twelve Months shall not intervene between the last Sitting of the Parliament in one Session and its first Sitting in the next Session.

I must ask what the Prime Minister's purpose is in seeking to have Section 20 repealed. Why should we give any Prime Minister, especially the present one, the right to call Parliament into session or not call it into session, as he wishes? Should the Prime Minister be allowed to run the country without having to convene Parliament? In theory and in practice, if Section 20 is repealed, a Prime Minister could run the country for a year, or even longer, as his private fiefdom, substituting orders in council for acts of Parliament.

In the second place, I cannot think of one single reason why anyone would want to wipe this or any other item of Canadian history off the books. To do so would not serve any useful purpose or add anything to the sense or purpose of this document. What it does is point to the sinister purpose behind the inclusion of this schedule in the resolution and, indeed, the whole resolution itself.

For the benefit of those members who still feel that they can vote for this resolution, I would like to read Section 58(2) of Part VIII of this resolution. Those members who tell their constituents that they are voting for this bill so that we can bring home the British North America Act and amend it here in Canada will have a lot to answer for if this resolution is approved by the Parliament of the United Kingdom and imposed on our country. Section 58(2) reads:

The Constitution of Canada includes,

(a) the Canada Act,

(b) the Acts and orders referred to in Schedule I; and

(c) any amendment to any Act or order referred to in paragraph (a) or (b).

There can be no doubt as to the meaning of Section 58. What we are debating here is the new Constitution of Canada, to replace the BNA Act of 1867 and all its subsequent amendments. Paragraph (c) clearly states that when the Parliament of Canada makes any amendments to our Constitution, assuming this bill becomes law, such amendments will be to the Prime Minister's Constitution and not to the one we have lived under for the past 114 years.

I would like to voice my objections to some of the specific items in the resolution, in the unhappy event that it should become the new Constitution of Canada. Commencing with the preamble, I would like to address myself to the motion put forward on behalf of my party by the hon. member for Provencher (Mr. Epp). I cannot understand how anyone could object to this motion. It is basic and fundamental to the founding principles of our nation. Our motion reads:

Affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions.

● (1510)

In his statement before the joint Senate-House of Commons committee on the Constitution, the hon. member for Provencher went on to say:

—affirming also that individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law.

I have on my desk some of the representations made to me on this subject by my constituents in Victoria-Haliburton. These are in response to a newspaper release that I sent out, in which I noted that the unholy alliance of the Liberals and NDP in this House rejected our motion. I might add that I have to date received not one piece of correspondence supporting the Liberal-NDP position, but I have received well over two thousand responses supporting the position of my party.

I have been a little surprised, but very pleased, that all of the mail I have received in response to the position I have taken on the issues of the supremacy of God, abortion, the right to own and hold property and capital punishment has supported my stand all the way. I feel that I am representing the views and convictions of the majority of my people.

On the question of abortion, I reject out of hand any motion that the expectant mother should be the sole arbiter as to whether she will or will not abort a foetus. That would be tantamount to giving pregnant women decision-making powers that are rightly those of the courts and the medical profession. I am deeply disturbed as it is by reports that some courts have ruled that a foetus does not have the status of a person until it is delivered. I suggest that that is why some people want to specify in our charter of rights that only persons have rights.

It is an established fact that a foetus is a living thing, medically, morally and spiritually, and yet, if we are to accept recent court rulings on the subject, the foetus does not have any rights until it has been delivered. This raises the very serious question as to who is to speak for the foetus until it is delivered. It is we who must answer the question. It is our responsibility, and we must decide how best to protect the foetus until it is delivered and becomes a person under the law.

Abortion must not be allowed to become a political football. It is one of the most serious social and moral issues facing our society. But it is more than just that; it is a matter of life or death. I totally reject the concept of abortion on demand. To me, it is unthinkable. We must not accept abortion as just another method of birth control. Basic standards of moral conduct rule out abortion as a means of escaping the consequences of permissive and irresponsible lifestyles.

To return to the statement on Conservative Party policy, presented to the constitutional committee by my friend, the hon. member for Provencher, I draw the attention of the House to page 6 of his statement, wherein he states our policy with regard to right of ownership of property. This statement seeks to amend Section 7 of the resolution by substituting the following:

Everyone has the right of life, liberty, security of the person and the enjoyment of property and the right not to be deprived thereof except in accordance with principles of natural justice.

I find it difficult to understand how anyone could quarrel with this statement of principle, especially in a country where the right to own and hold property has been a fundamental right since confederation.

Here again the Liberals and NDP joined forces to oppose this motion, but I was surprised and pleased some time ago to hear that the member for Winnipeg North (Mr. Orlikow) spoke out in support of this motion in his remarks in this House on the Constitution resolution. On page 8135 of *Hansard* for Wednesday, March 11, the member for Winnipeg North quoted from the fifth amendment to the American constitution. I quote the member as follows:

—no person shall be "deprived of life, liberty or property without due process of law".

The member for Winnipeg North might have completed the amendment by adding: "nor shall private property be taken for public use, without just compensation".

The point is that the member stated that this provision is in the resolution that we are debating, and that he supports it. I am pleased to have his support for the principle of our motion, but unfortunately the right to own property is not contained in the government's version of the resolution. However, I would like to take the member's words in *Hansard* literally and to hope that he will stand by his guns and insist that this provision be included in Section 7 of the resolution, as it now

appears in the late Right Hon. John Diefenbaker's Bill of Rights.

I believe that the rule of law and the strict adherence to this concept offers greater protection than someone's interpretation as to what constitutes natural justice. Interpretations can vary, according to who happens to be sitting on the judge's bench at any particular time.

Section 15 of the resolution is too weak and lends itself to abuse by any future government that might want to bestow special privileges or special status on particular groups in our society for political gain or expediency. It would lend itself too easily to quota systems in hiring and appointing, a form of discrimination. I am opposed to discrimination in any form, no matter how it is dressed up in pious rhetoric and legalese.

To stay with that point for just a moment, I would like to cite an example of what I mean. One of our proposals would make it unlawful for anyone to discriminate against anyone else in the workplace, in making accommodation available to any person, and in other ways that have often been referred to as selective placement.

Our motion reads as follows:

> Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Now I would like to move to Section 7 of this resolution. As I mentioned earlier, in the unhappy event that this Constitution is foisted on the Canadian public, Section 7 leaves a lot to be desired. It is here that we can take the first steps towards relegating the Prime Minister's permissive society concept to the trash heap where it belongs. In fact, it is in Sections 7 through 14 that we would like to lay the groundwork for bona fide, de facto protection for law-abiding Canadians.

Beginning with Section 7, I must again insist that the wording of this section falls short of guaranteeing the rights spelled out in the section. Fundamental justice can mean many things to many persons, whereas due process of law refers specifically to the protection of life, liberty and the security of the person according to established law.

Fundamental justice is a high-sounding phrase, and like just about everyone else I like the sound of it. But for the purposes of safeguarding human and civil rights, I must refer to the precious wording of the law as we have enjoyed it in Canada through the British common law.

Although the phrase "established by law" appears elsewhere in the section entitled "legal rights", I am concerned that the wording of Section 7 might encourage courts to interpret it to mean something other than what is intended. I think that this is just one more example of the sort of escape hatches, or loopholes, that this government is trying to slip through in this Constitution resolution.

This concern has been expressed by other members who have taken part in this debate, namely the concern that our parliamentary system of government and the British common law will be replaced by something that the average Canadian does not even fully understand. There is a deep and legitimate concern that the role of Parliament and the powers presently conferred on Parliament will be gradually assumed by the Supreme Court of Canada.

● (1520)

We are all reasonably familiar with the basic difference between our constitutional monarchy or parliamentary system of government, and the republican system in the United States. The United States system is based on the Roman triangle, with the executive, legislative and judicial powers at each of the three corners. The Supreme Court of the United States has the responsibility of interpreting the U.S. constitution. However, in the final analysis, the voice of the people is expressed in the House of Representatives; the House of Representatives has the final voice. The final voice of the Canadian people is vested in their Parliament, and that voice and that power must remain here if we are to survive as a parliamentary democracy.

Several months ago when these debates first began, the concern was expressed that if we follow the government's present course with this resolution, the Supreme Court will not only interpret and rule on law, but will also be allowed to make laws. In my view, that would subordinate Parliament to the courts.

For over 300 years, Mr. Speaker, the courts and Parliaments of Canada and the United Kingdom have resisted pressure to introduce some elements of the United States jurisprudence, in particular their rules with regard to the types of evidence allowed to be introduced into criminal trials. As recently as January of this year the present government attempted to introduce the U.S. exclusionary evidence rule into the body of Canadian law. Happily they were forced to back down.

I have with me a letter from the vice-president of the Ontario Association of Chiefs of Police on the subject of law enforcement which reads as follows:

> Dear Sir:
>
> Further to our conversation of last night, I am enclosing a copy of a news release issued by the Canadian Association of Chiefs of Police, January 27th, 1981.
>
> At an Executive Meeting held by the Ontario Association of Chiefs of Police on January 28th, 1981, the news release by the Canadian Association of Chiefs of Police in reference to the recent amendments to the Charter of Rights and Freedoms was reviewed.
>
> The members, who represent the entire police community of Ontario, were unanimous in their decision to support the stand taken by the Chiefs of Police of the Canadian Association of Chiefs of Police of which we are members.
>
> The fears expressed by our fellow chiefs are not imaginary. You might say we are confused and wonder why this sort of legislation would be introduced which would destroy the fine justice system we have in this country today.
>
> Knowing your background and the stand you have taken in issues involving the safety of the citizens of Canada, I am sure that you would agree that if the American exclusionary rule, commonly known as the "fruit of the poisoned tree rule" were introduced in law in the Dominion of Canada, the quality of law enforcement in this country would degenerate.

We, in law enforcement, and indeed as citizens, are extremely concerned and solicit your co-operation and support in changing or amending the Charter.

Yours in matters of mutual interest.

Yours truly,
J. G. Wales,
1st Vice-President,
Ontario Association of Chiefs of Police.

This matter of law enforcement is causing a lot of concern not only to the police forces throughout my area but, as stated in the letter, to the Canadian Association of Chiefs of Police.

Anyone who reads the newspapers and reviews the lenient sentences imposed today by our courts on hardened criminals will know that this is not a time for Parliament and the courts to treat criminals as though they were a privileged class. I have stated many times in this House and in my riding that more tears are shed today for the criminals than are shed for the victims of crime.

This is a time for us to get tough on those members of our society who scoff at our laws, who prey on innocent, law-abiding citizens and who are presently getting the sympathy that should be reserved for their victims. I have always been a proponent of capital punishment and I am more convinced today than I have ever been that we must reinstate capital punishment for premeditated murder and for murder resulting from the commission of other types of crimes.

A few days ago a man was convicted in a local court for the murder of a Catholic priest. It was a heinous, callous, deliberate murder. The evidence was so conclusive that the murderer pleaded guilty. And yet, Mr. Speaker, this convicted murderer was allowed to bargain with the court and received a five-year prison sentence. Was that justice? No, of course not. It was a travesty of justice. I was sickened by it.

In my closing remarks I would like to say that I cannot support this attempt on the part of the government to replace the British North America Act with this Constitution before us today. This document does not contain the elements of an acceptable Constitution, and it contains too many items and provisions that are unacceptable to the majority of Canadians. This is evident from coast to coast. Canadians are wondering what is going to happen to the nation that they have enjoyed in the past, yet the government persists in going ahead with its Constitution—or the Prime Minister's Constitution, as I would have to call it.

On behalf of mysefl and my constituents in Victoria-Haliburton, I call upon the government to withdraw this resolution and act upon the Progressive Conservative Party's motion which calls for patriation of our Constitution and its amendment here in Canada.

[*Translation*]

Mr. Marcel Ostiguy (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, it is quite an honour and a privilege for me to address the House today in this historic debate. It is a responsibility and a duty for me as a Canadian and a Quebecer, and finally as the representative of the constituent of Saint-Hyacinthe-Bagot to take part today in the building of our nation. Indeed, we have been discussing this issue in the House for the past six months. I wish to point it out, Mr. Speaker, because in spite of the fine speeches we have heard in this House, the debate on the patriation of our Constitution has sometimes been diluted in an abundance of electoral and time-serving considerations or has been turned into a mere exercise of political marketing.

I refer, Mr. Speaker, to the Leader of the Official Opposition who has tried throughout this debate to use the patriation project to enhance his own image as party leader, while squandering the valuable time of the House at a cost $300,000 per day out of public funds. I also refer to the eloquent silence of the Ontario premier who felt that the anglophone vote was more important than the rights of half a million of Franco-Ontarians. It is essential, however, to keep in mind that beyond all electoral considerations, beyond the provincial boundaries and jurisdictions, Canada's sovereignty and the basic rights of all Canadians are at stake in this proposed constitutional reform. It is within that perspective that the action of this government must be judged and it is within the same perspective that we must judge the people who downcry that action.

Of course the opposition against the proposed federal constitutional reform cannot be passed over in silence. But as *La Presse* editorialist Marcel Adam so rightly put it in an article published last February 28, and I quote:

It is not enough to awaken public opinion and have it endorse one's cause. One must also take constructive initiatives likely to defuse the crisis.

When the Right Hon. Leader of the Official Opposition crisscrosses Canada, warning people that our country is on the verge of breaking up, his statements certainly cannot be described as being "constructive initiatives". The official opposition dug in its heels unnecessarily to prolong this debate which has now been going on for 54 years, and yet that same party approves the position of the government, if we are to give any currency to this excerpt from the brief presented last January by the hon. member for Provencher (Mr. Epp) on behalf of the Progressive Conservative Party, and I quote:

We are tabling our proposed amendments to the government's proposed resolution, knowing full well that the majority of Canadians want the constitution brought back to Canada. Most of them also want that a charter of rights and freedoms of the people of Canada be enshrined in the constitution.

As I was saying, the official opposition dug in its heels to prolong the debate, in spite of that statement, so their attitude can hardly be called a constructive initiative. Finally, Mr. Speaker, when the Ontario premier categorically refuses to make Section 133 of the British North American Act applicable to his province, although recent polls published in the *Toronto Star* reveal that 52 per cent of Ontario residents would accept institutional bilingualism, here again we cannot say that his attitude is constructive. And yet, Mr. Speaker, our government did not relent in its efforts to break out of that constitutional deadlock.

● (1530)

Having heard the evidence and recommendations of no fewer than 97 interested groups, having received 1280 briefs, having held 104 sittings and debated the resolution during 263 hours, the Joint Committee of the Senate and the House of Commons presented to Parliament a proposed resolution improved by 82 amendments which in many cases greatly enhance the situation and the dignity of all Canadians. And so it is that Parliament today is studying a constitutional proposal which at long last will free Canada from the final remnant of the colonial era and proclaim the full sovereignty of the Canadian people. We now have before Parliament a charter of rights and freedoms which will guarantee at last the basic freedoms and the democratic rights of all Canadians everywhere in Canada.

At long last Parliament is considering an amendment formula which henceforth will enable the provinces to have their say about the changes to be made to our Constitution in the future. This amendment formula once rallied near unanimity in Victoria ten years ago and, as my colleague for Hochelaga-Maisonneuve (Mr. Joyal) indicated, it will confirm the partnership status of the provincial governments and grant them the authority to propose and approve any change which might affect their powers. This amendment formula will at last enable us to break free from the constitutional impasse in which the rule of unanimity has kept us for 54 years. As recently as last week, Mr. Speaker, I entertained the hope that the eight dissenting premiers would propose an amending formula that could form the basis of future negotiations.

Today however, I must confess my great disappointment in the face of this proposal which I think is a backwards step compared to all the hard work done by Parliament over these long months of debate. Not only do the eight opposing premiers reject the idea of entrenching a charter of rights applicable to all Canadians into the Constitution, but their amending formula includes an opting out provision for any province that is dissatisfied with an amendment. Is that the way to build a nation? Is that the way to Canadian unity?

[*English*]

An editorial in this weekend's *Citizen* summed up the position of the eight provinces very well. It reads as follows:

> A constitution is not a constitution unless it binds the elements of a nation together.
>
> The unlimited opting out provision, the absence of an equalization guarantee and the exclusion of a deadlock-breaking mechanism combine to make this accord not an exercise in nation building, but rather a blueprint for nation wrecking.

[*Translation*]

That is where the so-called heroic filibustering by the official opposition in the last few weeks has brought us. That is the result of the trade-offs to which the Prime Minister agreed in a last ditch effort to gain provincial agreement for his proposal. Both the government and the official opposition have found unacceptable the proposal made by the eight dissenting premiers. The Minister of Justice (Mr. Chrétien) qualified it as "incremental sovereignty-association" and in an interview last week the Leader of the Opposition (Mr. Clark) indicated his disappointment with the provincial proposal. That is why, Mr. Speaker, we must stop fooling ourselves with the rule of unanimity and accept the fact that the time for sterile discussions is over and the time to act is now. Parliament has before it a proposal for an over-all constitutional reform which I believe satisfies the aspirations of Quebecers who rejected on May 20 of last year the nebulous proposal of the P.Q. government. Although they re-elected the same government last week, these Quebecers forced that party to abandon any possible move aimed at changing Quebec's status within the Canadian federation.

In this way, Quebecers have clearly shown in my opinion that they want federalism, renewed federalism which will provide them and all Canadians with the opportunity to develop fully in this land of plenty that is Canada with guaranteed rights and freedoms. However, even with all the good will in the world, this proposal could never satisfy all expectations. It especially does not satisfy the insatiable appetite of the provincial governments who consider the federal government's initiative an attempt at interference with their fields of jurisdiction. Quebec fears encroachment, among other things, in the area of education. It is important in that regard, Mr. Speaker, to consider the demographic situation in order to fully understand the scope of the education related provisions contained in the proposed resolution. In an interesting demographic study published in *La Presse* last October 18, Jean Poulain states, and I quote:

> . . . the latest data show that in less than 15 years, over 600,000 Quebecers left their province to take up residence elsewhere.

This year alone, according to statistics just released by the Canadian Association of Movers, Quebec ranks first among the provinces for the number of families moving to other provinces, with 54,056 people. Mr. Speaker, these 650,000 Quebecers who have moved to other Canadian provinces are mostly francophones. Every year, they join the hundreds of thousands of other francophones outside Quebec throughout the country who have no constitutional guarantee that they can fulfil themselves in what is nevertheless one of the two official languages of our country. Mr. Speaker, wherever they live, these francophones have the right to use their own language, just as the linguistic rights of the anglophone minority are respected in Quebec. For this reason and because the phenomenon of interprovincial migration is now a fact of life in Canada, I consider fully justified the entrenchment in our Constitution of the provisions concerning minority language rights and minority language educational rights.

Indeed, if mobility is to characterize our future Canadian society, it is incumbent on us to entrench immediately in our Constitution safeguards to ensure the respect of the cultural

and linguistic integrity of both founding peoples of Canada. However, this responsibility does not belong only to the federal government. The provincial governments, which have exclusive jurisdiction in matters of education, must also take their own responsibilities to attain this object. Section 133 of the British North America Act already states that Quebec and Manitoba must provide legislative and legal services to their minorities in their own language. More recently, Mr. Speaker, in a gesture of great wisdom and openness of mind, the premier of New Brunswick also accepted that these provisions apply to his own province. In fact, his proposal was agreed to unanimously last week by the legislature of his province.

Today, Mr. Speaker, I must publicly state my deep disappointment at the obstinate refusal of the Ontario government to follow the example of New Brunswick. Some will say that extending the provisions of Section 133 to Ontario would only be a symbolic gesture without any real meaning. In my opinion, Mr. Speaker, this argument is only a red herring which does not succeed in hiding an unwillingness which greatly exceeds the strategic framework of the recent election campaign in that province. And when it is argued that this would result in an anti-French backlash in Ontario, I can only reply that the refusal of the Ontario government is conversely creating in Quebec an even greater anti-English backlash which is even more dangerous as it is only promoting the cause of the independentist separatist movement in Quebec.

Yet the Ontario government has not lacked opportunities to show its good will. Already in 1969, the Royal Commission on Bilingualism and Biculturalism recommended that New Brunswick and Ontario take the initiative in recognizing English and French as official languages and in accepting the linguistic implications of such recognition. Again, in 1972, the Special Joint Committee on the Constitution expressed this wish once again by making it clear that people should be able to use both official languages in the legislatures and in the courts. More recently, at the first ministers' conference last September, Ontario had another opportunity to show its concern concretely for the 500,000 francophones living in that province.

As you can see, Mr. Speaker, it is not for lack of opportunities that the Ontario government has not introduced bilingualism on an institutional basis; yet, each time, it failed miserably. Today, Mr. Speaker, I strongly urge my hon. colleagues from Ontario, as well as hon. members of the official opposition to avail themselves of all possible means at their disposal to try and persuade the Ontario Premier of the urgency to enshrine the linguistic rights of the Francophones of his province in our new Constitution. Over half a million of them hope to see their government move in that direction, while five million French-speaking Quebecers are monitoring the situation very closely. It is in this sense, Mr. Speaker, that a commitment from the Ontario government to apply to its province the provisions of Section 133 would be interpreted as much more than a token gesture; it would be regarded as a concrete demonstration of national unity, an irrefutable proof for all Canadians to see that harmony between our two main linguistic groups in Canada is more than a worthy goal, a tangible reality.

This proposed Constitution now being debated is to be regarded as the foundations of the Canadian society of tomorrow, a society based on equity, freedom and tolerance, on the respect of minorities which make up the Canadian mosaic, where the basic rights of individuals would be enshrined in a wholly Canadian Constitution. We must carry through this great project together, Mr. Speaker, for the sake of our own generation and of a great many others to follow. We must also carry it through as an example for all the countries which are seeking justice and freedom.

I should like to conclude my remarks with this statement which was made by the Right Hon. Prime Minister (Mr. Trudeau) in Brandon, Manitoba, on February 4, and I quote:

> Our Charter is not only a Canadian accomplishment, it is also a victory for the human spirit.

It is with this in mind that I have always publicly endorsed the proposed patriation of our Constitution. Although I am once more deeply disappointed by the failure of the official opposition to press the Ontario government into giving official status to the French language both within its legislative assembly and its courts, I remain nevertheless firmly supportive of the government's initiative. This initiative is, in my opinion, the first step towards a better Canada, Mr. Speaker, and it is important that we take it together.

● (1540)

[*English*]

Hon. Elmer M. MacKay (Central Nova): Mr. Speaker, before beginning my remarks in this very important debate, I want to pay tribute, as others have done, to the members of both Houses of Parliament who have worked so hard, not only in the special committee but in other deliberations surrounding this important matter.

Surely the object of constitutional reform has got to be unity, to unite Canadians in a renewed, reinvigorated federalism, flourishing under a revised Constitution of which all of us can be proud. Unfortunately, as the Prime Minister (Mr. Trudeau) conceded, this debate has in fact divided our country. The reasons, in my opinion, are clear. They are based on past mistrust of the Prime Minister and his administration and the obsession that he has demonstrated in the past to push his own concepts of confederation over and around other partners in our country.

The early use of closure in this House and the continuing threat throughout this debate to use it again is a matter that has caused great resentment in this House of Commons and, I think, justifiably so. The poet James Russell Lowell once expressed the feelings of many of us when he described a man who was willing to sink half his present repute for the freedom

to think. There was more to the effect that this same man, "be his cause strong or weak, would gladly surrender the rest for the freedom to speak."

This is something that is so fundamental to the House of Commons that it has coloured this debate. I believe there are many of our colleagues on both sides of the House who are not going to be able to speak. That is a shame because there were two explicit promises made to make certain that this situation in fact would not occur.

Listening to the Prime Minister in the course of his two-hour plus speech, as he twisted and turned for most of his time, I recalled a verse that I had read once from the Rubaiyat of Omar Khayyam which I think describes part of this problem. It goes like this:

Myself when young
Did eagerly frequent,
Doctor and saint, and heard great argument,
About it, and about, but ever more,
Come out by the same door
As in I went.

What a pity our Prime Minister did not act earlier on the Constitution. He alluded to this when he spoke on March 23. He said at that time that he had a consensus of provinces in 1971 at the Victoria conference, but that one province held out for something. The irony of it all was that what that province of Quebec wanted it got anyway.

Then the Prime Minister said—and no one has checked him up on this yet, because he has given the impression of single-minded, faithful, dogged determination on constitutional reform—"I let a few years elapse". He sure did. He waited until April 19, 1975, by his own admission, and by then he had blunted our economic progress and soured our country; and that is why the whole process of constitutional reform is so difficult today.

• (1550)

Some hon. Members: Hear, hear!

Mr. MacKay: I agree with the observation "better late than never". We could have a more bipartisan and more constructive approach, and could have had in the past if the Prime Minister had stopped his standard tactics of confrontation, or as Walter Stewart would say, "the methods of divide and con", which, by coincidence, is the first syllable of the Constitution.

However, looking back toward yesterday, if carried to extremes, can cause one to lose the visions of tomorrow, so it is not my intention to spend my entire speech rehashing old events. However, there are reasons for the deterioration in federal-provincial relations during the past dozen years, and I want to remind my colleagues in the House that, besides the ones involved in constitutional reform, these past difficulties are very relevant in assessing what is happening in our country today because they affect the present climate and the present mood.

Anyone, for example, reading the current energy policy of this government would automatically have a sense of *déjà vu*, as I did when I listened to Donald Macdonald bringing in his policy on December 6, 1973, which at that time was a very comprehensive one. It was going to do a lot of things for Canada. It was going to provide a national market for our conventional and synthetic oil supported by a pricing mechanism with sufficient incentives to develop our oil industry, pipelines to be constructed to the eastern part of our country and an incentive plan for conserving our energy.

The big news at that time was that we would be self-sufficient in energy by 1980 if all went well. Today, seven years later, there is still no pipeline to eastern Canada, although the Prime Minister solemnly promised that on January 25 of last year. There is chaos in the industry and no agreement on pricing between the government and the producing provinces. This kind of performance does not help to instil any confidence in the Canadian people, and it is only one of the many gross errors of the Prime Minister and his government.

If John Diefenbaker were here today, I could just hear him say, with every justification: "The same old bunch are at it again".

Some hon. Members: Hear, hear!

Mr. MacKay: What can Canadians hope and expect from a government like this as it modifies our Constitution? Will it and can it widen the scope of our freedoms, making us a happier, better nation? I have my doubts, since under our British tradition our Constitution is not the source but the consequence of a large and varied basket of freedoms which we already have as part of our heritage. This government cannot give us rights. We have those rights now. It can attempt to restrict them, define them or enumerate them, but it has no business giving the impression to the Canadian people that it can bestow them. This government wants to keep the residue of power; that is this government's ambition. But that is exactly backwards. The residue of power belongs to the people, and any country which forgets this does so at its peril.

J. A. Corry, an eminent and able legal scholar at Queen's University, put it this way: he said the Constitution—

—is never a guarantee of good government: If the Constitution is a good one, in the sense of fitting well with the balance of opinions and attitudes in the country, it makes good government that much easier to achieve. But the main service of a good Constitution is to put obstacles in the way of bad government.

Does this government's concept of a Constitution match Professor Corry's description? Does it fit well with the balance of opinions and attitudes in Canada, or will it by the clause encouraging referenda allow a bad government to spend its citizens' tax dollars for propaganda to influence their thinking? This is a very serious and fundamental concern. The fairness of a government's approach is absolutely vital if we are to have referenda as a device to be used in shaping the future of our country.

Last October the executive secretary of the Canadian Arctic Resources Committee, a non-profit public interest group, sounded a warning. He singled out government propaganda on the issues of energy and the Constitution as containing gross errors of fact in the advertising campaigns funded by public

moneys. He made the point as well that the federal government is not subject to Section 36 of the Combines Investigation Act which disallows statements which are misleading or false. He wrote at that time:

> Why is it that our democracy has no protection against misleading advertising by government—no avenue to challenge government propaganda? Several weeks ago two newspapers closed, a hue and cry went out from politicians and journalists about the control of the press by two large chains. Almost immediately, a Royal commission was announced by cabinet.

Let me say as an aside it was to be under that great non-achiever, Tom Kent.

But which is the greater threat to our freedom, Mr. Speaker, the closure of a couple of newspapers or the freedom of government to mislead without any challenge? The hon. member for Provencher (Mr. Epp), who has done such an outstanding job during this constitutional debate, had this to say in the House on February 17, as reported at page 7388 of *Hansard:*

> But I do not believe that there is any provision in this constitutional proposal which is more objectionable than the permanent enshrinement of a referendum to change Canada's Constitution. This is not just any referendum, it is not asking the people; it is a referendum which could be held in order to break a so-called deadlock, a deadlock wholly determined by the federal government. It is a referendum which will still be controlled by the federal government. It is a referendum which would be used to by-pass the people's elected representatives in provincial legislatures. It is a referendum which could be used by a majority to override the rights of minorities, the very essence which this proposal purports to protect.

When we realize that the government is by far the largest advertiser in this country, spending about $2.50 per capita for this purpose, and when we consider that in the United States, a far richer country, the government ranks about twenty-eighth in terms of national advertisers, spending about 65 cents per capital, we can see the enormous importance referendum advertising provisions have; and this is why I so strongly support the concept put forward by the hon. member for Provencher. I would recommend it to other members of this House. We must have some sort of guarantee to control the government in this respect.

Many Canadians seem to have temporarily lost their capacity for moral outrage; we are a very complacent people, slow to anger, slow to become excited about social issues and abuses. Some of us, however, remain profoundly suspicious about the motives behind some changes being perpetrated in our country. The omission of any reference to the Deity and the absence of property rights do not compliment any Constitution. I trust members of the House will take cognizance of the amendments our party has proposed to the Constitution in the House and will recognize and rectify the mistakes which have been made.

It should be kept in mind as well that there are means other than the Constitution to change a country or shape its future. For example, while the government is commanding the attention of the nation with its ham-handed approach to constitutional matters, it is simultaneously dealing a blow to the destiny of the north and the Atlantic region by appropriating their hydrocarbon resources in a way that is clumsy, arrogant and unjust. While the government is whipping up public concern over the alleged crimes of the petroleum industry, its alleged overcharging and gouging, it is interesting to me that our national petroleum company, PetroCan, is not very competitive, or at least does not seem to be, as I do not see it selling its products for any less than the "seven sisters" in the oil industry. That is a kind of anomaly. As Peter Brimelow pointed out recently in his column:

> But the real cost to Canada of Ottawa's socialization of the oil industry is cultural, not economic. Calgary's oilmen were an unparalleled area of national self-confidence. They were making Canada's presence felt all over the world. And all by themselves, without legislation, they were beginning to over-shadow foreign investors by the same natural processes of economics that saw U.S. entrepreneurs grow past the foreign investors who built the American economy.
>
> Now they seem fated to be sacrificed, like the merchants of the Maritimes, to a timid, defensive and ultimately mean-spirited centralism.

That is the tragedy of our country. We have not been allowed to develop uniformly all across this great nation. The government talks about federalism but practises centralism. That is what is holding our country back.

There are many other areas apart from constitutional reform where Canadians have reason to be concerned about their rights. Let us consider the McDonald commission inquiry into the RCMP. It is not so much a commission as it is an annuity. The "E Specials" of the force are today doing what they always did, some of which is necessary, but still without any legal definition, and this is four years later. The latest snag in its procedures I think will find a further interesting revelation. By its decision on January 27 last, the Supreme Court of Canada, in the case of *Franz Colet* v. *Her Majesty the Queen,* officially put to rest the ludicrous proposition advanced by Commissioner Simmonds that as long as their intentions were good the RCMP could break and enter with impunity. The learned judge in that case, Mr. Justice Ritchie, said very clearly that where police officers were acting without authority they were trespassers, and he thus reaffirmed the common law rights of ownership. But this government will not include the common law rights of ownership in the Constitution, which is a very, very serious omission indeed. I hope this House will see fit to rectify that omission, as I mentioned before.

● (1600)

There is another irony. While our national police force is subjected to a four-year inquisition, has anything been done about organized crime in this country except from the point of view of a few CBC programs and a couple of commissions, the Cliche commission and the Laycraft commission in Alberta, which touched on some of these matters? Not on your life. We politicians are investigating our police force and not doing a thing about organized crime.

In my judgment, constitutional reform is not necessarily any guarantee of sovereignty. True sovereignty means more than bringing home a statute, with or without changes. It means being able to exercise control over our country and defend our territory. Are we really able, without the help of our neighbour to the south, to protect ourselves even from hostile reconnaissance by long-range aircraft of the U.S.S.R.? Can we alone effectively patrol and exercise surveillance over one of the

greatest treasures any nation has ever known, our north? Obviously we cannot. Who was responsible, as one of his first acts in becoming Prime Minister, for cutting our NATO commitment in half, and who is responsible for and has presided over years and years of allowing our military capability to diminish? Certainly it is not our party or our leader. In fact, that has been the story of our country. If we do not pay attention to some of the things which involve meaningful sovereignty, we may get our Constitution home all right, but some day we may lose our independence. It is not that simple to bring home a statute without tending to the very fibre and the very basis of what a country should be.

Now the Constitution is being touted as a cure-all. In the midst of our current economic and regional struggles, which are more acute now than when the Prime Minister was first, or even more recently, elected, many people are understandably cynical about taking all this time at this point in our history to discuss and consider a Constitution which, in the opinions of many, has never been that much of a problem.

Some measure of past consistency of purpose and solid achievement in governing would have assisted the Prime Minister to lead and to achieve the trust that is necessary to do something as fundamental as changing a country's Constitution. I suppose what I am really saying is that people like to assess the track record before they place their bets. This government and this Prime Minister have not had much of a track record.

Even the Prime Minister's writings before he came into public life are suspect. Few people to my knowledge have said or written more derogatory things about the people in public life in his native province than has our Prime Minister in his salad days. In an essay, "Some obstacles to democracy in Quebec," published in the *Canadian Journal of Economics and Political Science* and referred to in the book "Federalism and the French Canadians", the Prime Minister referred to the shameful incompetence of the average Liberal Member of Parliament from Quebec and said:

> The party strategists had but to find an acceptable stable master—Laurier, Lapointe, St. Laurent—and the trained donkeys sitting in the back benches could be trusted to behave. Even the choice of front benchers very often smacked of shysterism.

That is despicable. I do not think anyone in this House believes that, but I wonder if the Prime Minister still holds those views. I hope not, but let me bring to the attention of my colleagues in the House a very interesting speech the Prime Minister gave on May 19, 1967 when he was parliamentary secretary to the then prime minister. He told a service club in the federal riding of Mount Royal:

> Politicians who spend their time and energy complaining about the Constitution are simply trying to find excuses for not doing as good a job as they should. Canada's real problems are not constitutional ones but concern housing shortages, the cost of living and other serious problems.

Mr. Epp: Who said that?

Mr. MacKay: The Prime Minister. We know that in the meantime the problems about which the Prime Minister spoke in 1967 have not been solved but have become worse under the pernicious inertia he has generated in this country. The Prime Minister went on to say on that same occasion in his riding:

> Those who blame the Constitution for their troubles are deluding themselves in thinking that constitutional changes alone will work some kind of miracle on this continent.

Perhaps even then he was speaking with a "hell of a tongue in cheek", to quote him again more recently.

Don McGillivray, a very respected columnist, in the January 15 edition of the Montreal *Gazette,* again referred to the Prime Minister's more recent performance in a column entitled "Pierre is 0 for 5 on Promises". He wrote:

> Trudeau said he would head a national government that uses its strength to realize the aspirations and economic potential of each of our provinces, it would be a national government that builds up rather than tears down, that would make the 1980s a decade of opportunity rather than a decade of doubt.

A year later, as Mr. McGillivray points out, the Trudeau government is almost at war with the provinces. I am not going to list the other failures Mr. McGillivray listed; they are there for all to read. But I do want to give the right hon. gentleman credit—and I mean this sincerely—for finally recognizing that our Supreme Court should have the opportunity to assess and to rule on our Constitution. To do otherwise would have been to deny not only fundamental justice but also to undo in a real way the historic work done in making our Supreme Court supreme in law in this country, taking away the umbilical cord which connected our legal system to the Judicial Committee of the Privy Council. That was a consistent and good thing to do, and I respect the Prime Minister for finally recognizing that fact.

The recognition of the rule of law rather than the experience and expedience of politics has changed, in my view, a great deal of the atmosphere in the House and the country. That is one improvement or concession which I think one should not be afraid to concede. It is something which transcends narrow, legal interpretation of any Constitution and goes to the soul of our nation.

However, there is another matter which I think is very, very important, and that is that it will be difficult for Canada to be a unified and developing nation when it is formally divided by our Constitution into different classes of provinces. Our neighbours to the south once had a great president, Abraham Lincoln, who at the time he was debating the issue of slavery said that, while he did not expect a nation divided would stand, he did not expect the union to fall either. He thought it would be one thing or the other, all slave or all free.

How can eight provinces in Canada feel that they have the dignity and status of full participation in a Canadian federation when they are formally subordinate to the Quebec-Ontario axis? I think hon. members will agree that it will be rather difficult and demeaning. Certainly it is not necessary. It is the perpetuation of existing bureaucratic and Liberal government thinking which pays lip service to federalism, as I said before, but really practises centralism. A good rallying cry for Canadians who are fed up, particularly those in the regions of the east and west, would be "federalism, yes; centralism, never".

If we are to have any hope of changing our inequitable and flawed approach to true regional equality, Members of Parliament from Ontario and Quebec must be willing to abandon party lines and vote according to their consciences with a generosity of outlook which will accept the concept of each Canadian province as an equal in terms of status when it comes to voting on those issues affecting our nation's destiny in amending our Constitution. To give any province a veto will never work. Even in the United Nations there are not two classes of member states when it comes to voting in the General Assembly. And surely in Canada we do not want to create the equivalent of a Security Council to which only two provinces can belong.

Speaking about regional interests, I have been very disappointed in the behaviour of members of the Senate so far, with a few notable exceptions, some of whom have transcended party doctrines. Most hon. senators have done very little to stand up for our regions. This body was designed to protect the provinces and to be the institution of sober second thought, but so far, because of a discipline imposed by the government, the Senate is proceeding in lock-step with the House of Commons, not even waiting until matters are concluded by elected members.

Some senators from other parts of the country, but particularly, from my point of view, from the Atlantic region, have spoken out; and I want to emphasize again how it was that our former advantageous trading position and independence of spirit was the first casualty of confederation. Our offshore resources are a recent casualty of so-called renewed federalism. Even the transportation imperatives which were once a part of the British North America Act have been allowed to fade away.

Let me speak specifically about the former Section 145 of the British North America Act dealing with the inter-colonial railway, which was a very vital ingredient of confederation. That section, which provided an obligation to maintain a satisfactory railway system in the eastern part of our country, has now been deleted. I would like to put this section on the record but time does not permit. The present policy of the Minister of Transport (Mr. Pepin) is to downgrade, close and bypass the rail system in eastern Canada and to ship vast amounts of goods and services directly by water from Quebec to Newfoundland.

● (1610)

Would Nova Scotia or Newfoundland join confederation today? The answer is not all that clear; but changing the rules in the middle of the game is not an honourable thing to do, unless one has at least the consent of the majority of the players. This is what the federal government is doing.

I suppose it is fair to say that where one stands on an issue depends upon where one sits. I stand for fair treatment for my region. In so doing, I know it means fair treatment for the west and that ultimately it will be for the good of the country. If the diverse parts of the country which have the drive and the resources are not kept subservient by the votes and the money in the centre of the country, ultimately we will all be better off.

When John Diefenbaker talked about one Canada, he did not mean one Canada with an Orwellian creed—that all provinces are equal but some provinces are more equal than others. All of us in the chamber at various times have talked with great pride about our country: its magnificence, its size, its diversity, the warmth and variety of its societies, and the talents of the people enclosed within its borders. Often we speak about its wonderful potential. Often we use the rhetoric of a great Liberal prime minister who made the celebrated prediction that the twentieth century belongs to Canada. But potential can be lost. Athletes, poets and even countries have had their potentials set back if they lack proper training, proper opportunities and, in the case of a country, proper leadership. Some countries have had their futures affected by war and depression, some by egocentric or careless leaders.

I think of Argentina which in the early part of this century had the same potential as Canada. Indeed today it is making progress because of the competitive excellence of its people in many fields of endeavour. I mention Argentina as an example because it is a large, beautiful country; a confederation with 22 provinces and a federal district. It is a country much like ours, with about the same population and many other traits in common, including the production of vast amounts of wheat and the raising of cattle. They have their pampas; we have our prairies. We claim interest in the Arctic; they claim interest in the Antarctic. Generally they are of European stock. They are still having a great deal of trouble with inflation, but I have been told by prominent Argentinians that one of the main reasons for their setback was that their politicians let them down. I hate to see our country fractured and failing to realize its potential because our politicians let down Canada. I do not want to have to say in the future or to hear anyone else say, for example: "What Juan Peron did to Argentina, Pierre Trudeau did to Canada".

My main concern is that we not subordinate parts of our country, not destroy the feeling of equality between the partners of confederation. If in its so-called wisdom the federal government wants to codify more rights, or wants to bring in other changes to see how they operate, then with some difficulty in the future, if these measures are not satisfactory, they can be changed. But if we give the centre of our country a different and superior status to the rest, how will we ever change it. It will be very difficult and may destroy us one way or another, because although we are proud Canadians, we have a strong attachment and loyalty to our provinces.

Surely Ontario and Quebec are confident enough and secure enough, in the leading role they play by virtue of their present size, economic strength and geographic location, that they would not want to set their status in stone, to formalize by statute this condition in such a way that other provinces will always be subject to their veto. There will be, to use again United Nations phraseology, a sort of security council built into our country.

However, I want to emphasize it is not fair to lay all the blame for our constitutional impasse on the federal government. As partners in the existing arrangements, the provinces have not been able to formulate or agree upon a plan which has consistency of purpose and generosity of approach.

Our most populous province, Ontario, seems willing to support the federal position for reasons related in part to language, while Quebec, our largest province, is opposed to the position of the federal government for the same reason. If I am right, it is a very shabby approach for both to take, based on political and cynical, short-term self-interest to win elections rather than stemming from any patriotic or idealistic motives. Premier Davis, in return for a less zealous approach by the federal government toward bilingualism, although perhaps he has other reasons as well, supports the Prime Minister. I suspect Premier Lévesque is opposed because he does not want any constitutional initiatives to interfere with his own language policy in Quebec. As well, it suits his nationalistic purposes to point to the constitutional issue, if it in not resolved, as a symbol of colonial status.

In the meantime, 800,000 francophones in Ontario see that their access to French language facilities is a privilege and not a right. Twice that many people, at least 1,800,000 non-French-speaking citizens in the province of Quebec, are similarly partly denied access to their language because of Premier Lévesque's deliberate actions in this respect. I must say that non-English speaking Quebecers may have more rights than Franco-Ontarians. As we all know, this is a very, very bad situation.

What this really means is that probably as many as 2.5 million people in Ontario and Quebec are placed in a very aggravating position. This is happening because their rights are being sacrificed on the altar of short-term political expediency. This is not very heady stuff from which to build a constitution, and it is a poor reflection of any definition of the just society about which we used to hear so much.

I see Mr. Speaker is signalling that my time is just about up, but may I say in conclusion that the provinces have been less than generous in matters of language in the past. They have become increasingly protective and chauvinistic about other matters as well. A good example is the restricting of employment or of mobility rights, which is spreading like a disease across the country.

I do not understand why we have to involve the United Kingdom, to the extent we are, in our constitutional problems. I do not understand why we have dissipated so much of our badly needed energy focusing on a difficult and complex package when we could have merely brought the Constitution home and dealt with it in a mature manner in our own country. It is obvious to the world that we Canadians lack something when we are not mature enough to fight our own battles and make constitutional amendments in our own country.

The Premier of our smallest province, where our nation-building first began, Angus MacLean, summed up the matter very well when he appeared before the Special Joint Committee on the Constitution on November 27, 1980. At that time he said:

> We are incapable of understanding, Mr. Chairman, the logic of an argument that purports to remove the last vestiges of 55 years of colonialism by returning us to a status we have not known for 113 years.
>
> We are not impressed by the logic of a federal government that purports to be terribly embarrassed about going to London for constitutional amendments, and yet deliberately seeks from London the most fundamental changes ever to be made to our Constitution—

I have not seen any analysis better than that.

Mr. Ron Irwin (Parliamentary Secretary to Minister of Justice and Minister of State for Social Development): Mr. Speaker, it is indeed a privilege to enter into the constitutional debate at this time. The hon. member for Central Nova (Mr. MacKay) referred to former Prime Minister John Diefenbaker. It is at the point where he ended that I would like to begin.

As one follows John Diefenbaker's quest for a bill of rights, it is surprising how often he spoke about the need for a bill of rights before it was actually implemented. On May 16, 1947, he said in the House:

> —it would assert the right of a minority to be protected, in the exercise of its rights, against the majority.

On March 24, 1952 he spoke about the protection Canadians needed because of race, religion and colour discrimination. On May 2, 1946 he moved an amendment to the Canadian Citizenship Act to have a bill of rights included in its provisions. He wanted freedom of religion and speech, peaceful assembly and habeas corpus. On April 12, 1948, he spoke again. On June 10, 1948, two months later, he spoke once more at Winnipeg. He pleaded for protection against discrimination because of colour or race. On October 29, 1949, he placed a private member's resolution on the order paper which asked for a declaration of human rights with fundamental freedoms of religion, of speech and of the press. Every year in opposition he put a private member's resolution on the order paper calling for a Canadian bill of rights.

● (1620)

When the Bill of Rights was finally passed, he was quite proud, as he had every right to be. But with it came major disappointments. He knew that it did not bind the provinces; he soon found out that it hardly bound the federal government. He suffered through years of judicial interpretations while his bill was held to be not relevant by the courts, with rare exceptions, such as the Drybones case. He said:

> The courts, while never denying the constitutional significance of the Bill of Rights, had shied away from it in their judgments, sometimes indulging in juridical acrobatics to avoid having to deal with it.

He knew that to give a bill of rights full force and effect would mean a constitutional amendment. The opposition say we should go back to the provinces. What did Prime Minister Diefenbaker say? He said:

> My experience with the provincial governments indicated that they were too jealous of their jurisdiction over property and civil rights to support any amendment applicable to themselves. I have little hope that their attitude will be altered in years ahead.

Having witnessed last week's events, what Prime Minister Diefenbaker said was a prophecy of what was to come. He was right.

Some members of the opposition say there is no need for a charter of rights, that we are protected by the common law. This is what Prime Minister Diefenbaker said in this regard:

> Some say that it is unnecessary and our unwritten constitutional rights protect us. They have not in the past. They cannot unless you and I have a right to the protection of law in the courts of the land.

In this debate the hon. member for Edmonton West (Mr. Lambert) said that Parliament is a trustee of the provinces' rights. He is probably right, but I find it ironical that he would use the word "trustee" in that way. Prime Minister Diefenbaker used it in a different way. He said:

> Without a bill of rights, having regard to the experience of recent history, that heritage of which we are trustees will not be passed along to those who come after us.

In the final analysis, his Bill of Rights did not stand up as he would have wanted it to. Only on rare occasions did it bind any government. But in his quest to protect the rights of individuals Prime Minister Diefenbaker was right. We, as parliamentarians, must protect the citizenry from discrimination. There must be certain freedoms that are common to all Canadians. As Prime Minister Diefenbaker said in 1948, there cannot be nine kinds of citizenship in this country. He said that the introduction of a Canadian bill of rights was just one step in a long journey, but that it was a major step forward. I say to this House, let us continue that journey. Let us freely admit that without men like Prime Minister Diefenbaker, and without the men who came before him—the idea did not originate with that prime minister—we would not be taking this step today.

I do not think we should tarry any longer. It has taken us seven months to get this far. Let us enshrine in the Constitution those rights, those ideas, those common decencies which Prime Minister Mackenzie King once said "free men have cherished." Let us say no more that there is a provincial freedom of speech and a federal freedom of speech. There is only one freedom of speech—a Canadian freedom of speech. Let us say no more that there is a provincial mobility right or a federal one; let us say only that there is a Canadian mobility right. Let us take all the rights contained in the Constitution and not separate them by provincial boundaries. Then and only then can we say that we acted in the interests of Canada and of Canadians as a whole.

The official opposition, and now the Premiers, studiously stay away from the charter of rights. Spokesman after spokesman from the Conservative Party has talked about process—substance is avoided. The Right Hon. Leader of the Opposition (Mr. Clark) said:

> The aftermath of the adoption of this resolution will have us looking around at the breaking of our federation and, perhaps, at the breaking of our nation itself.

He went on to say:

> Our Constitution has been made a source of Canadian shame and division.

Finally, he said:

> If public opinion wanted a charter of rights as strongly as this government says it does, then public opinion would made itself felt.

As a member of the joint committee I listened to public opinion for almost three months as witness after witness came before it. I would like to quote a few of those witnesses. Mr. Gordon Fairweather, the chief commissioner of the Canadian Human Rights Commission, said this:

> Our thesis is that the charter of rights and freedoms are there to protect the weak against the strong, to protect those who have no power from those who have . . .

Will protecting the weak from the strong be a source of Canadian shame? I say, "Hardly!" Doctor Carole Christinson of the Afro-Asian Foundation of Canada asked that a charter of human rights be entrenched in a patriated Constitution. The Canadian Bar Association presented a brief stating that they wanted an enshrined charter of rights and that they had been asking for it for many years. We have listened to the public and we intend to entrench a charter of rights. I suggest that this charter of rights will not be a source of Canadian shame but rather a shield to protect the ordinary man on the street from legislative oppression and discrimination. It will not be a source of shame, it will be a source of Canadian pride.

I would like to talk about specific rights. Firstly, equalization, which is the concept of sharing between provinces. Mr. Graeme Haig of the Canadian Chamber of Commerce came before the committee. This is what he said about equalization:

> The chamber's view is that the system of transfer payments must be maintained . . .

This is what Mr. Haig said about mobility on behalf of the Canadian Chamber of Commerce:

> The business of hiring preference from one province within a province to the exclusion of residents of other provinces is to us abhorrent.

This government agrees with Mr. Haig's statement. The support of the Chamber of Commerce on these two items conforms to our concept of Canada. It affirms that one cannot be a Canadian without sharing. It confirms that the individuals under a constitution should be able to work anywhere in Canada notwithstanding residence. This government intends to vote for these rights in this charter. If there is shame, I say shame on the opposition for not voting with us.

Then there was the matter of non-discrimination because of race. Mr. Art Shimizu of the National Association of Japanese Canadians came before the committee. Some members of the committee tried to show that even though there was a bill of rights in the United States it did not help the Japanese Americans during and after the war. Mr. Shimizu said that because of an enshrined bill of rights—

> —the Japanese Americans were able to return to their homes a full nine months prior to the termination of the Pacific war, while the Canadian Japanese languished in the internment camps and were being deported, sent back to Japan most likely and dispersed, for almost four full years after the unconditional surrender of Japan when the presumed reasons for their confinement had vanished.

We have included that protection in Section 15 and we intend to vote for it. We have included many basic rights in

this Constitution which we intend to vote for. The official opposition can beat their chests and talk about process, insult this party and the leader of it, but in the final analysis what they will be voting for is against the enshrined rights of the average Canadian.

I would now like to deal with the pleas which were made on behalf of the handicapped. In our original draft of the resolution rights of the handicapped were not included. Mr. Gordon Fairweather of the Canadian Human Rights Commission, who came before the joint committe, said this:

> The list of grounds presented in that section is incomplete. In particular, no promise of equality under the law is made to the disabled.

Mr. Clarke Macdonald of the United Church of Canada said that the rights of the physically and mentally disabled should also be stated. Mr. David Vickers of the Canadian Association for the Mentally Retarded said:

> Our plea to you is not a plea for special rights. Our plea as advocates of people with a handicap is that they too will be afforded the full opportunity that attaches to their Canadian citizenship; in short, a plea that they will not be forgotten in the new bill of rights so that they may become Canadians first and handicapped second.

There was one young man who had a very profound effect on myself. That man was Ron Kanary of the Coalition of Provincial Organizations for the Handicapped. He came in a wheelchair to my office. He spoke quietly. He had appeared before the special parliamentary committee on the disabled and the handicapped and he also appeared before the joint committee.

● (1630)

He said:

> We are looking for the Constitution to set a tone so that changes may come about, not overnight but over a period of years, that we can become fully integrated and active and contributing as a force of people in society.

He asked no special favours and we gave him none. All we put into the Constitution is the right that the handicapped will not be discriminated against by legislation. When the official opposition votes against this charter of rights, let them make no bones about it; they will be voting against the hard fought rights of the disabled, like Ron Kanary, and his organization. I say to the opposition, the only source of shame among all of us is that we did not do this years ago.

Some hon. Members: Hear, hear!

Mr. Irwin: There has been a grest deal of debate about referendum. There has been much shaking and quaking by members of the opposition. They fear the use of the referendum.

[*Translation*]

They look on the referendum process as a deterioration of democracy. Yet, they fail to say what may be done in a democratic society to break a deadlock. Their solution to a deadlock is another deadlock. If the provinces and the federal government cannot agree among themselves on a solution to a problem, it seems to me it would be better to ask the Canadians instead of Westminster to settle the matter. What has the opposition so much to fear from the people? To my mind, no process can be more democratic than consulting the people.

[*English*]

As Prime Minister Louis St. Laurent once said:

> As a Liberal, I have always believed in the capacity and judgment of the ordinary people. And I carry that belief to the point of believing that when we do not carry the judgment of the people, the fault is in ourselves and not in the people.

What is remarkable about that statement is that it was his last speech as leader of our party. He had just been turfed out of office by the people of this country and he did not blame them. If there is a difference between Liberals and Progressive Conservatives, I say that in defeat we do not blame the people. A referendum should not have to be used.

The mechanism in the Victoria formula is there for the provinces and the government to utilize. However, if it has to be used, then this government is prepared to fully trust the people of this country. It is not our Constitution, it is not the Premiers' Constitution; it will be the Constitution of the very people who the official opposition refused to trust in a referendum.

On language, it seems that in this House history keeps repeating itself. Many of the problems which plague us today are those which have plagued us for the last half century. I say it is about time that we solved some of these problems. The first one which we should solve is minority language education.

In 1916, the appellate court of Ontario upheld regulation 17 which seriously curtailed the rights of Franco-Ontario children to have schooling in the province in their own language. Prime Minister Sir Wilfrid Laurier wrote to the *Globe:* "We French Liberals of Quebec are fighting Bourassa and Lavergne. Will the English Liberals in Ontario fight Howard Ferguson and the extreme Orange element?" John Dafoe replied: "Let our Quebec friends thoroughly understand the situation. We shall not allow them to impose their will on the rest of Canada."

Prime Minister Laurier went to the House of Commons in an effort to convince Ontario to change that regulation. He had a resolution put before the House imploring the Ontario legislature of "the wisdom of making it clear that the privilege of the children of French parentage to be taught in their mother tongue be not interfered with". That was on May 9, 1916. Sixty-five years have passed and the problem is still with us.

[*Translation*]

The problem of minority linguistic rights still prevails in Ontario. Had it not been for the intervention of the Ontario government, the Penetanguishene school board would have prevented French-speaking children from being taught in the minority language.

[*English*]

There were times in the last month when I thought we had really matured as a nation. I listened to the members of the joint committee and I thought: "That's my type of Canada". So many prominent witnesses came before that committee, a cross-section of this country, and their concept of Canada was

the same as mine. The unique experience was that most of them did not have a special interest in minority language education or the official languages. For instance, Professor Irwin Cotter of the Canadian Jewish Congress pleaded eloquently for the linguistic rights of francophones and anglophones. J. P. Nelligan of the Canadian Bar Association came before the committee and said:

> The Constitution should guarantee the right of a parent to have English or French as the language of instruction of his children in publicly supported schools in areas where the number of people speaking that language warrants this course.

The National Congress of Italians came before the committee and their spokesman, Antonio Sciascia, said:

> Well, if we want to put into effect what we preach, which is bilingualism, then we have to start implementing that policy somewhere, and I think that if we treat the francophones in Ontario the same way that the anglophones are treated in Quebec, then I think that would be a good start.

His Worship Mayor Dennis Flynn of Etobicoke, on behalf of the national executive of the Federation of Canadian Municipalities went much further than anything in this resolution on the question of minority language rights.

I am not quoting l'Association Canadienne-Française de l'Ontario, and I am not talking about what the Council of Quebec Minorities said. I am telling the House what an Italian organization, a Jewish organization, an august board of lawyers and an Ontario mayor with an Irish-sounding name said. We are all Canadians and we share a common understanding of Canada. I left that committee with a good feeling. I thought we all agreed on the merit of two official languages. I thought we all agreed on the merit of minority education.

Then I came back to the House, and on March 3, 1981, I heard the Progressive Conservative member for Simcoe South (Mr. Stewart) say:

> Unfortunately, no one pointed out that the Durham report recommended the union of Upper and Lower Canada and the use of one federal language, English. Had this been adhered to, we would not be having this acrimonious debate in the House today.

I could not believe my ears. At first I thought that what the hon. member meant was that in 1867, if the Fathers of Confederation had applied a broader brush, we would not be having a language problem today. But that is not what he meant, and it took me a few minutes to realize it. Many hon. members were in the House that day. What he meant was that in 1867 they made a mistake in making French an official language along with English in certain provinces, and giving certain French-speaking Canadiaans some official status in this country.

Well, he is one Member of Parliament from Ontario and I am another Member of Parliament from Ontario, and I say to him through you, Mr. Speaker, that he is wrong. I say, that the mistake of 1867 will be rectified. I say to the hon. member that the pleas of Sir Wilfrid Laurier will be heard in 1981. I say, that this time, through Sections 16 to 23, we will enshrine in the Constitution, once and for all, the official language of this nation and the minority language rights of its citizens.

Some hon. Members: Hear, hear!

Mr. Irwin: It is unfortunate that, with the fall of the previous government, the energy negotiations and the constitutional debate overlap each other. I find it hard to believe, especially having sat on the joint committee with colleagues such as the hon. member for Provencher (Mr. Epp), various members from Ontario, the west, the maritimes and New Brunswick, that we could be so pedantic and use phrases which will leave scars in this House for years to come. I keep reminding myself that if the Constitution stood by itself, or if the Charter of Rights stood by itself, this acrimony would not exist and we would agree on such fundamental principles as patriation, an amending formula and a Charter of Rights. I hope that I am right.

Prime Minister Lester Pearson once said: "The fundamental principle of Liberalism, the foundation of its faith, is belief in the dignity and worth of the individual." Notwithstanding our disagreement at this particular time, I think this basic belief is the belief of all hon. members of this House. I say now is the time to entrench that dignity and worth of the individual.

In conclusion, I want to thank each and every member of the joint committee and the support staff who worked for so many months to make this a better document. There is, however, a man I have watched anguish over each and every amendment to this constitution from the day we started to discuss it. Let there be no mistake; if there had not been such a man, there would not be the rights for the aboriginal people that there are in the Constitution now. If there had not been such a man, there would not have been rights for the handicapped. This man's vision of Canada is stamped on each and every amendment to this Constitution. He fought, he spoke, he convinced. Part of him is this charter of rights. That man is the Minister of Justice and Attorney General of Canada (Mr. Chrétien).

● (1640)

Some hon. Members: Hear, hear!

Mr. Irwin: Finally, there is the man I consider to be the soul of this Constitution, one who is seldom thanked. I refer to the man who spent most of his political life working toward this day and this time; the man who, like the Phoenix of old, rose again to lead this party and this government; the man who best exemplifies our party's historical past and philosophical future; the man who has shown us the way along a difficult road. The opposition blame him, but I congratulate him. I refer to the Right Hon. Prime Minister (Mr. Trudeau).

Some hon. Members: Hear, hear!

The Acting Speaker (Mr. Blaker): Order, please. Before I recognize the hon. member for Brant (Mr. Blackburn) and in order to avoid interrupting him while he is speaking, perhaps I could dispose of the proceedings on the adjournment motion for this evening.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Blaker): It is my duty, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Winnipeg-Assiniboine (Mr. McKenzie)—Canadian National Railways—Hall report recommendation; the hon. member for Halifax West (Mr. Crosby)—Canadian Armed Forces—Review of salary and allowances; the hon. member for Hamilton West (Mr. Hudecki)—Health—Adoption of world-wide code governing baby food marketing.

GOVERNMENT ORDERS

[*English*]

THE CONSTITUTION

RESOLUTION RESPECTING CONSTITUTION ACT, 1981

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Roberts, for an Address to Her Majesty the Queen respecting the Constitution of Canada.

And on the amendment of Mr. Epp, seconded by Mr. Baker (Nepean-Carleton)—That the motion be amended in Schedule B of the proposed resolution by deleting Clause 46, and by making all necessary changes to the Schedule consequential thereto.

Mr. Derek Blackburn (Brant): Mr. Speaker, before I begin the substance of my speech this afternoon I, too, would like to extend my deep appreciation and thanks to all members of this House and of the other place who sat on the special joint committee which helped produce the resolution which is before us today. Many long hours of hard work went into those committee sittings.

I often get very angry—usually quietly angry—when I hear some members in this chamber try to argue in a spurious way that this is a document that is being forced upon Canadians by some foreign Parliament at Westminster. We all know that the constitutional resolution of 1981 which will become the new Constitution of Canada was conceived in Canada, was written here and was debated, discussed and argued by members of the Canadian Parliament. It will be passed, before too much longer I hope, in this chamber in Canada. It is not a document of another Parliament—it is Canadian-made for Canadian people.

It is with a sense of both urgency and pride that I enter this debate. We are on the eve of passing into law one of the most important resolutions in our nation's history, a document

which will have impact on the lives, the hopes, the responsibilities of all Canadians. It is a document, in my opinion, that is long overdue.

The British North America Act of 1867 has served us, but the time has come for a new constitution, written by Canadians for Canadians; a document deeply imbued with the great traditions of British justice, of fair play, of flexibility, and of common sense. It is a pragmatic document, not flowery and philosophical and not beyond comprehension of ordinary people and the application of elected representatives.

Too often constitutions are written by elitists, for elitists. The constitutional resolution before us is written for people, for our fellow Canadians. It is written not only for the two founding races but for all citizens of our great country. It is written for our native community, for the millions of Canadians who chose Canada as their homeland. It is written for minority groups. I commend this resolution to the people of my constituency, to the people who first elected me ten years ago to sit in this chamber on their behalf. I will be proud to defend it at any time in my constituency.

There are many reasons for my support for the resolution, but because of time limitation I will confine my remarks to just two or three major aspects.

In the first place, Mr. Speaker, I am unabashedly a strong federalist, although I have always recognized and respected provincial rights and aspirations where those rights and aspirations have not adversely infringed the Canadian national ethos. I suggest to all hon. members that the resolution before us reflects my general, philosophical approach to federalism in our country today. It does not, Mr. Speaker, reflect the arguments of those members who would call for the establishment of a Constitution based on the concept that Canada is a community of communities, or, as one wag has put it, a nation of five hundred shopping plazas!

The only free country in the world of which I am aware in which a confederation, that is, a loosely-knit community of semi-autonomous states, has effectively worked is the Federal Republic of Germany; that is, West Germany. However, unlike Canada, Germany is a very old country, deeply imbued with an all-pervasive sense of what was once called "pan-Germanism", whose origins stem from centuries of gradual development. While German states may have strong individual powers, "Germanism" transcends most, if not all, conflicts of a political, judicial and economic nature.

Canada, on the other hand, is a relatively young country whose fragile culture is still weak, whose national identity has only recently begun to reflect a national presence. I suggest that we cannot afford the luxury of establishing a confederation much as some provinces would dearly like. We cannot afford to chance future national growth by giving in now to narrow, parochial and regional interests which would only serve to weaken and destroy that delicate fabric which is so desperately needed if we are to go forward as one nation, one people.

That is why I am a strong federalist. That is why we need a strong national presence throughout our country. However, a strong national presence does not mean, in my view, a highly centralized, over-bearing bureaucracy with a heavy hand on virtually every provincial activity. Far from it. For our new federation to work, there must be specific provincial jurisdictions, shared powers, and federal paramountcy in key areas of an overriding national purpose. This, to me, is co-operative federalism. And, Mr. Speaker, I suggest that the proposed resolution provides for that kind of co-operative federalism.

Last October, the New Democratic Party caucus was prepared to support in principle the resolution on constitutional change presented by the Government of Canada. We did so because, first, in our judgment, action was needed at this important historical time in our country and, second, because key elements in the proposed resolution were part of established New Democratic Party policy.

We include among these a Bill of Rights, the recognition of the duality of Canada, especially its two principal linguistic groups, and third, entrenchment of the important principle of equalization which is central to a social democratic party. In addition, it provided for, at long last, our own Canadian constitution with a workable amending formula.

Therefore, in supporting this resolution I am supporting my own party's constitutional policy as passed at conventions by the members of my party from all areas of Canada. However, Mr. Speaker, last October we found some glaring weaknesses in the Liberal proposals in the original document. We were not satisfied with many aspects of the charter of rights, equalization, native and women's rights, and the exclusion of rights for the handicapped.

Consequently, my party said that we would support the resolution in principle only if two important conditions were met: that regional and federal balance was restored to the federal system: that is to say, in this particular case that provincial control of non-renewable natural resources be firmly established in the Constitution; and second, that a number of specific improvements were made in the resolution apart from this, particularly in the Charter of Rights. In a letter to the Prime Minister (Mr. Trudeau), my leader singled out as examples of these specific improvements the strengthening of the provision as it affected equality for women, the strengthening of the position of the native peoples of Canada, along with significant changes to the amending formula.

● (1650)

As a result of constructive negotiation with the government, my party was able to achieve three important concessions from the government. First, affirmation of provincial ownership and control of resources. Second, the provinces, for the first time, will have the right to levy indirect taxes on their resources. Third, the provinces will have the constitutional right to participate in interprovincial trade.

Many have condemned those of us who support the Constitution because of the seemingly arbitrary way in which the process has evolved. To some extent, I agree. The government has at times attempted to push and ram its way through. The Prime Minister has a personal timetable to which we objected. We strongly opposed closure at first reading. We demanded the committee proceedings be televised so the people of Canada could be as close as possible to those proceedings and deliberations. And we vigorously fought to extend the committee's hearings so that all groups of citizens who so desired would have the opportunity to present their briefs.

But the process has not been negative and in vain. Quite the opposite is true, Mr. Speaker. With very effective fighting both in public and in private, the NDP has been able to achieve positive changes in the original reduction. Among these I include the entrenchment of treaty and aboriginal rights for our native people; and, second, an important change in the provision respecting women in Canada. We now have provided in the Charter that women will be guaranteed not only equality before the law but under the law. Third, the amending process has been changed to make it clear that a referendum can be used only as a deadlock-breaking mechanism.

In addition, there were a number of other changes that members of my caucus fought vigorously to obtain and were indeed obtained. I include the handicapped people of Canada, the recognition of the multicultural dimension of our society and a general toughening up on the Charter of Rights.

As a result of these changes and improvements in the resolution which are quite substantial, an overwhelming majority of our caucus decided to support the constitutional resolution. However, in saying this I want to stress two important points concerning the future disposition of the resolution. We have argued that nothing objectionable be added to the resolution and that there must be a full and fair debate of the resolution in the House of Commons. These final objections have more or less been achieved.

However, I would like to add at this point that the main reason, in my judgment, that there may not have been full and fair debate is that for approximately six weeks this chamber was hung up on one amendment. That amendment was not a government amendment, it was an amendment put forward by the official opposition, the Conservative party. Consequently, if anybody is to be blamed for denying full and fair debate in this chamber, I accuse my friends to the right and not the government.

There are still some members who would argue that one last attempt be made to gain a consensus of the provincial premiers to give the resolution a broader acceptance. In other words, some land of national consensus. I would not be opposed to this last minute attempt if I were not completely convinced that such an exercise would be futile. Most of our present and former provincial first ministers have exhibited, over many years of negotiations and deliberations, an inordinate capacity for parochial and regional preoccupation. No doubt most of this "me first" approach is due largely to local political myopia. A great deal of it also emanates from widespread distrust of the Prime Minister. But I do not know why those premiers should allow their personal distrust of the Prime

Minister to stand in the way of bringing forward this constitutional resolution which will give Canada its first, updated and modern constitution. I think it is nothing but another example of this political myopia to which I alluded a few minutes ago that our premiers want to think only of their provinces and regions instead of putting the interests of the nation as a whole first and foremost.

What advantage could be gained from yet another constitutional first ministers' conference before the resolution goes before the Supreme Court of Canada, if most of those ministers cannot agree among themselves as to what a new constitution should be all about? At their second last ad hoc meeting in Montreal they could not issue a press release because they could not even agree on an agenda. After a half century of fruitless bargaining with the provincial premiers, I say it is fair and reasonable for us at the federal level to proceed. I am afraid that another first ministers' conference would lead only to another first ministers' confrontation, in spite of the so-called compromise consensus announced last week by eight of the premiers. What is to be gained from an amending formula, the very basis of which is the right to opt out? When human rights are enshrined in a charter, those rights must be inviolate. All Canadians must be protected, not just some.

I would like to draw special attention to the work of two members of my caucus in their successful efforts to give our native and aboriginal peoples a fair deal. If it had not been for my leader and the hon. member for Nunatsiaq (Mr. Ittinuar), these peoples would have been no further ahead in their struggle for rights and freedoms than they were before the resolution was drafted. In the original draft, only those native and aboriginal rights already recognized by the federal and provincial governments would have been included in the document. Thanks to the hard bargaining of my leader and the hon. member for Nunatsiaq, all aboriginal and treaty rights are guaranteed and enshrined in the constitutional resolution, much to the chagrin and extreme displeasure of most of the provinces.

Further, there has been much discussion and debate as to the position of our Commonwealth colleagues at Westminster. Many Tories and other opponents of the constitutional resolution have argued that we are forcing Westminster to do our dirty work for us; that we are forcing them to pass a charter of rights and an amending formula that we could not have passed here in Canada. I find this argument not only spurious but deliberately provocative and contrived. If the argument had any validity at all, I would ask the question; Just what have Canadian parliamentarians in this House of Commons and in the constitution committee room been doing for the last five or six months? Surely the opponents of the Constitution do not think that they can seriously expect the people of Canada to accept their argument?

The constitutional resolution is a Canadian document. It was written by Canadians, here in Canada, for Canadians. All we are doing in sending the document to Westminster is using, because of legal necessity, a traditional and historic technicality, I hope for the last time. It forces the British parliament to pass the constitutional resolution, because in so doing the British parliament is patriating the British North America Act of 1867 which we all know is an act of the British parliament.

As far as the resolution's fate at Westminster is concerned, I am strongly optimistic that our Commonwealth colleagues in London will appreciate the wisdom of passing it with little or no debate. In my judgment, they have no alternative.

In conclusion, Mr. Speaker, I should set the record straight on one point. The constitutional resolution is not the Prime Minister's Constitution. Because of the hard work done in committee, the original draft has now become a dynamic, compassionate, effective and reasonable document. The constitutional resolution is the product of many parliamentarians. I have no illusions about its application. As in all other federal jurisdictions in the free world, there will continue to be jurisdictional disputes, there will continue to be differences of opinion, there will be continued differences in adjudication. But I feel that we have a document that is both relevant and workable and that future parliamentarians, prime ministers, provincial premiers and jurists alike will, over time, continue to mould an even better constitutional framework for future generations. For the present, I am satisfied that we have done a good job.

• (1700)

There are two aspects to this debate that I find somewhat difficult to comprehend. One is the argument raised mainly by the Conservatives about the exclusion of property rights in this resolution. It is my understanding, based on the British North America Act, that both property and civil rights are under provincial jurisdiction. When we wrote the charter of rights, we were in effect taking away a very large area of jurisdiction from the provinces and putting it under federal control. I find it incomprehensible that we would also try to take away the other major area of jurisdiction from the provinces, namely property rights, if we were at all serious in the first place about getting provincial consensus and support for the Constitution.

I would like to state very clearly that in supporting this resolution I am in no way voting against the right to own private property. I simply say that property rights and property ownership rightfully come under provincial jurisdiction for a variety of reasons. It is much easier and legally feasible if, for example, arguments concerning rights of way, easements and expropriation of private property are adjudicated, along with the legal struggle or battle, among the municipalities and owners of private property under the auspices of provincial governments, rather than taking the legal battle to the Federal Court in Ottawa.

That is one reason why I support this Constitution as far as property rights are concerned. Property rights and ownership of private property belong with the provinces. Let them pass laws dealing with whether governments at all levels can expropriate; and, if the expropriation goes through, there should be fair compensation.

The other point I cannot understand is why the Leader of the Opposition (Mr. Clark) would for so long support five, six

or seven provinces acting against what I consider to be the national interest. Although I do not want to put words or thoughts into his mind, I am quite sure he has lost that fight, through no one's fault but his own. It is my belief that the leaders of all parties in this chamber come here, perhaps first and foremost to lead a national party, but through that national party to try at least to represent the entire nation. They do not come here as a mouthpiece for, or the puppet of, two, three or four provincial premiers.

I am happy to have this opportunity to tell the House and my constituents that my party leader, the hon. member for Oshawa (Mr. Broadbent), under great duress and pressure from certain segments of our party in the west, stood up for national rights, the rights and best interests of Canadians, not simply the best interests of our party in one province.

In closing, I would just like to say this. If I have one disappointment with the resolution, it is that in the preamble we did not guarantee to all Canadians the right to live and work in a safe and healthy environment. This challenge still lies ahead. Those of us in this chamber who have worked hard to fight against pollution and polluters, to make our lakes and rivers clean and productive, to make the air we breathe clean and pure, the workplace safe and healthy, will continue our struggle until we win. And win we will.

As I wrote in my last message to my constituents:

> Long after the political pundits and commentators have criticized and condemned the process, historians, political scientists and constitutional experts, while not agreeing on all aspects of this resolution, will at least, I feel confident say we did our best to give our fellow Canadians as a reasonable and workable Constitution under very trying and divisive circumstances.

The constitutional resolution is not a perfect document. But then, none of us in this chamber is perfect either. We have just tried to do our best. And I suggest that is all our constituents expect, no more and certainly no less.

Mr. Norman Kelly (Parliamentary Secretary to Minister of Supply and Services): Mr. Speaker, like everyone else who has risen before me, I am acutely aware of the significance of these deliberations. The opportunity is rarely given to Canadian politicians to participate in a constitutional debate so, unlike many members of the official opposition, I have resisted the temptation to disinter old campaign speeches and will attempt no more than to share with my colleagues on both sides a few relevant personal reflections on the resolution before us and on the nation that possesses my loyalty and commands my conviction.

This House is a legislature, but it also possesses a judicial authority which, although rarely employed, is nonetheless real. I point this out because, although I do not want to avail myself of this judicial power, I do want to evoke its spirit. For in this constitutional debate there is an idea on trial. The idea—and now I am quoting from confederation newspapers—is "the new nationality" of "one people—one in laws, one in government, one in interests". In other words, Canada, as it was conceived and given form by our ancestors 114 years ago.

Admittedly the purity of this idea has been compromised as it has passed through the generations. We tolerate a diversity that our founding fathers did not anticipate and probably would have abhorred, but its core, the realization of an underlying, sustaining unity to our existence and its expression in a vigorous national government, has remained substantially intact until quite recently.

Since the early 1970s, however, this core has been bludgeoned to the breaking point by the forces of cultural chauvinism and economic acquisitiveness. The instrument employed by the agents of these two forces, that is, many of the provincial premiers and most of the official opposition in this chamber, in an effort to legitimize their assault, is an alternate, diametrically opposed concept of Canada as a community of communities, a compact, a consensus, a federalist state, a partnership of two equal sovereign jurisdictions, incapable of being operated except in tandem, unable to be changed at this time save through unanimous consent and fated, through historical and geographical imperatives, to follow a decentralized destiny.

Most Canadians continue to give their allegiance to the traditional concept of the state but the vigour, and at times the flair, with which the assault on its legitimacy has been prosecuted, especially over the last few months, has confused many people and subsequently weakened their commitment to the point where the proposed constitutional improvements appear not only odious but illegal.

Well, are the administration's opponents correct? Is their version of Canada the appropriate one and ours, on this side of the House, wrong? Let me examine both ideas.

I want to go on record as saying, simply but emphatically, that the opposition's vision of Canada, this unholy trinity of compact, consensus federalism and community of communities is one of the boldest frauds ever promoted in our political history. It is as intellectually dishonest in its formulation and its propagation as it will be, if victorious, calamitous in its consequences.

These are harsh words, but they reflect my concern with a view that is advanced by its supporters as the original, and therefore the legitimate, concept of Canada. If you read the literature of the confederation period written then, or subsequently by historians, you will find nothing of substance to support their claim. None of our founding fathers believed they had created a community of communities. None of our founding fathers believed that the new state had been conceived through a compact, and none of our founding fathers believed that its future would be sustained or altered according to a consensus procedure, and because they did not believe any of these things, they did not say them.

● (1710)

They did say that the national government undeniably had to be the superior level of government with powers that were independent of and which dwarfed those of the provinces, and they crafted the British North America Act accordingly.

Clearly, Mr. Speaker, the opposition's idea of Canada's constitutional origins is a mythological fabrication. But despite this, despite its less than reputable origins, could this idea still

stand on its own merit as a viable, new, radical interpretation of the Canadian state and the people whose destiny it seeks to guide? After all, its proponents insist that it certainly mirrors today's reality more clearly than does our own.

But what is more illusory and short-lived than today's reality? Constitutions are designed for the centuries. What is there in today's reality that would serve future generations of our new nationality? What kind of country would we have when the national government would be perceived and treated, as it is now by many, as a distant, largely irrelevant imperial power by semi-autonomous provinces, eyeing each other suspiciously, eager to take offence, and anxious to exercise retributive power?

What motivation to greatness would there be in a nationality that believed that less is more, that you can come together by pulling apart, or that the ultimate objective is to think small? How will its people flourish with an economy characterized by fragmented domestic markets, a shrunken industrial base and expensive overheads?

If this vision of Canada were ever to be given constitutional form, I would fear for our posterity. The state would survive but it would ultimately become a body without a soul, alive yet lifeless, a Canadian Commonwealth perpetuated not for its own sake but for the convenience it offers its constituent members. In sum, Mr. Speaker, this idea frightens me. It is contrary to the intentions of our founding fathers and its implementation, I believe, would deny the aspirations of most contemporary Canadians.

What of the ancillary ideas which have accompanied this perception of Canada into the constitutional arena? If I may, I would like to comment briefly on the nature of the response our constitutional proposals have elicited in and outside this House.

I confess that I had expected something more uplifting than I have witnessed. After all, the federal Conservative Party is the possessor of a rich political heritage which I thought would have significantly shaped the style and substance of its members' arguments. But apart from the deliberations of the joint committee and a particularly fine address in this House by the hon. member for Edmonton East (Mr. Yurko), this heritage has been ignored by a strategy that more closely resembles the bitterly contested elections of 1979 and 1980 than it does a productive, reflective debate on the nature and future of the great Canadian experiment.

Admittedly, some Conservatives have advised compromise and conciliation but, at the same time, the party has bent every effort, much of it malicious, to pit west against east and anglophone against francophone, in a futile attempt to force total surrender upon the Prime Minister (Mr. Trudeau). Yes, some Conservatives have supported, in fact have worked to improve, the charter of rights, but the vast bulk of their colleagues have treated the charter with unrestrained contempt.

These are not the only inconsistencies in the official opposition's reactions. Consider these as well. On one day it is the protection of the sacred British principle of the supremacy of Parliament; on another day, indeed sometimes even in the same argument, it is a demand that Parliament abandon the debate so the courts might decide. Or some speakers will passionately demand more powers to the provinces or urge the maintenance of existing powers, while others will just as passionately insist that we transfer property rights from the provinces to the federal government in our new charter and they would all have Canadians believe that the British North America Act, without mention of the Deity or the family, was a superb Constitution, while the Canada Act, because at this time it mentions neither, is a seriously, if not fatally, flawed document.

I could go on, Mr. Speaker, to mention the Vancouver formula, a modified Vancouver formula, a modified Victoria formula, no referendum, or a referendum before the package goes to Britain. Ah, the referendum! It strikes such unqualified terror in the opposition, but I confess I do not understand why. It was very obviously lifted from Australia. Since that country's dedication to democracy and federalism is surely unquestioned by members of all parties in this House, I should have thought that even a cursory examination of the Australian experience would have relieved any initial anxieties of the provincial premiers and their federal allies.

For example, since 1901 approximately 100 proposals have been considered for the purposes of referenda. Only 37 have been submitted to the people; eight passed and 29 were rejected, including every item which would have increased federal power at the expense of the provinces. So much for the tyranny of the majority.

In review, how do we account for the advocacy of a radical interpretation of Canada by the Conservative Party? How do we explain the party's anger and the anomalies of its constantly shifting arguments, including the ones which were made at today's press conference? How do we explain its irrational fears? Do they collectively reflect the opposition's traditional view of the state, the nation and the Constitution? I doubt it. There is little in their performance of D'Arcy McGee, Sir John A. Macdonald, Arthur Meighen or John Diefenbaker.

I suggest by way of explanation that all the evidence reveals a party in such intellectual disarray that no one has either the insight to draw on the magnificent traditions of its past or the courage to tame the passions its members have aroused or the prejudices they have exalted. If nothing else, this debate has vividly illustrated just how far a once proud party has strayed from its historical commitments under a leader preoccupied with mutiny and a field commander who mistakes unctuousness for piety.

On the other hand, this government's concept of Canada flows from the understanding that our founding fathers were creating a state with an identity separate from and superior to the individual colonies whose territories and people it embraced. That is why they proclaimed, proudly and confidently, that they had created a new nationality. That is why they invested the government of this new nationality with powers to control what they very clearly intended to be in a

subordinate legislatures. These men knew that sooner or later, federal state, leaders would arise who would seek their destiny primarily or exclusively within the narrow confines of a province, and they were determined to give the future leaders of this new nationality the tools with which to inhibit or roll back such developments.

Given this background, why do we doubt the legitimacy of the processing of these constitutional proposals? This government—any government in Ottawa—has not only the right but also the duty to protect and promote the nationality in times of great stress with any or all of the tools at its disposal, including unilateral constitutional initiatives. So our idea, I therefore claim, is valid and our process legitimate.

● (1720)

What, then, of the content, specifically the charter? I consider the charter to be the long overdue, logical fulfilment of the promise of confederation. For too long have we tolerated impediments to our right to enjoy the full legal benefits of Canadian citizenship. If our nationality is to be whole, if it is to remain healthy, and if to have a vigorous future as it has had a past, we must transcend the barriers of place, geography and circumstance with this new charter.

If it has a flaw—and it is not without blemish—it may be found in its caution. Simply put, it does not go far enough. I am thinking particularly of its inability to advance more vigorously the interests of a Canadian economic common market. Not only must labour move more freely inside Canada, but so too must capital and goods if we are to maximize our economic potential and create wealth for personal enjoyment and social service.

In addition, sexual discrimination should be totally obliterated. French language rights should be extended further, and a preamble displaying our acknowledgement of the transcendent moral authority of the deity should be reintroduced.

But these concerns can wait. I agree with the Prime Minister (Mr. Trudeau) when he says that more reforms will follow patriation, and I trust that they will enjoy a high priority on his agenda or that of his successors.

To sum up, although I admit to a modest employment of hyperbole in delineating the choices we face as a Parliament and as a nation, I firmly believe that a fundamental decision has to be made by Canadians within the next few months between the reaffirmation of our nationality as it was originally conceived and historically implemented and the revolutionary visions of its opponents. Obviously, I have chosen to remain with the former. It is a concept of Canada which created one of the largest, most powerful states in the world. Why would it not in its enhanced form prove capable of sustaining that position?

There are occasions in the life of a people when they are offered an opportunity of transcending the limitations of the moment and, by doing so, transform themselves. Our founding fathers had the insight to recognize that moment and summoned the courage, without benefit of electoral mandate or public discussion, to act, and we are the beneficiaries.

Such an occasion has presented itself again. Should we rise to that occasion? Of course. Are we lesser people than our forefathers? Can we rise to that occasion? Well, Mr. Speaker, rise we must. And rise we shall.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I want to refer to the preamble of the BNA Act. We have heard speakers this afternoon refer to the Fathers of Confederation and what they intended, and I think we should refresh our minds as to exactly what they wrote into the preamble. I quote:

> Whereas the Provinces of Canada, Nova Scotia and New Brunswick have expressed their desire to be federally united into one dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a Constitution similar in principle to that of the United Kingdom:
>
> And whereas such a union would conduce to the welfare of the provinces and promote the interests of the British Empire:—

I emphasize the second paragraph. The provinces, by deciding to unite, created a federal government. Little did they realize that that federal government would turn into a Frankenstein a few score years down the road, but that is what is happening. It was never intended that Canada would be a unilateral country. The Constitution sets out that the federal government is not supreme, as one of our members so vividly pointed out the other day, and that the provincial governments are not supreme. Each of their powers is according to what is set out in the British North America Act.

The British parliament is supreme. There is no other government there, but in Canada the Canadian government is not supreme. It has only the powers which were given to it by the provinces, and the provinces retained other powers which are set out in the BNA Act.

In 1867 the plan was not to weld the provinces into one country; not at all. Neither was it to subordinate the provincial governments to a central authority. Otherwise, not one of those four provinces would have joined in 1867. The BNA Act established a central government in which the provinces should be represented. The central government was entrusted with exclusive authority only with respect to affairs in which the provinces had a common interest. That was set out in the British North America Act. That is what is causing concern among the provincial governments and the people of Canada to a very large degree today. If we allow this unilateral action by the Canadian government, we will be changing the very nature of this country as we have known it.

Many men and women in this country fought for Canada. Many of their colleagues gave their lives fighting for this country. They did not do that to have the country changed into a unilateral state, which is what we are seeing take place now.

In checking history I could not find one prime minister who would do what the present Prime Minister (Mr. Trudeau) is doing by way of unilateral action. I could go back further, but I will go back only to 1925. In 1925 the minister of justice, the hon. Mr. Lapointe, made a statement on a proposed enactment by the U.K. parliament of a measure vesting the Parliament of

Canada with the power of constitutional amendment. This is what he said:

The British North America Act itself is not only the charter of the Dominion of Canada; it is just as much the charter of the provinces of Canada—

That is what we are forgetting today.

Would it then be fair for us to arrogate to ourselves the right to change the act which is just as much the Constitution of the provinces as it is our own? . . . Within their sphere the provinces enjoy the powers of self-government just as much as the dominion Parliament does, and if so, surely the dominion Parliament cannot take upon itself the right to change a statute which gives to those provinces the powers which they enjoy—

Unilateral action will change this country. In 1925 the prime minister of the government of that day recognized that.

Let us move to 1946, when a great Canadian, the Right Hon. Louis St. Laurent, was minister of justice. He was asked the question whether Section 133 of the British North America Act could be altered without provincial assent. Section 133 is the section which provides French and English language rights in the Parliament of Canada, the Supreme Court and the legislature of Quebec. Mr. St. Laurent was asked if the federal government could force the same thing on every other province. This is what that great man, who has passed on, said:

Legally I say it can. The situation appears to me to be this. There are persons and nations who reach a high estate in the affairs of men, and the high estate they reach imposes upon them high obligations—I feel—and I believe my fellow Canadians of my race and religion can feel—that a better guarantee than anything that might be found in section 133 is to be found in that respect, for those who have been formed under the principles of British freedom and British fair play, to protect what are our essential rights.

It is not the manner of those who have themselves had, and whose ancestors have had, the formation that comes from that long history which has brought us to this point in the civilization of mankind, to do things which the conscience of humanity at large would regard as dishonourable; and the conscience of humanity at large would frown upon as assemblage in this House that attempted to take from me and from those of my race the right to speak the language I learned in my infancy as one of the official languages in which the deliberations of this House may be carried on. So it is of everything else that is not within section 92. If it is fair, if it is just, if it is proper according to the standards of human decency, it will be done; if it is unfair, if it is unjust, if it is improper, all members of this House will say, "It is not our manner to do such things."

● (1730)

The great prime minister would not force himself to do something he considered dishonourable, even though it was legally right in his mind. Also in 1950, the Right Hon. Louis St. Laurent said the following in his opening statement at the constitutional conference of federal and provincial governments:

—it is, and has always been, the view of the present federal government that the exclusive jurisdiction of the provinces which gives a federal character to the Constitution of Canada must be respected.

I should like to repeat again the opinion I have expressed on many occasions that, regardless of the legal position, nothing placed by the Constitution under the jurisdiction of the provincial legislature should be dealt with or altered without provincial participation.

Those were the words of a great prime minister of Canada, albeit he was a member of the Liberal Party.

Then in 1956, in reply to a question by the Right Hon. Mr. Diefenbaker, Prime Minister Pearson said:

My right honourable friend also referred to the fact that we said very little in the Speech from the Throne about constitutional amendment, and that we seemed to have dropped the Fulton-Favreau formula. We have not dropped it, Mr. Speaker. We shall do our best to put it into effect if and when we get the agreement of all the provinces, but without that agreement it cannot be done.

Then there was the fourth principle of the Hon. Guy Favreau in 1965 which indicated:

That the Canadian Parliament will not request an amendment directly affecting federal-provincial relationships without prior consultation and agreement with the provinces.

I come now to 1979 when the Right Hon. Prime Minister (Mr. Trudeau) said the following at the February 6, 1979, meeting of first ministers:

So, will there be unilateral action by the federal government regardless of the result of this conference? Our priority would be to seek agreement and move in areas of federal and provincial concern where we could move together but if we are not successful I repeat we preserve our constitutional right to change our constitution, the federal one, just as the provinces keep their right to change their provincial constitutions and I do not think either the provinces or the federal government would want to give up that right . . . Our priority is to change this constitution collectively, federal and provincial . . . We will adopt a Charter of Human Rights, we will constitutionalize it. We cannot force the provinces to do it. We are trying to convince them to do it . . . I can answer unequivocally that the federal government intends to entrench a charter of basic human rights and of linguistic rights. Now, this will bind the federal government; it won't bind the provinces unless they want to bind themselves but here again we can under our constitution bind ourselves just as the provinces, many of you, have adopted charters of human rights. Well, we have adopted one and we want to constitutionalize it.

Those were the words of the present Prime Minister who has now changed his mind and is imposing items upon the provinces. He has said that conferences fail. I wonder why in 1979 he said that it will not bind the provinces unless they want to bind themselves? In other words, they would have the right to opt in or opt out.

I should like to refer to a book which was written by the Prime Minister entitled: "Federalism and the French-Canadians" which was republished in 1961 in "Social Purposes for Canada". On page 148, the Prime Minister argued against the centralizing policies of socialists. He stated:

And there is surely some good in trying to improve upon, or modernize, the rational but perhaps aging division of powers adopted by the Fathers of Confederation. I am inclined to believe, however, that Canadian socialists have exaggerated the urgency of rewriting or reinterpreting the BNA Act. Most of the reforms that could come about through greater centralization could also follow from patient and painstaking co-operation between federal and provincial governments. And the remaining balance of economic advantage that might arise from forcefully transferring more power to the central government is easily offset by the political disadvantages of living under a paternalistic or bullying government.

He said, "living under a paternalistic or bullying government"; that was back in 1961. How he has changed! He does not mind establishing now a bullying government and ignoring the provinces. He does not mind doing something unilaterally which no other prime minister in the history of Canada would have even thought of doing.

On March 31, 1976, the Prime Minister sent a letter to the premiers in which he wrote:

In practice, of course, the federal government has in the past sought the unanimous consent of the provinces before seeking amendments that have affected the distribution of powers.

Also he wrote:

—our Joint Address and having it included in the British legislation as an enabling provision that would come into effect when and only when it had received the formal approval of the legislatures of all the provinces—

Those were the words of the present Prime Minister. It reminds me of the saying: "Do as I say, not as I do". Then he wonders why the provinces are not happy with the present situation.

The present Prime Minister has not approached this matter in the same manner as former great prime ministers, such as the Right Hon. Louis St. Laurent. He has used trickery and bargaining in regard to the Constitution of the country. I do not see how anyone, even members of his own party, can be proud of that. Part of that trickery was the inclusion of several items, some of which were good and some of which were bad, in one package so that people have to accept the bad with the good. Rather than separating them and voting separately on them, one must accept the whole package.

● (1740)

Today I heard a member of the Liberal Party say that they would give us rights. The Prime Minister of Canada and the Government of Canada cannot give me rights. They might be able to take some of them away, but they cannot give them. I have all the rights they want to include in the charter and some others. One has those rights if one is born a Canadian citizen. I consider that I have those rights from God and not from the Prime Minister of Canada. If the Government of Canada can give me rights, then it can take those rights away. I do not think we would be fooling the people at all by making them think that they are receiving rights that they do not have today, as the hon. member for Sault Ste. Marie (Mr. Irwin) said. They are not receiving any rights they do not have, they are losing some, which is what I want to deal with. This is another subject to think about when one considers the Government of Canada and the Prime Minister taking part in this kind of trickery. I quote from the Kirby paper which says:

There would be a strong strategic advantage in having the joint resolution passed and the U.K. legislation enacted before a Canadian court had occasion to pronounce on the validity of the measure and the procedure employed to achieve it. This would suggest the desirability of swift passage of the resolution and U.K. legislation.

This concept is what some members opposite and some members to my left are supporting. It is trickery being performed on the Canadian people. It is no wonder that the premiers of the provinces are upset.

I would like to give you another example of trickery, Mr. Speaker. In the Constitution there is a section which limits, at least to a degree, the control of the Senate. What happened is that the Prime Minister sold out to twenty Liberal senators. He sold out for votes; it had nothing to do with principle. Where are the principles which were embodied in the administration of the Right Hon. Louis St. Laurent when he spoke about the high principles of people in office and their obligation to apply those principles?

Then there was the bargaining in connection with women. The Prime Minister likes to bargain. When the hon. member for Kingston and the Islands (Miss MacDonald) pleaded for the rights of women a few days ago, the Prime Minister said that he would give her that if she gave him her support. He says that he will give anything if he receives our support. I want to tell the Prime Minister that the rights of Canadian women may certainly be discussed but that their rights are not for sale to the highest bidder. I think the Prime Minister and his party should know this. They should also know that women are not to be traded for political support.

So intent is the Prime Minister on bargaining that he even wants to trade God for lesser things. He has left God out of the Constitution. I heard the Prime Minister speaking on a radio show broadcast from Vancouver a few weeks ago. He said that the premiers were the ones who wanted to leave God out. He said that he wanted the provision but that they would not allow it. He then stopped; he would not go on to say that the preamble which the premiers had rejected included a number of factors. There is not a premier in Canada who would reject having reference to God included in the preamble of our Constitution. But then the Prime Minister goes out and ties this issue to other matters such as language rights, and he says to the people of Canada that the premiers did not want a reference to God included in the Constitution. The Prime Minister is adept at putting items that everyone wants in with items that he wants. To obtain the good, we must accept the whole package. The premiers saw through the Prime Minister's trick and refused the preamble.

The Prime Minister says and I quote, "The premiers are against God." I want to say that bargaining has its place with respect to earthly things. I also want to state emphatically that God is not negotiable and we are not out to bargain. He cannot be traded. He is a supreme being, the creator of the world and all that is good. It is inconceivable that we could have a charter of rights without recognizing the supremacy of God. People tell us not to worry about it, it will be in the charter some time in the future. I ask why not now? It is wanted by all the people of Canada.

Someone said that there are a few atheists in Canada. I do not believe there are any. I have never seen one yet. Those who profess to be atheists call for a priest, a minister or a pastor when they are dying. This is a Christian country and we should not leave the reference to God out of the charter.

The people of Canada came from far away countries. They came to Canada for many reasons, one of which was freedom of religion, so that they could worship God in accordance with their own dictates. In Standard, Dalum and other areas of Alberta some of the Danish women there built a church while their men prepared the land or went out to work. The Ukrainian women in the Vegreville area built their church. We are now saying to these people that we will be taking God out of the charter. They will be thinking that the next thing we will be saying is that we cannot even recite the Lord's Prayer in the House of Commons or in schools. If that is what the NDP want to support, and if that is what the Leader of the NDP bargained with the Prime Minister over, then I am sure the people of Canada will not appreciate it very much.

There is another bit of trickery when you look at Clause 15 in the charter. Before the matter came before the joint committee, the words in Clause 15 were "Everyone is equal". That was quite satisfactory. Then, before the committee, the Ministger of Justice (Mr. Chretien) changed the word "Everyone" to read "Every individual". The pretext was that "Every individual" does not include the unborn child. What will that change do to our country? I know what it might well do. In 1979 there were over 65,000 abortions in Canada. If the amendment including "Every individual" passes, then provincial and local governments will have people on their backs asking for abortion clinics. They will say that they need to have an abortion clinic, otherwise they are being discriminated against. The first thing that will happen is that our local hospitals will be providing abortion facilities. The minister of health will be forced to construct abortion clinics. All of this could be avoided if reference to the unborn child were included in the charter. We go to great lenghts to protect the whales. I hear members opposite cry out in horror when we want to execute a man who murders a little boy or girl. They say that we must not think of murdering them. Now we will be murdering the unborn children, for that is what abortion is, murder. Can any Canadian in this country, or any member of this House, stand up and say that they would support that type of thing?

Section 12 says that everyone has the right not to be subjected to any cruel or unusual treatment or punishment—capital punishment—with a view to the fact that the court would decide that executing a man or woman who deliberately plans and takes the life of another human being would be cruel and unusual punishment. Well, here again, with these kinds of words they are trying to fool those who believe that we need capital punishment in this country and, that it is the basis of all our laws. We punish a child for doing something wrong. Then we punish him more severely for doing something more wrong. Then if he does the ultimate crime, he should have the untimate punishment, death, if he deliberately plans and takes the life of another human being. Many problems will arise in this country through that.

● (1750)

As one man said to me, in Standard, "I wonder how those who are opposing capital punishment would feel if their little girl were tortured, deliberately abused, mutilated and killed following a sex act, a little girl who could not help herself." Do we say that man has a right to live? That man has earned death and he should be executed. But in our charter of rights we are saying, "Oh, no. That would be cruel and unusual."

Then we come again to this matter which I consider trickery, this matter of aboriginal rights. Why does the government not define "aboriginal rights"? For years, the Prime Minister would not accept aboriginal rights. He said, "I don't know what they mean." He said in this House, just weeks before this was put in the charter, "I don't know what aboriginal rights mean. Define them, and then I might put them in the charter." But finally he put it in the charter without defining it. What does it mean to the Indians across Canada, to the status Indians, to the non-status Indians, to the Métis, to the Inuits and to all the other groups? Does it mean anything? I am asking, does it mean anything? If it means something, define it. Be fair to our Indian people.

For years and years we have been unfair to our native people, the Indians and the Métis and Inuits. We have shoved them off in reserves. We have shoved money at them and we expect them to live under conditions of starvation. We will not let them do this and we will not let them do that. We confine them in the Indian Act. We send them gifts of money which they cannot receive properly even then. We send them money for water and sewerage, and we send it to them in December when one cannot even think about digging on the prairies or putting in water and sewers. It is unfair, and here we have the perpetuation of the same thing. Our Indian people and our Métis people and our Inuits have a right to fairness; but they are not getting it if all we do is simply put aboriginal rights in the charter, or if we merely say they will have aboriginal rights. They want more than that.

Then we come to the referendum. Again, there is trickery on the part of the Prime Minister. He blatantly fools the people by saying, "We'll let the people decide," knowing very well that over half the people are in central Canada. I object to being a second-class citizen because I was born in Alberta. I object to the people of P.E.I., Nova Scotia and New Brunswick being second-class citizens, or the people of Newfoundland or Saskatchewan, Manitoba or B.C. being considered that. We are Canadian citizens. We each belong to a province. Each of those provinces should have equal rights. They are provinces. If we want counter balances, let us have the same number of people from each province in the Senate. There should be a Senate reform so that there can be a counter balance. However, let us not make second-class and third-class citizens out of people of Canada. How can the members of the NDP go back to Saskatchewan and British Columbia and tell their people that they are now second-class citizens? And Manitoba—

The Acting Speaker (Mr. Ethier): Order, please. I regret to interrupt the hon. gentleman, but the time allotted to him has expired.

[*Translation*]

Mr. René Cousineau (Gatineau): Mr. Speaker, it is for me a great honour to take part in this historic debate on the future constitution of Canada. In my intervention I will not pretend that I have invented every idea set forth thus far, that I am saying something new or that I am coming up with new arguments; although I do not hold a copyright I did associate myself with these ideas over the years. The fact remains, Mr. Speaker, that repetition is the only way to make sure that the people of Canada have had every opportunity, every chance to make up their mind on the patriation of the constitution.

Nor do I claim to have a monopoly over truth, because for us the absolute very seldom exists. Today I am expressing my opinion honestly, openly, without duress from or obligation

toward anyone, whatever the people across the aisle or the separatists in Quebec may say. I urge the people of Canada to pay very close attention to everything that has been or will be said in this House about the constitution and to everything that has been or will be written on the subject because some day Canadians will have to make a decision either in an election or in a referendum. I said a moment ago that the absolute very seldom exists, but something which is absolute, Mr. Speaker, is my full support, my unconditional devotion for my leader the Prime Minister of Canada (Mr. Trudeau) and for the Minister of Justice (Mr. Chrétien). When this debate has become a thing of the past, I want my descendants and the children of my descendants to be governed by Canadians under a Canadian statute, a legislation and a constitution of our own.

Mr. Speaker, nowhere else in the world do we see such an effort to have a country's constitution taken out of alien hands. Nowhere else do we witness elected representatives, seven provincial premiers and the Progressive Conservative opposition in this House fight so strongly against patriation of the constitution as it is now proposed. The point to remember, Mr. Speaker, is that if their efforts and their tactics are successful, perhaps I will never get to see that and other hon. members will never get to see that constitution.

Mr. Speaker, I remain confident still, I believe I have the same confidence felt by Mr. Pearson and all hon. members during the flag debate, the flag which we are so proud of today. When we look at it we can say with pride that it is Canadian, it is ours, and that brings warmth to our heart.

[*English*]

Mr. Speaker, since the beginning of this debate I have heard a lot of discouraging words on the opposite side, words which say the resolution is a dangerous document, words about destruction of partnership, threat to the unity and health of this country, personal attacks against the Prime Minister (Mr. Trudeau) and attacks on bilingualism and the French fact. What makes those members so right and us, Liberal and NDP members who favour the resolution, so wrong? Why do those members call the Liberals the oppressors, and through you, Mr. Speaker, call the Conservative members the great defenders of democracy in this House?

I have here in my hand a letter from one of the Tory members.

May I call it six o'clock, sir?

[*Translation*]

The Acting Speaker (Mr. Ethier): Order, please. It being six o'clock, I do now leave the chair until 8 p.m.

At six o'clock the House took recess.

AFTER RECESS

The House resumed at 8 p.m.

The Acting Speaker (Mr. Ethier): Order, please. With the consent of the House, I shall take this opportunity to inform the hon. members that pursuant to the Order of the House made on Wednesday, April 8, 1981, the Clerk of the House has received from the House leaders of the Progressive Conservative Party, the New Democratic Party and the government notices of amendments which will be printed in tomorrow's Order Paper. The Order states that these amendment are deemed to have been moved and they can therefore be debated immediately.

I understand that the members who have already taken part in the debate can now speak again about the amendments if they are recognized by the Chair.

When the House rose at six o'clock, the hon. member for Gatineau had the floor.

[*English*]

Mr. Cousineau: Mr. Speaker, at six o'clock I was saying that I had received a letter from an hon. member of this House. I do not intend to read it all but I should like to read part of it. I am sorry to say that I do not think members of the opposition received the letter from their colleague, because it was sent to the Liberal caucus and senators. The letter says, in part that "A sheep-like loyalty from his followers was all that Adolph Hitler needed to seize power in the 1930s. Please don't tell me that it couldn't happen here." That letter was on notepaper headed "House of Commons, Canada". The comparison it made was to one of the greatest murderers that mankind has ever produced. I do not think this sort of thing has any place on Parliament Hill, Mr. Speaker. I am quite sure that many members on the other side feel the same way, deep down in their hearts.

After I received the letter, I asked the member concerned if he agreed with everything he had signed and he said, "I honestly believe in what I said in that letter". I answered that that was just too bad in the circumstances.

I heard some speeches in this House a couple of weeks ago. One in particular was made by the hon. member for Edmonton East (Mr. Yurko) who spoke in favour of the resolution but made no personal attacks on anybody. A member of the NDP spoke against the resolution but made no personal attacks. One of my colleagues, a Liberal, also spoke against the resolution but did not draw any comparison with Soviet Russia and made no mention of Adolph Hitler. Those were true, honest and sincere opinions and that is what we want to hear in this House. I respect those hon. members. That was Parliament at its best, with an expression of opinions.

Is it dangerous to think of preserving and reinforcing the human rights of Canadians? Is it dangerous to try and find an amending formula? Is it dangerous to talk about equalization? Is that the destruction of parnership? Is it destructive to permit any Canadian to continue his education in English in

Quebec? Is it destruction of partnership to permit any French Canadian to continue his education anywhere in this country? I ask hon. members to think about that.

[*Translation*]

Mr. Speaker, Canadians are bewildered during this debate by certain allegiances, nay, by some alliances. They wonder why there was a union to fight separation in 1980, and why there is now this allegiance to and this union with the very person who wanted to break up the country once and for all?

On May 20, 1980, Quebec wanted a change. The status quo had to be broken after 54 years, and in the meantime, the Quebec people gave a mandate to the Parti Québécois on April 13, 1981, to continue to govern and to build Quebec and not to destroy Canada by separating. I hope that Mr. Lévesque will keep his word: no referendum or elections before three or four years. Quebec has shown confidence in him and we have to respect this decision. However, I urge him not to betray this confidence and to work in the interest of Quebecers toward the welfare of the Canadian people as a whole.

All Canadians, and all the Premiers of the nine other provinces promised in 1980 that there would be some changes. What are the changes suggested by this government? To patriate our Constitution, to entrench in it the basic freedoms of Canadians, to provide a constitutional amendment formula if the provinces cannot agree within three years, and to enshrine the principe of equalization of wealth by the federal government from the affluent to the less prosperous provinces.

Mr. Speaker, Canadian history is characterized by the concept of sharing and of helping the various regions which, for whatever reason, do not have an equal share of the natural resources of our country. The members of this government believe that it is the responsibility of the Canadian government to see to it that no region of Canada be forgotten in the sharing of the wealth or the advantages brought about by these resources. Sharing is part of our history and it is this spirit of sharing which will ensure the future of our country, sharing of our poverty, of our troubles, sharing of our dark moments but also of our joy and our wealth.

In 1867, Mr. Speaker, French-speaking and English-speaking Canadians entered into an alliance which granted certain rights to the provinces thus created. In Quebec, for many years, for almost a century, the main language used in business and in industry was English. I learned English as a youngster because we had Slovak neighbours who had just come to this country.

• (2010)

[*English*]

And these young fellows, Simurda, Kolesar, Milchak and Kopil, could not speak French at that time. Their fathers worked at the CIP mill in Gatineau, Quebec. In the 1920s, 1930s and 1940s the working language at the CIP mill, which is just one mile from the capital city, was English. Why did I learn English? Because I wanted to communicate with these fellows. Today one is a prominent surgeon, one became a colonel in the Canadian army, and the rest are working at the CIP mill. They also wanted to communicate with their francophone friends and today these people are trilingual. They can speak French, English and Slovak, and I do not think they are any poorer because of that.

As I grew up, I continued to learn the English language and I worked at the CIP mill during the summer months. Although 85 per cent of the workers were francophone, the working language was English, the majority of the bosses were English and the majority of the orders were given in English. That was the way of life. We accepted that, and I do not think we had any choice at that time.

However, the frustrations became more apparent in the 1950s and these frustrations resulted in a PQ member being elected in our riding in 1976. Today the working language is French. Yet 90 per cent of those people working at the CIP mill are bilingual, and incidentally, 90 per cent of the anglophones working at the CIP mill are also bilingual.

The coats of arms with the inscription "A mari usque ad mare" became official on November 21, 1921. On our coat of arms there are two flags, the Union Jack and the fleur de lys of France originating in the reign of Louis XIV, which recognized the two origins and the two founding cultures. What I heard from the hon. member for Simcoe South (Mr. Stewart) disturbed me greatly. I never thought it was possible to hear these things in the House. If the hon. member and some of his colleagues do not want to learn French, that is their business. In fact, I respect their decision.

I have a story to put on the record. Once I was fortunate to visit the Canary Islands. One night I was served by a Spanish waiter with whom my wife practised her Spanish. I learned that this young waiter could speak English, French, German, Italian and Spanish. Hon. members might ask why he could speak five languages. He told me he wanted to communicate with the tourists and that he wanted to make enough money to be able to come to Canada to live and become a Canadian citizen. He is not alone. How many immigrants come to Canada today knowing two, three, and sometimes four, languages?

[*Translation*]

Some people feel that bilingualism is forced upon them. I had an argument with the hon. member for Edmonton East (Mr. Lambert) during a committee meeting and told him that that was not the way we saw it in Quebec; for us, bilingualism means understanding, communication, equality within the country, and also acceptance. It is an acceptance of the fact that there are some French-speaking citizens of this country who want to be Canadians, neither French nor English, but 100 per cent Canadians.

Also, Mr. Speaker, I do not think there is one French-speaking member of this House who would refuse to speak to an English-speaking member just because he or she does not speak French. It is rather the opposite that occurs. Those who

want to make the effort, and there are some now who do, can communicate with the French-speaking members of this House. The Leader of the Opposition (Mr. Clark) has done it as well as others, and they still do. During the 1980 referendum, I had the pleasure of hearing in the same forum the hon. member for St. John's West (Mr. Crosbie) and the hon. member for Burin-St. George's (Mr. Simmons) speak not of Newfoundland, not of Quebec, but of Canada.

Is it known, Mr. Speaker, that these two hon. members from Newfoundland are now learning French? I congratulate both of them. The assurance that Canadians may use either French or English anywhere in Canada, *A mari usque ad mare*, as I was saying a while ago, is one of the responses to this threat.

In the past few years, Mr. Speaker, several young Quebecers have gone west because of the economic instability and political uncertainty in their province. And I should like to quote a headline in last Saturday's issue of *La Presse:*

> The exodus westward kept up in '80:
> 30,572 QUEBECERS HAVE LEFT

This is not a fabrication, Mr. Speaker, it is a reality. I hope that this exodus will end and that the results of April 13 will not intensify it. Thanks to this charter which will include the right to get an education in French, these young Quebecers will be able to return to their home towns with children who can speak the language of their grandparents.

In the past hundred years, many Quebecers have left their province to go to the United States because they hoped to find work and a future there. Some 1,600,000 Franco-Americans are now living there and they do not all speak French. One of the best examples I can give you is that of Tom Cousineau, an "All-American" who is one of the best players on the Montreal Alouettes football team and who cannot speak a word of French.

Mr. Speaker, in the past few years the Canadian economy has shifted to the West as in 1880 the economy was in northeastern America. I would like our young people to have the opportunity and the privilege to educate their children in the language of their choice. Am I asking too much, Mr. Speaker?

I think that as the result of that important reform, Canada will be a country much more effective and better governed, a country where governments at every level will be more receptive and more sensitive to the needs of the people. I think that the rights of every Canadian should be protected under a charter incorporating individual, political and democratic rights. Even with our traditions, Canadians make a serious mistake when they take those rights for granted. Such a charter will protect us all individually and collectively from a government anxious to impede or deny civil freedoms. Equality before the law, protection against illegal arrest, freedom of expression, of speech, of peaceful assembly, of thought and religion are at the basis of a free society and the way to provide those freedoms to society is to incorporate them in a constitution which cannot be altered nor left at the mercy of a parliament or a legislature.

I feel that the right of all Canadians to move about freely from one province to another to find work must be guaranteed. Fundamental rights, Mr. Speaker, cannot be bartered for specific and varying claims from the provinces. If we wait for unanimous agreement, we shall run into a wall, a deadlock; that is what will happen, and the past proves it. Unanimity might be reached tomorrow, or the day after, or perhaps never.

If we accept the April 16 proposal of the eight provincial premiers, the country will be made up of ten provinces and, as the leader of the opposition once said, it will be a community of communities. Each province will have different rights: we will be Ontarians, Albertans, Newfoundlanders, Quebecers living in a country north of the United States and called Canada. Is that what we want or do we want a country made up of ten provinces, whose citizens are equal, who have the same rights and privileges from the Atlantic to the Pacific, *A mari usque ad mare*, Mr. Speaker? If we go ahead with the proposed resolution now before us with amendments, there will be ample opportunity in the near future to work in a Canadian context with a view to finding an equitable solution to the other constitutional problems.

Mr. Speaker, I want to close by repeating the words of the Minister of Justice and Minister of State for Social Development, and I quote:

> Canada is a beautiful land, but we have the opportunity of making it even more fertile, and of leaving to our children and the children of our children a country in which the diversity and the equality that must exist in our society are recognized.

To my mind, the constitutional debate of 1981 is a historical time which, once the quarrels, the discord and the insults have been forgotten, will be of benefit to all Canadians. We will have a country that guarantees the weakest in our society equal rights and protections the like of which are to be found in very few democracies. Mr. Speaker, those words spoken by the Minister of Justice and Minister of State for Social Development are now part of the history of this beautiful and great country, a country that will have grown through this historical debate.

● (2020)

[*English*]

Hon. Jake Epp (Provencher): Mr. Speaker, in rising today I intend to place before the House the various sections of the omnibus amendment introduced earlier today to the public by my leader. Before I do that, I think it important that we take stock of where we are in terms of the debate on the Constitution thus far.

What we have to do in the remaining three days of this debate before this matter is adjourned for a ruling by the Supreme Court is to remind ourselves as members of this House what in essence we are debating. We can get caught up

with the various details of the proposal before us, but I think we have to come to grips with the issue that has now taken so much time in this House of Commons.

Whether the proposals of the Prime Minister (Mr. Trudeau) is of such merit that it will not only change the Canadian constitutional framework but renew the federalism as it is sometimes called, or whether we can achieve the same result without the division and acrimony which now surrounds this exercise is the question we have to address. Is there a better way?

What has to be kept in mind and cannot be said too often is this: the Constitution of Canada, the fundamental law of the country, should be changed in such a way that it unites Canadians rather than becoming a source of division. A constitution, once it passes this Parliament, the provinces, the Supreme Court and the Parliament in Great Britain, remains a living document. It is not placed on a shelf somewhere as an achievement and then remains there for everyone to look at and to take pride in. Rather, it becomes a working instrument for the federation, the country. If that working instrument is flawed, then the integrity of the nation, its ability to function, is put into serious jeopardy.

No matter what our different views might be on the best approach, all of us must accept that the fundamental rule under which we are going to operate will be that the Constitution is to be used by Canadian rather than be a source of division.

There are three things we try to do in our amendment. First, we have attempted to define the necessary consensus required here in Canada before we undertake the adoption of such important matters as a charter of rights, the equalization provisions, the amendment on resources and the way in which we will change the Constitution in the future.

What we are suggesting is that Canadians want an alternative between the tyranny of unanimity on the one hand and the tyranny of unilateral action on the other. We must address ourselves to whether there is a middle ground, or compromise solution which, while we might have our differences, will allow the Constitution to work for Canadians in the future and will reduce the division and acrimony which now exists because of the constitutional exercise.

Second, we are offering a compromise position on the amending formula which seeks to meet the concerns of both the federal and provincial governments and which, unlike the government's amending formulae, represents a potential consensus.

Third, we are offering in our amendments a series of amendments to the charter of rights to ensure that the document truly reflects the guiding principles and fundamental values of Canadians. That is the context in which we bring forward our amendments.

What must also be kept in mind is that had it not been for the work of this party, this matter would already be out of the House of Commons, out of the Senate, would have been passed and be in England. What would have happened had this party not taken its responsibilities is that a constitutional amendment would have been born in division, sent to England, done an end run around Canadian institutions without the benefit of either this debate or, what is more important, without the Supreme Court of Canada being able to rule on its legality before the matter was finally disposed of in this House. It was because of this party and no one else that more time was bought. We bought that time at some risk to ourselves. However, as our leader said on October 2, there comes a time when an opposition party must stand up and defend that which it believes to be right and oppose that which it believes to be wrong, even though for the moment public opinion might be, as it was back in October, that the Prime Minister's proposal had a lot of support across the country.

● (2030)

From the beginning we have opposed the arbitrary, unilateral, divisive approach of this proposed resolution. We have said it before and we have to say it again: we want this Canadian Constitution changed here in Canada and we want to have consensus here in Canada.

Some hon. Members: Hear, hear!

Mr. Epp: We have a serious reservation over the effectiveness of the charter of rights and the proper operation of the amending formula, both of which are being imposed unilaterally by a regional majority in this House of Commons.

We have doubts about the charter and the amending formula, not because of the principles of an amending formula or a charter, but because they are being imposed and do not reflect all the regions of the country, and I say this with all sincerity to members opposite. No matter how you want to explain it away, I say to you that in many parts of the country this proposal, because of the unilateral element, is becoming the source of serious division in the country.

The Prime Minister, as I have said before, says he is justified because there cannot be agreement, and therefore he must move ahead unilaterally. Let us consider that for a moment. The Prime Minister, as he likes to do so often, has placed matters in stark terms—not stark realities, but stark terms. On the one hand he says unanimity does not work; you cannot have the support or the agreement of the 11 governments, the federal government and the ten provinces. Speaker after speaker on that side has been saying to us that the Conservative Party wants unanimity. That has not been the position. That is the position they would like us to take, but that has not been the position of the party.

On the other hand, we have said that unilateral action is not acceptable. The Prime Minister says: if you cannot get unanimity, you then swing the pendulum all the way over and accept the unilateral action. He says he is now justified in that unilateral action because he cannot get unanimity. Surely there is a middle ground. Surely there is an amendment to which we can agree in this House.

We have proposed, under section 63, that such an amendment be made possible, namely, that, for the first time in

Canada, we define what is an adequate consensus. We suggest that an adequate consensus could fall between those two extremes, which would be a consensus composed of two-thirds of the provinces enjoying at least 50 per cent of the population. People could argue that the consensus should be wider. I accept that argument. What I am saying is that you cannot have a consensus which ignores or refutes either extreme. It is because of that attempt by us to define consensus that we have moved an amendment to Section 63.

Let us consider the amending formula itself. In order to reach agreement, obviously both sides to an issue have to give, to compromise somewhat. It has been interesting to note that the premiers took that first step by putting forward an amending formula which, they believe, both reflects the consensus and represents an amending formula that will work.

How many members of this House remember the day, and I will not give the entire quotation, when the Prime Minister asked if we had heard Premier Peckford say we could patriate before he got jurisdiction over the offshore resources? He talked about Premier Lougheed. He asked whether Premier Lougheed would be willing to patriate with an amending formula before he got jurisdiction over resources. He went on to refer to the various premiers. I say through you, Mr. Speaker, to the Prime Minister and members of this House that the premiers did just that. What they did was to say they are willing to accept an amending formula with patriation. It is now up to the Prime Minister, I would suggest, there being other issues which have to be discussed in terms of a renewal of the federation, to sit down and see if that compromise cannot, in fact, be found.

Let me refer now to the amending formula. I will not go through all the flaws of the Victoria formula, but on running through them very quickly one sees immediately that there is to be a veto for two provinces, Ontario and Quebec. In a federation there is to be a veto for two members; the other eight do not have the power of the veto. Even if the population of one of the two provinces falls below 25 per cent of the national population, having once had the veto the province will always has it. The unfairness of the situation becomes evident very quickly.

I would ask members of the NDP, most of whom come from western Canada—26 of their 32 members—when they go back to western Canada, Manitoba, Saskatchewan and British Columbia, do they say to their constituents they must accept third-class status? Do they say they feel an amending formula is right which creates different classes of provinces and through that different classification of provinces different citizens? How do they defend that? They do not defend it because they cannot.

The Victoria formula not only is outdated, it is wrong, it is unfair and it does not work. If members opposite want to continue with that formula, I say to them what they are perpetuating is a centralized system which, in a sense, drives the far reaches of the country away from the centre. For those of us who want a strong national government it is wrong to just give lip service to a strong national government without giving the regions a reason to feel they are part of the central decision-making ability. They must have that ability.

The hon. member for Kitchener (Mr. Lang), who is a jocular fellow and does not see beyond his own nose, can see this only in the perspective of his own province. I suggest that he see it in the perspective of Atlantic Canada, in the perspective of western Canada and see it in the perspective of Canada itself.

I have said earlier, as have other members of our caucus, the Vancouver formula needed further refining. It has gone through further refining. What it does is create an amending formula whereby all the provinces are regarded as equal. It is not only important that the provinces be regarded as equal, it is important that Canadians be regarded as equal.

Some hon. Members: Hear, hear!

Mr. Epp: On the question of opting out, I hear members opposite say some would opt out and we would have a checkerboard Canada. That is a very glib and easy term to use. Was it the government of hon. members opposite which brought in the Canada Pension Plan but also allowed for the Quebec Pension Plan? Are hon. members opposite who come from Quebec in the Canada Pension Plan or in the Quebec Pension Plan?

● (2040)

Mr. Clark: Checkerboard.

Mr. Epp: A checkerboard. Why? Was it because it was convenient, because it worked, or because we would not have had a Canada Pension Plan without it? Of course all of us want a strong national government, but let us be realistic; those kinds of checkerboards have existed in the Canadian federation.

What is opting out? I think it is important for us to define that as well because hon. members opposite are now using a new term, which is "incremental sovereignty-association". I think that new term has been in vogue since last Thursday. The provinces are saying that if the amending formula is used to take powers away from the provinces—not powers granted to them but powers agreed to at the time of confederation—at that time and at that time only can they opt out of those amendments. In dealing with such matters as resources or provincial boundaries are hon. members saying, for instance, that should the Labrador boundary be changed, Newfoundland should not be able to opt out of that kind of arrangement?

So the one question which comes up is the question of the charter of rights. I want to say here again—I have said it before and other members have said it—that not just since this discussion came up but back in the days of the Right Hon. John Diefenbaker and in the days of the general conventions of this party this federal party has endorsed an entrenched charter of rights. That is not a new position. That is a position this party has taken for a long time.

So the question then becomes, "what about the opting out of the charter of rights?" Today the Canadian Press said that we had reversed our position on the charter of rights with respect to opting out. In our amendment we have said very clearly that there would not be an opting out of the charter of rights. Why not? Because I believe rights are universal. They apply to all Canadians, and this is why there cannot be opting out. However, I think the point must be made that when the Vancouver formula was discussed, a number of the provinces did not accept the concept of an entrenched charter of rights, and so they did not discuss whether the opting out of a charter would be operative. Obviously for us in this House who are facing a proposal which includes a charter of rights that luxury does not exist. We have to deal with it, and so, as a party, we are saying—and we have said it before—that rights are universal, that they apply to all Canadians and that the opting out formula does not apply. The opting out formula applies, and always did, in those areas—and I emphasize this—where the provinces have had rights since the time of confederation, period.

Some hon. Members: Hear, hear!

Mr. Epp: What about the question of safeguarding Canadian institutions? If one takes a look at clause 54, one sees a number of areas which could be the subject of amendment. How can there be amendment? We have said clearly that unanimity should apply in three areas. Let us look at those carefully. We believe unanimity should continue to exist with respect to any change to the monarchy and the office of the monarchy. In other words, all 11 governments would have to agree to any change in that respect.

Second, we believe that unanimity should continue with respect to what is known as the guarantee of members in the House, depending on the number of senators when a province has the so-called senatorial floor. In other words, the province of Prince Edward Island would be protected and would not have fewer members than it is now guaranteed.

Finally, and obviously, an amending formula should also require unanimity.

What about the process we put forward? I will not go into the details of removing the interim amending formula. If there is consensus, an interim amending formula is obviously not needed. I know the hon. member for Lincoln (Mr. Mackasey) likes to talk about the two years, but I do not think those two years will bring any positive results. The reason I say that is that, because of the acrimony in the country with respect to federal-provincial relations, I think it will take much more than two years to bring the country together again.

We have talked about a referendum and the fact that we do not need a referendum. That amendment is before the House as well. What we have said in terms of process is that we need an amending formula which is fair. I have explained that very quickly today. A package could be approved if two-thirds of the provinces having at least 50 per cent of the population are in agreement. That is consensus. That would rid us of the spectre of unilateralism as well as the spectre of unanimity.

What about the Canadian charter of rights? We have offered a number of amendments to the Canadian charter of rights. One is with respect to the sovereignty of God. I noticed very quickly that in its amendment the government has accepted the supremacy of God and that it will be brought forward for a vote this Thursday. I commend the government for seeing it that far, but I want to read the words because I think the matter goes far beyond what the government has done, even though, as I say, I commend the government. The words are the following:

> (a) the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free individuals and free institutions, and
>
> (b) individuals and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law—

As I take a very quick look at the government amendment, I say that it embodies some of those aspects, but I feel that in our society today we should also include the integrity and the role of the family. I wish the government had also seen the necessity to include that in its amendment as well.

What about the matter of property rights? I know that the first argument which will be raised is that we are now in the provincial sphere and that property and civil rights are provincial matters. What did the Quebec Court say? In a five to zero decision the Quebec Court said that the proposal of the government affects provincial rights. That being the case and if this matter is going to the Supreme Court, why not include property rights? I know hon. members opposite debated this in their caucus. Was it a matter of the price of NDP support? Members of the NDP have said time after time that they are against property rights. They have said that it would be more difficult to nationalize resource industries if property rights were in the charter. What we have said is that property rights should be in the charter, but we have also included the words "in accordance with the principles of fundamental justice". Having checked, I believe that the matter of Prince Edward Island would be covered because of the wording we have included.

What about the matter of the charter applying equally to men and women? We have moved an amendment, and I am glad that the NDP has seen the wisdom of it. We have done it in the Senate, we have done it here and I am glad we are following it again. We have moved an amendment whereby the charter would apply equally to male and female persons. I think it is important to note that in 1929 it was finally recognized that women were persons and had equality.

Another important issue is the matter of the right to life, or the so-called abortion question. In the committee and in this House there was one general attitude, no matter which side of the issue hon. members were on. It was that the charter should not affect that issue and that the courts should not have the power to come down on one side or the other, as was done in the United States supreme court.

• (2050)

We believe that Parliament and the representatives of the people should make those decisions on moral grounds. Therefore, we are moving the following amendment:

Nothing in this Charter affects the authority of Parliament to legislate in respect of abortion and capital punishment.

We believe we have given to the House and to Canadians a way out of the division, to reach consensus, to improve the charter, and once we have a certain amount of consensus, to bring the Constitution home.

I should like to take a look at the NDP amendments. They have the one on equality of men and women and also the one on aboriginal rights. When I take a look at my telegrams I see that in no way do the aboriginal people of Canada feel that the NDP is protecting their rights by its amendments. Not one group does. Why not? It was because they either wanted a consent clause or to be part of the amending formula. The hon. member for Oshawa (Mr. Broadbent)—

Mr. Clark: Speaking for the west.

Mr. Epp: I suppose he speaks for the west or for whoever. He said to the Indian people, "I see why you feel you are not protected, but I will move nothing which does not first enjoy the approval of the government". That was his position and remains his position today. That is called parliamentary courage! The aboriginal question will not be resolved by a simple amendment. It will not be solved because of its history and its complexity. Therefore, the only way we will get to a satisfactory amendment is to sit down, either in a constituent assembly or at a first ministers' meeting, and bring in the aboriginal people in order to come up with a compromise and a negotiated solution. It will not happen with the NDP amendment, and it will not happen during these three days on the floor of the House.

I am sorry I do not have sufficient time to go through the various nuances of the amendments, but in conclusion I say that what we have proposed is consistent with our view of federalism, namely, that change must come and we welcome change.

Mr. Broadbent: Not yet.

Mr. Epp: Yes, we do. I enjoy the interventions of the hon. member for Oshawa. He made as much sense today as he ever has, so we do not have to measure it for very long.

We believe that federalism is better served by a compromise and by defining consensus, and once having done that, we can improve the charter. If members of the government search their consciences, I believe they will see the merits of the case. I know from speaking to many of them that they are seeking the way to get around the division which they see arising because of the manner in which they proceeded. It is for that reason and for Canada that I believe these amendments should be passed.

The Acting Speaker (Mr. Ethier): Order, please. I regret to interrupt the hon. member.

Mr. Peter Stollery (Parliamentary Secretary to Secretary of State and Minister of Communications): Mr. Speaker, I have listened for the second time to the hon. member for Provencher (Mr. Epp), and I must say that I am as confused as I was the first time I heard him some months ago.

An hon. Member: As always.

Mr. Towers: So what is new?

Mr. Stollery: Hon. members opposite are laughing. I would presume they are laughing at anybody who, at this point in our undertakings, suggests that we should go to a constituent assembly after five or six months of consideration. After the spectacle of last week, the member suggested that we should sit down with the first ministers once again. What can one say? It is very difficult to take seriously the proposals of the hon. member for Provencher. I am sure the Minister of Justice (Mr. Chrétien) will deal with this more thoroughly in view of the fact that the Conservative Party has tabled an omnibus amendment which contains a series of proposals that they know perfectly well cannot pass. In fact, during this debate they have spoken out of both sides of their mouths. On the one hand they said they were in favour of a charter of rights, and on the other hand they put conditions which make it impossible for Canadians to have a charter of rights.

Some hon. Members: Oh, oh!

Mr. Stollery: This is the sort of spectacle to which we have been treated since last October. Now the leading spokesman of the Conservative Party suggests with a straight face that we should go to a constituent assembly.

Mr. Baker (Nepean-Carleton): You did not even read the proposal.

Mr. Stollery: As other hon. members have pointed out, it is a great privilege to participate in this historic stage in the evolution of Canadian constitutional development. Here we are in 1981 taking, in the Canadian House of Commons, the long overdue final steps toward becoming a complete nation. We are succeeding in Canada at what few, if any, nations in the world have achieved. When we pass this resolution, we will have become a nation with our own Constitution which reflects our federal nature in a manner consistent with a great nation, the sixth or seventh most industrialized country of the western world, with two languages, English and French, representing two of the great cultures that have developed in the western world since the fall of Rome.

Mr. Stevens: Who wrote this?

Mr. Stollery: We will have guaranteed future generations of Canadians an important charter of fundamental rights and freedoms, consistent with what we as Canadians believe our country stands for.

Some hon. Members: Hear, hear!

Mr. Stollery: Our country stands for freedom of conscience and religion, freedom of thought, belief, opinion and expression—

Mr. Stevens: How about property?

Mr. Stollery: —including freedom of the press and other media communication, freedom of peaceful assembly and association. Canadians will be assured through the charter of the rights to move freely across the country from one province to another, take up residence and pursue employment in any province.

An hon. Member: On freight trains.

Mr. Stollery: I presume hon. members opposite do not believe in these fundamental freedoms which are being guaranteed in the charter of rights. Certainly they think they are pretty funny; I guess they will vote against them.

Canadians will have legal rights which include the right to life, liberty and security; the right to equality before the law; protection against unreasonable search or seizure, arbitrary detention and imprisonment; protection against denial of counsel, undue delay of trial and cruel or unusual treatment or punishment; protection against self-incrimination, and the right to the assistance of an interpreter.

Mr. Stevens: We have all those.

Mr. Stollery: Canadians will be protected from discrimination on the basis of race, national or ethnic origin, colour, religion, age, sex, physical or mental disability. Those Canadian citizens of the English or French language minority in a province will have the right to educate their children in that language wherever numbers warrant. The charter recognizes and affirms the aboriginal and treaty rights of the aboriginal peoples of Canada.

● (2100)

Mr. Taylor: What does it mean?

Mr. Stollery: The charter attempts to preserve and enhance the multicultural heritage of Canadians. We will have done all of this to continue the shaping of a free, orderly and humane society, which is the envy of the world, without a civil war or a bloody revolution. In other words, we have done all of this peacefully. You would have to search long and hard, Mr. Speaker, to find another people who can say the same.

Last week the eight premiers, after months of talk and promises, once more attempted to hatch a stone. One of the characteristics of this constitutional debate is the need for those, like myself—and I see a member opposite shaking his head—to continually restate the obvious. It is obvious that the premier's position would be unacceptable to any responsible national government. I add that the Conservative proposal presented tonight would be unacceptable to any responsible national government. For example, it is obvious that you cannot have a country if different rights for citizens apply in different provinces of that country. Yet that is what the premiers propose—

Mr. Taylor: Why not?

Mr. Stollery: The hon. member opposite asks why not.

An hon. Member: That is what you do with your amending formula!

Mr. Stollery: If the members opposite would show the same courtesy I showed when I listened to their spokesman when he presented his proposal a few minutes ago, I would appreciate it. I think I deserve it. I have listened to this kind of nonsense for five months and I have not taken the opportunity to be as difficult with members opposite as they have been with me. It is called freedom of speech, something members opposite say we have already. But they were not so willing to give it to us two weeks ago when we were not even allowed to debate the question at hand.

Some hon. Members: Hear, hear!

Mr. Stollery: If the proposal of the premiers were accepted, it would inevitably lead to disintegration of this country. They propose that if a province does not like some part of the charter, or if in the future a province does not like some constitutional amendment adopted by a formula agreed to by the provinces, then that province should simply ignore that constitutional amendment or right. How could the country possibly survive that? The premier of Newfoundland would apparently like jobs in Newfoundland to be preserved for Newfoundlanders. If Ontario was in economic difficulty, the next step would be that it might decide jobs in Ontario are to be preserved for the residents of Ontario. Quebec, Saskatchewan and Alberta could easily decide the same thing. That is what eight premiers of this country are proposing. It is not far-fetched to believe that some provinces in this country might not be enthusiastic about aboriginal rights. Well, they decide that they will just opt out of that section of the charter of rights so that the native peoples of Canada will have some rights in some provinces and other rights in other provinces. As I said, it seems characteristic in this debate to restate the obvious, to show that that kind of approach to nation building is doomed to failure.

Political rhetoric aside, I know that many members opposite, including members from western Canada, including members from Alberta, think that the constitutional proposal is not such a bad one. What must they think of the antics of their premiers? How can the premiers come out after all these months with virtually the same negative position that they had last September?

Mr. Taylor: Speak for yourself.

Mr. Stollery: How can they really say that Canadians should not have the same rights in all parts of Canada? How can they seriously propose that provinces should have the right to opt out of any future amendment to the Constitution which

a provincially elected group of politicians happened not to like? The greatest fraud of all perpetuated by the Tory party lies in their not explaining that it is quite possible that, in the future, a provincially elected government might hold quite different views on a narrow constitutional question from the majority of the people in the province. That happened last year in Quebec. But the premiers tell us that they, and not the people, will decide what rights the people in a particular province shall have. I find it hard to believe that the majority of the people in Manitoba are against the rights which are outlined, or that the people of Saskatchewan or Nova Scotia are really against the charter of rights. It is just not believable.

Nothing which has been presented to this Parliament in the nearly nine years that I have been a member is as easy to understand as this constitutional proposal which we have been discussing for five months, or for much longer. I would point out to members opposite that the original debate on confederation lasted only five weeks.

Mr. Taylor: So what?

Mr. Stollery: This constitutional proposal is simple and clear. In my opinion it is a good thing for future Canadians, a good thing for this country. The members opposite obviously say no.

The hon. member for Bow River (Mr. Taylor) has been very vocal tonight. He is opposed to the charter of rights. He opposes everything.

Mr. Taylor: Speak for yourself.

Mr. Sollery: He has a great deal to say tonight. The members of the Conservative Party have been tyrannizing the House of Commons. They have made it impossible for members to speak. They have acted in what I consider to be an anti-democratic fashion. Meanwhile, members of the public have been saying to Members of Parliament, and possibly to the hon. member opposite, "But how can you be against a charter of rights for Canadians? How can you be against a constitutional amendment proposal which is the only one that all of the provinces have ever agreed on?" To those questions the opposition have no answers for the Canadian people. For six months or five months they have had no answer to the Canadian people.

• (2110)

Mr. Taylor: Wouldn't listen to the premiers.

Mr. Stollery: They have proposed an amendment tonight which is no answer to the Canadian people, for that has been another characteristic of this debate: mindless opposition, without ever giving anyone a reason why they are opposing what they are opposing.

Mr. Taylor: That's better than being a sheep.

Mr. Stollery: They all agree in the committee that the charter of rights needed more strengthening. Then they opposed passing it.

Mr. Taylor: They are gaining progress.

Mr. Stollery: How can anybody understand that? What a ridiculous position. The official opposition apparently opposes the only amending formula that the provinces and the federal government ever agreed on, and proposes an amending formula on which even the provinces do not agree.

Mr. Taylor: Why didn't you patriate the Constitution, then?

Mr. Stollery: It simply does not make any sense.

Mr. Taylor: Because its a Liberal MP and Liberal premier in Quebec. That's why. Why didn't you patriate it, then?

Mr. Laniel: Your new friend!

The Acting Speaker (Mr. Ethier): Order, please. The hon. member for Spadina (Mr. Stollery) has the floor.

Mr. Stollery: Mr. Speaker, I was in the Chamber on the day that the petty, melancholy corporal's guard of Conservative MPs applauded the first speech of the hon. member for Provencher. The hon. member for Provencher talked at length about rights of all Canadians and then proposed a formula ensuring that all Canadians will not have those rights.

Mr. Taylor: Baloney, baloney!

Mr. Stollery: Imagine, the irony; such an empty, frightened flat remedy from a Member of Parliament for Provencher, the constituency which twice acclaimed Louis Riel. The hon. member for Provencher said at the time that Confederation works. Well, the Quebec referendum apart, the problems of increasing western alienation apart, the fact that for ten years federal cabinet ministers have not been able to make decisions without meetings with their provincial colleagues—including the harvest of moss off New Brunswick which must be decided by a federal-provincial conference; the temperature at which Chinese barbecued meat must be sold in Toronto's Chinatown, which must be decided by a federal-provincial conference—apart from all of that, a situation has developed in this country where a majority of the premiers are prepared to state their position publicly that Canadians should not have the same rights across Canada, including the right to work in other provinces.

How can the hon. member for Provencher claim that the present rules of Confederation work? I can only presume that when that vote was taken during the snowstorm in Quebec City on March 10, 1865, in view of his attitude, the hon. member for Provencher would have been one of the 33 members who voted against Confederation.

I think that the Canadian public should know that after he delivered his speech here in the Chamber, explained it to us at length, the importance of the debate, the need for every Member of Parliament to be heard on the subject, the long term importance of this constitution for Canadians of the future, the hon. member for Provencher showed his interest in this tremendously important debate by going off to South Africa for three weeks. I believe the Canadian public—

Mr. Taylor: That is where they have entrenched rights.

Mr. Stollery: The hon. member says "shame" to me. Why should he be ashamed of the public knowing where the leading spokesman for the Tory party went after he delivered his speech? Surely he is not ashamed of the fact he went to south Africa, or is he? To study human rights, yes. To study the charter of human rights in South Africa. Mr. Speaker, that is an opting out position.

Mr. Taylor: You don't mind them opting in, though, do you?

Mr. Stollery: I believe that the Canadian public has every right to ask: why are the Conservatives afraid to unlock the future? Why do they not dare take on the forces of provincial self-interest in the name of the nation? Why do they say, "Yes, I am for human rights; in fact, I am for a tougher charter of human rights than you are," and then put conditions that make progress impossible? How can the Conservatives say they want to discuss the economy and then filibuster their own constitutional amendment for weeks? Why did they tyrannize the House of Commons for several days and make it impossible for Members of Parliament to speak?

Mr. Taylor: To stop closure.

An hon. Member: Rule 75C.

Mr. Stollery: Why are they so bitter?

Mr. Taylor: We don't like dictatorship.

Mr. Stollery: We know about the hon. member for Simcoe South (Mr. Stewart). He sits right over there and he is there tonight. He told us why he is against it. He hates French. But I suspect that he was speaking for a small group—

Mr. Taylor: Another misrepresentation.

Mr. Stollery: —and not for the majority of members of Parliament opposite.

Mr. Taylor: Why don't you tell the truth once in a while? That's another misrepresentation.

Mr. Stewart: A point of order, Mr. Speaker.

The Acting Speaker (Mr. Ethier): The hon. member for Simcoe South (Mr. Stewart) on a point of order.

Mr. Stewart: Mr. Speaker, I challenge the hon. member across and I ask for an apology. Nowhere in my speech did I ever speak of hate of the French Canadians. I demand an apology in this House, from the hon. member, which he should offer if he is a gentleman.

The Acting Speaker (Mr. Ethier): Order, please. It is very difficult to find a point of order. Perhaps the hon. member, after reading the debate of the night, may seek to raise a question of privilege, but certainly not a point of order. The hon. member for Spadina.

Some hon. Members: No, no!

Mr. Stollery: Thank you, Mr. Speaker.

The Acting Speaker (Mr. Ethier): Order, please.

Mr. Stewart: A point of privilege?

The Acting Speaker (Mr. Ethier): The hon. member for Simcoe South (Mr. Stewart) on a question of privilege.

Mr. Stewart: Mr. Speaker, what the hon. member just accused me of, in attributing the word "hate" to me was unparliamentary. As a member of this House, I hate no one; and I teach that to my children. If this fellow over here with his diatribe—

The Acting Speaker (Mr. Ethier): Order, please. Again, the hon. member has made his point, and I think it is clear, and the whole matter is now clarified.

Some hon. Members: No, no!

The Acting Speaker (Mr. Ethier): Order, please. The hon. gentleman for Spadina (Mr. Stollery) has expressed his views. The hon. member has made his point and I think the Chair has heard it.

Mr. Taylor: Mr. Speaker, on a point of order, the hon. member told a lie.

Some hon. Members: Order, order!

Some hon. Members: Withdraw, withdraw!

Mr. Taylor: It is a total falsification and he did it rudely.

The Acting Speaker (Mr. Ethier): Order, please I will hear the hon. member for Bow River (Mr. Taylor) on a point of privilege, but if it is to make accusations which I just heard, that the hon. member has told a lie, that is not parliamentary; but I will hear him on a question of privilege.

Mr. Taylor: Well, Mr. Speaker, on a point of privilege, then. The hon. member for Spadina (Mr. Stollery) said that the hon. member for Simcoe South (Mr. Stewart) had said that he hated the French. The hon. member for Simcoe South did not say that. I heard his speech. He did not say that, or anything like it.

The Acting Speaker (Mr. Ethier): Order, please. Again that is quite argumentative. One hon. member says something that another hon. member has said. Where does that put the Chair in this debate?

Some hon. Members: It is on the record.

The Acting Speaker (Mr. Ethier): The hon. member for Simcoe South said to the House that he had not said that. Now we will wait for the hon. member for Spadina. If he wants to withdraw what he said, the Chair and hon. members will accept that. If not, the hon. member for Simcoe South

would perhaps have a question of privilege to raise at the next sitting of the House with Madam Speaker in the chair.

Mr. Baker (Nepean-Carleton): Withdraw it, Peter.

The Acting Speaker (Mr. Ethier): The hon. member for Spadina.

Some hon. Members: Hear, hear!

● (2120)

Mr. Stollery: I am not clear on this point. If hon. members opposite—

The Acting Speaker (Mr. Ethier): The hon. member for Bow River (Mr. Taylor) on a point of order.

Mr. Taylor: If the hon. member is going to withdraw one untruth he had better withdraw his whole speech because three quarters of it is—

An hon. Member: The truth hurts.

Mr. Stollery: Mr. Speaker, the truth seems to have touched some raw nerves over there tonight.

Some hon. Members: Hear, hear!

Mr. Mayer: How would you know? You would not know it.

Mr. Stollery: For months I have listened to the speeches of the Conservatives.

Mr. Gamble: You have not been here.

Mr. Stollery: I was here when the hon. member who just spoke was out organizing the campaign to dump his leader. I was here.

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

The Acting Speaker (Mr. Ethier): Is the hon. member for York North (Mr. Gamble) seeking the floor on a point of order?

Mr. Gamble: Yes, Mr. Speaker. It is regrettable that while the nation seeks to deal with a matter as significant as the Constitution, we should hear comments of the kind we have just heard, comments that are untrue, made with respect to—

Some hon. Members: Oh, oh!

Mr. Gamble: That may be amusing but on two specific occasions—

Some hon. Members: Oh, oh!

The Acting Speaker (Mr. Ethier): Order, please. I should like to hear the hon. member on a point of order, if that is possible.

An hon. Member: That means he has changed his mind.

Mr. Gamble: It does not mean anything of the kind. It simply means that it is inappropriate that I should be quoted as having endeavoured to do something which I did not endeavour to do. As part of a speech—

Some hon. Members: Oh, oh!

Mr. Collenette: You are a failure!

Some hon. Members: Oh, oh!

The Acting Speaker (Mr. Ethier): Order, please. The Chair fails to recognize a point of order. The hon. member for Spadina (Mr. Stollery).

Mr. Stollery: Mr. Speaker, I hope that the time which hon. members used for their interjections will not be taken from my time.

For months I have listened to the speeches of the Conservatives opposite. I have watched the faces opposite. They show the scars of their national convention at which one third of the delegates said that they favoured a leadership convention. Faces opposite have grown longer and longer as they wonder more and more if they are not being used in a skin-saving attempt by the Leader of the Opposition (Mr. Clark). We know that the Leader of the Opposition is desperate for a national election.

Mr. Taylor: At least he is not a dictator.

Mr. Stollery: He will do anything to save his neck. He has had it. He is finished. The only question remaining is whether or not he will take the Tory party down with him.

Mr. Gustafson: But he is honest!

Some hon. Members: Hear, hear!

Some hon. Members: Oh, oh!

Mr. Stollery: The hon. member opposite says, "But he is honest". He admits that he is taking the Tory party down with him. That is why the hon. member opposite sits opposite.

Mr. Nystrom: Stollery for leader.

Mr. Stollery: The Leader of the Opposition is about to go down in history as the man who ran a national election campaign in a world petroleum crisis against Petro-Can and is now running his leadership campaign against the Canadian Constitution. If you did not see it, you would not believe it!

I have been a Member of Parliament for nearly nine years.

Mr. Baker (Nepean-Carleton): Too long.

Mr. Kempling: You would never know it.

Some hon. Members: Hear, hear!

Mr. Nystrom: Resign.

An hon. Member: Motorcycling to Ottawa!

Mr. Stollery: I have been a Member of Parliament for nearly nine years.

An hon. Member: Taxi!

Mr. Baker (Nepean-Carleton): You should do the decent thing and resign.

Mr. Stollery: Since I have been here, this chamber, reflecting Canadian life as it has been in the 1970s, has seen many debates on complex issues such as energy and economics, including employment and inflation. We are now contemplating pension reform. These have been increasingly complicated issues resulting in an exponential increase in the need for study and knowledge by Members of Parliament. They are issues which have reflected the revolution that started with the oil crisis of 1972, a revolution that has put a stamp on the 1970s.

It is again an irony that this simple constitutional resolution that many Conservatives say is unnecessary because the British North America Act works, is in fact a vital element in the ability of the national government in Canada to govern and to resolve the issues of energy, unemployment, inflation, pension reform, etc.

At the beginning of this debate the super patriot from Athabasca stood here and shouted "O Canada" while the provincial government in his province of Alberta closed down his own town and put his constituents out of work.

Some hon. Members: Oh, oh!

An hon. Member: Lies.

The Acting Speaker (Mr. Ethier): Order, please. I regret to interrupt the hon. member, but this allotted time has expired.

Some hon. Members: Hear, hear!

Mr. F. Oberle (Prince George-Peace River): Mr. Speaker, since I last spoke in this debate—in this important, historic debate—certain events have taken place. As my colleagues have done, I want to join in paying tribute to members on all sides of the House who spent weekends and many hours serving the nation and serving Parliament in a committee which did an exemplary job of presenting to the nation, in living colour on television, the debate which now comes to another conclusion.

Certain events took place in Parliament itself. We have been accused of all kinds of things, such as delay, obstruction and filibuster. I happen to think that certain people in Parliament learned an important lesson, that is, that this institution will actually work in times of crisis and in times when the sensitivities of Canadians throughout the country are aroused over matters that take place here. I will never apologize for my contribution to whatever that was called, be it filibuster of delay.

The Prime Minister (Mr. Trudeau) learned an important lesson. He had to learn that the timetables he had set for himself and for the nation in bringing about his version of constitutional renewal, had to be sacrificed to the will of Parliament.

We gained some important time; time for parliamentarians to reflect on what is happening. We gained time for provincial premiers and provincial legislatures to address the problem and we gained time for all Canadians throughout the country to become better acquainted with what is about to happen in Parliament in this crucial period in our history.

• (2130)

I welcome the opportunity to speak once more. I thank my colleagues on this side of the house, some of whom will not be able to speak because there is not enough time and so I thank them for giving me the opportunity to speak a second time. Like every member in this House, I receive mail, not just from my own constituents but from people throughout the country who live in wonderment who are bewildered and confused because they no longer understand what this debate is all about. They no longer understand what the Prime Minister, this great social reformer, this great institutional engineer, wants to do with Canada. They have developed a certain respect for the institution of Canada, the important and crucial components of which are the provincial governments. People have learned to respect their provincial premiers. Our provincial premiers came to Ottawa and participated in a public dabate last weekend. The provincial premiers were on one side and the Prime Minister on the other. There was a breakdown of communications. People cannot understand for the life of them why Canadians are diametrically opposed over a matter which my friends on the other side say is so simple, straightforward and so easy to understand. There is a reason for this bewilderment and confusion. People participating in this debate no longer address themselves to the questions which were initially debated after the Quebec referendum which prompted the urgency and indecent haste now demonstrated. The people of Quebec were provided with an opportunity to choose whether they still wanted to be part of this confederation of this great nation, which Sir John A. Macdonald could see 114 years ago as becoming one of the greatest in the universe, or whether their legitimate aspirations in terms of industry, culture and religion would be better met with a separate state.

Certain things were wrong and were discussed at the time of the Quebec referendum. Many of us travelled to the province of Quebec. Several of the premiers who participated in last weekend's debate also travelled to Quebec at the time of the referendum as did the Prime Minister and some of his ministers. They promised the people of Quebec there would be fundamental and immediate action if they once again chose to stay in confederation and played the important role which Quebec had always played in the union.

We did not talk about a charter of rights. We did not talk about the things which now predominate in the debate. In fact, we talked about things much different than that. For instance, we talked about such things as the reform of the Senate. We talked about electoral reform. We talked about better equality

and regional reflection in some of the regulatory boards which play such an important role in this country. We talked about reform of the Supreme Court. We talked about reform of this institution. We talked about restoring the role intended for private members when this institution had its beginning, allowing them a meaningful contribution to the policy-making process and allowing them to keep an effective check on what the government was doing. But I ask hon. members whether they have heard any speaker over the last five weeks talk about these things. I say we have not.

We are talking now about a charter of rights which is to be the solution to all problems which have faced this nation since confederation. We no longer talk about the need and the failure of the Senate to fulfil this crucial role intended for it under confederation to represent minorities and protect them from the tyranny of the majority inherent in a direct democracy process, such as that which is the usual role of the House of Commons. The Senate was to bring a regional voice to represent regions in a different way from what Members of Parliament can do. As well, the Senate was to be a conciliator between the central government and the provinces in cases where there is an impasse in certain matters. The Senate has never filled that role, and so we have these problems throughout Canada because there is no effective spokesman for legitimate regional concerns.

We talked about electoral reform. Why did we talk about that? Obviously we talked about it because it is not right for a government to have no representation in half of the country. In the government there are only two representatives of one province of western Canada. That is not a good situation.

There are better ways of electing a parliament to ensure that the vote a government or a leading political party receives in a certain region is adequately reflected in terms of representation in the House. It is not a healthy situation for the Official Opposition not to be represented in one province which has over 25 per cent of the population. That is why we talked about electoral reform and that is why we made promises to the people of Quebec during the referendum.

We talked about reform and equality in terms of regulatory bodies. We talked about the inequity of having Supreme Court judges appointed disproportionately from certain regions of the country while other regions are almost completely shut out. We talked about reforms to the procedures of the House of Commons. That debate is no longer relevant nor is it going on. We have now found another solution to the problems of Canada. That solution is something termed by our Prime Minister some time ago as "a new society." We no longer concern ourselves with the fundamental things that I have talked about. We are now making some fundamental changes in terms of a charter of rights, a new contract, which will profoundly and fundamentally change the relationship between the individual and the state.

The problems which the Prime Minister is trying to solve with his charter of rights are now new. The tensions and crises we are trying to overcome are not new. They have been with us since confederation. In terms of nationhood, 113 years is a short period of time. It is fascinating to read our history. It is fascinating to learn that Canada has lived in a sort of suspended state of disintegration ever since confederation. For instance, in 1868, one year after confederation, one of the four partners, namely the province of New Brunswick, held a referendum and voted to leave confederation. It was not satisfied with the results of the arrangement. My province of British Columbia joined Confederation in 1871. We were not an unorganized territory as were some of the other regions which joined confederation later. British Columbia was a Crown colony, as was Newfoundland when it joined. All of our political leaders felt, as most of us now feel, that the interests of British Columbia would be much better served through the wider concept of a great confederation of which the then prime minister spoke at the time. There were tensions even then. We all know that British Columbia did not pay as much attention to the fact that it should be properly represented in the Senate as part of the deal to join confederation, such as the other provinces did. We joined confederation on the promise of a railway from coast to coast, reaching all the way to Victoria.

• (2140)

Few people today know that the Liberal government which followed that of Sir John A. Macdonald tried to renege on that promise to build a railway to British Columbia. In fact, an offer of settlement was made to British Columbia to buy back that promise for $750,000. B.C. rejected that offer and insisted that the terms under which it joined confederation be met.

There were threats of secession even then. There was uneasiness in British Columbia. We felt we had been cheated and that central Canada really was not serious in making us an equal partner in confederation. So serious were the noises from the west that Lord Dufferin was despatched to British Columbia to ease the tensions and to settle some of the disputes that had arisen. He wrote the following to the Prime Minister:

> At this moment British Columbia is obsessed by a frenzied sense, however unreasonable, of injury and wrong.

This frenzied sense of wrong still exists in Canada today. It exists in the west and is aggravated by the colonial attitudes, which have developed over the years, of central Canada toward the west. There is preferential treatment for consumers in central Canada. They were protected by preferential freight rates against high costs of east-west trade. There has been preferential treatment for central Canadian businesses. They were protected against the high costs of shipping to the west by tariffs and trade restrictions.

So serious was the dissension in western Canada at that time that one of the people who led the movement to bring the colony into confederation, Amor De Cosmos, said in this House as a Member of Parliament that he heard, as we do now, his province described as greedy and insulted in many other ways. This same man said the following on February 13, 1879, and any member can go to the Library and look this up at page 1079 of *Hansard* of that date:

I move for leave to introduce a Bill, entitled an act to provide for the peaceful separation of British Columbia, seconded by any gentleman opposite who thinks it proper to do so.

As this frenzied sense of wrong is still alive in British Columbia, there is a movement of separatism which is gaining momentum and is very much alive in British Columbia. We should not ignore that. It is not a charter of rights and the entrenchment in the Constitution of the cardinal principles of democracy which are the hallmark of western democracies everywhere which will allay and correct this frenzied sense of wrong that we in the west still feel.

What is it about this charter of rights which causes all this controversy? First, I do not believe that we who are elected to this institution through the democratic process have a mandate to make the changes which are contemplated in this charter of rights. We do not have a mandate to surrender the supremacy that rests with this institution in favour of another institution.

This place was created by men of history and by the people. We are the servants of this institution, not its master. It is not for us to decide on changes that should be made to it. I defend my friend and colleague, the hon. member for Provencher (Mr. Epp), when he says that changes as fundamental as those that the Prime Minister has designed for us should be made by the people themselves in another forum than here. When he mentions the constituent assembly, that is the preferable way. Indeed, that would be the way that most modern countries which change their constitution would go about it.

We are now rewriting the Constitution completely, starting from the beginning as if this were a new society somewhere on the moon with no history, nothing to start from, and entrenching a charter of individual rights. As my friends on the other side have said, it is reasonable to question what is wrong with entrenching in the Constitution certain political and democratic rights which were, after all, the cornerstone of all the ideological foundations of the parties represented here, with the possible exception of one. The right and the liberty of the individual is the cornerstone of the ideological base of my party. I suppose it is the ideological base of what was once known as the Liberal Party.

On the surface the objective of entrenching these cardinal principles of democracy such as freedom of speech, freedom of action, freedom of thought and freedom of religion is a very laudable goal. I go further by saying there would hardly be a member on any side of this House who would not fight to protect to preserve the individual rights which are inherent in these cardinal principles of democracy.

Every one of us is almost daily confronted by a constituent who feels his rights have been offended. He asks for help in going to battle. Once we entrench these rights in the Constitution, there will be a change. If an individual phones his Member of Parliament because he has been aggrieved by an act of bigotry, that member will no longer be able to stand in this House to come to his defence. The member will probably have to tell his constituent that his rights are now entrenched in the Constitution, the Supreme Court has jurisdiction over those rights and he had better go and fight for them. Of course, the constituent will not know that it costs a lot of money to have his case heard in the Supreme Court. So far the Member of Parliament has been able to stand up for his rights without having to send him a bill.

What is wrong with this charter of rights that we are about to entrench in the Constitution is that it is not simply dealing with the cardinal principles of democracy. It goes much further. That is what the debate the premiers were involved in was all about. Not only does this charter of rights entrench the cardinal principles of democracy, the political rights, it also entrenches certain rights that are not within the jurisdiction and mandate of federal politicians. It entrenches certain rights of individuals in our country which are under the control of the provincial governments.

Is it not the right of provincial premiers to concern themselves about that? Should the premiers not ask what it would be like after these rights have been entrenched in the Constitution? The language right, for example, says that a person is entitled to be educated and to have his children educated anywhere in this country in English or French. It is a laudable goal to become at some future time a country that is truly funcationally bilingual. This is no longer just a dream. The young children in most European countries on graduation from school are functionally bilingual. They converse in many languages, many of them are multilingual. However, to take one language and throw out all the great things we have strived for and pride ourselves in, including the concept of multiculturalism, and say that henceforth we shall be a bilingual and bicultural country is something that certainly offends me.

• (2150)

Not having had the privilege of being born in this country, I chose Canada and I thought I came here under certain conditions. Approximately one-third of our people living here today arrived in this country believing they did so under certain conditions, one of which was that this was a multicultural country. That is no longer so.

That is not the matter about which the premiers are concerned. They are concerned about the fact that there could be certain areas in eastern and western Canada where, as a result of the entrenchment in the Constitution of these rights to education, the taxpayers will have to build French or English schools, as is the case in the province of Quebec. That may not necessarily at that particular time be one of their priorities. There are small communities in the constituency I represent that do not have water or sewer; they do not have a hockey arena, a library or a cultural centre, and those may be greater priorities at a particular time. We are leaving a certain vagueness in this whole scheme because we say "where numbers warrant". We say we are going to be very reasonable about this. However, it is the Supreme Court that will decide what the numbers will be. Will the numbers be 5, 7, 15 or 500 children? No one knows. The premiers and the taxpayers must know because they will have to pay the bills.

It is just not good enough for people opposite to say that because of a concern which has been expressed about certain

aspects of this charter of rights that we hate the French. Why is it that the premier of the province of Quebec, newly elected with a large mandate, is against this charter of rights? Is it not a strange twist of fate that it is precisely for the same reason the people of Quebec who have acquired certain advantages and gained certain momentum in restoring a certain cultural integrity in their province now feel oppressed by the very person who portrays himself as the king and the saviour of the legitimate rights and aspirations of his compatriots?

These are the things that are wrong with this charter of rights. It is wrong to believe that just because we now entrench in the Constitution a charter of rights and give the Supreme Court jurisdiction over the rights of individuals that all will be solved and no one will ever again be discriminated against. Some members on the opposite side have stood up and said just that. One minister stood the other day and said: "Is it not beautiful to know that we shall wake up one morning, having done this deed here in Parliament, and there will never be any discrimination in this country again?" How naive can those people be? Do they really believe you can legislate the attitude of people, that you can prevent bigots from acting like bigots by simply making a law? Of course you cannot.

We have a great history in this country, a history of pride, freedom and a belief in all that is beautiful and great brought to humankind through democracy. Why is it so urgent that we now entrench a charter of rights? What is so wrong with our Constitution or so wrong in the country that we have to take these very dramatic steps?

What is wrong is that we have a Prime Minister who has a certain vision about his country that does not coincide with the mainstream of life and does not coincide with the history and the tradition on which this country was built. He is not so concerned about a repetition of certain events which took place in 1970 when he imposed the War Measures Act. He is not so much concerned with that. What our Prime Minister wants to do, and he has said this in many speeches to his fellow Canadians in the province of Quebec, is to attain two objectives through his charter of rights. To do so he is prepared to sacrifice everything else that forms part of this constitutional package.

The Prime Minister believes in a unitary state as opposed to a confederate system. He wants to lay the foundation to allow for the evolution of a unitary system of government in this country.

Secondly, as he has said on so many occasions, he is going to bring the French fact in Canada beyond an irreversible position. He is devious and sinister in the way he is going about that. I am not saying this is bad or good, but those are the two things the Prime Minister has in mind in respect of this charter of rights, and that is why he, with all the political skill and deviousness he possesses, has managed to divert this debate away from that about which we should be talking to a discussion of nothing but his charter of rights.

Is the entrenchment of my freedom of speech in the Constitution going to redress this frenzied sense of wrong which exists in the west, this threat of separatism? Of course it will not. Is the protection against discrimination on grounds of race, religion, colour and all these things going to redress this frenzied sense of wrong in the west? Of course it is not.

Let me conclude with this comment. I would tell you what this constitutional debate we are engaged in and now completing will do. It will destroy the dream which has been laid out for us by Sir John A. Macdonald.

The Acting Speaker (Mr. Ethier): I am sorry to interrupt the hon. member but his time has expired.

Some hon. Members: Go ahead.

The Acting Speaker (Mr. Ethier): The hon. member may continue with unanimous consent.

Some hon. Members: Agreed.

Mr. Oberle: Thank you, Sir. I do not wish to abuse the courtesy of my friends, so I will conclude. What I am saying is that if we continue with what we are doing, in ignoring the real things we should be talking about, namely, the changes to our constitutional framework, we will destroy the dream held out to us by Sir John A. Macdonald when he said we are a great country and we shall be one of the greatest in the universe if we preserve unity in this country and if we preserve confederation. We shall sink into insignificance and diversity if we suffer to be broken. There is a message there. I have a great feeling that if we continue with what we are doing right now, we shall suffer the breakup of our great country.

[*Translation*]

Hon. Jean Chrétien (Minister of Justice and Minister of State for Social Development): Mr. Speaker, with the permission of the House, may I point out that it is 9.59 p.m.? I could begin my speech tomorrow.

[*English*]

The Acting Speaker (Mr. Ethier): Permission has not been granted.

Mr. Chrétien: Mr. Speaker, I know the hon. member for Edmonton wants my wisdom very badly, especially during those hours when we have to deal with some of the propositions I will have great pleasure dealing with tomorrow, because some of them are rather funny.

The Acting Speaker (Mr. Ethier): I regret to interrupt the hon. minister, but it is now ten o'clock.

● (2200)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 40 deemed to have been moved.

CANADIAN NATIONAL RAILWAYS—HALL REPORT RECOMMENDATION

Mr. Dan McKenzie (Winnipeg-Assiniboine): Mr. Speaker, I raised a question in the House on Friday, April 3 to which I did not receive a sufficient answer. I pursued the same question in the Standing Committee on Transport and ran into a wall there. I have receive no response at all from the Parliamentary Secretary to the Minister of Transport (Mr. Bockstael) or from the Minister of Transport (Mr. Pepin) with respect to the following question I posed on April 3. I said:

> The pension trust fund of the CNR made sufficient profit this year to invest $53.5 million in oil and gas properties. This is just one investment in a huge investment portfolio. Due to these enormous profits, would the acting Minister of Transport instruct the president of the CNR to grant an immediate pension increase and to establish at least a partial indexing of railway pensions, especially since today's pensioners must cope with 12.2 per cent inflation and the devastating effects of the National Energy Program?

The parliamentary secretary stated he would look into this and provide me with an answer, but I have received no answer.

What is causing concern on this side of the House is the repeated news reports that the CNR has a role in a bid to buy Gulf Canada. There have been repeated news articles stating that CN is about to buy this company out, and what role the CNR would play in such a takeover is not clear. Other news reports have stated that the CNR has joined with private interests in planning the purchase of a large stake in Gulf Canada Limited.

What we are concerned about is that we might have a repeat of the Petrofina fiasco, which was a devastating blunder costing Canadian taxpayers untold millions of dollars in special fees to Swiss banks and $1 billion leaving the country and going to Belgium. We are entitled to some answers with respect to whether or not CNR is planning to purchase Gulf. There are other news reports that a bid has been made. The *Financial Times* states:

> A complex $2-billion deal that would give a group of Canadian companies major holdings in Gulf Canada Ltd. is about to be completed, according to business sources.

Neither Gulf nor the CNR has confirmed or denied that these developments indicate a possible takeover bid. The government will probably wait and wait, allowing leaks to drive Gulf share prices higher and higher, until the shares are so high that Gulf would be crazy to turn down an offer.

I want to point out that it is a railway pension fund which will be paying for these high-cost shares to purchase Gulf, if these facts are correct, and we are not receiving any statements at all from the government the minister or anyone else that this will take place. Of course, Canadians will be expected to pay for this government's bungling once again.

It is most unfortunate that the Minister of Transport is not here to answer. It is an affront to us that he is denying us any statements and doing absolutely nothing to allay our fears that the CNR will take over Gulf. I ask the parliamentary secretary to ask the Minister of Transport to have this subject matter brought before the Standing Committee on Transport and to lay all the details on the table. This could possibly set government policy for the future with regard to the government's taking over oil companies. I am sure it is the government which is pressing the CNR to buy Gulf. I do not think Gulf has taken this idea by itself.

From the point of view of the CNR pensioner, this scenario is just another kick in the pants. These pensioners are expected to pay into the pension trust fund. They get no benefit from the use of their money. At the same time, they must deal with the lowest pension levels in Canada. There is no indexing of their pensions, and we have a 12.5 per cent inflation rate. We have a devastating National Energy Program and a do-nothing budget. It is true that any pension trust fund money used by the company is returned with profit. However, that profit figure is then deducted from the unfunded liability of the company to the pension trust fund. This does nothing to increase the amount of pension paid to employees. In fact, it only serves to benefit the company at the pensioners' expense, since if the investment happens to lose money, any losses are assumed solely by the trust fund.

• (2205)

We want some solutions to this. Pensioners and we on this side of the House are entitled to an explanation. Will the CNR be purchasing Gulf or not? We must ensure that the Minister of Transport sponsors an immediate inquiry and also has this subject matter brought before the Standing Committee on Transport to seek out the source of the leak of the Gulf takeover and either verify or refute it.

This inquiry would also serve to clarify the relationship between the CNR pension fund and CNR investment practices, thereby giving pensioners a more equal footing in the relationship.

I should like to refer to further news reports. They are coming out repeatedly. They started last year, and we are still getting them today. One is entitled: "CN reportedly has a role in bid to buy Gulf Canada". It is not clear what role CN would play in such a takeover. Should it proceed or not, although it is known that acquisition planning is well advanced? From where are these sources coming? I am referring to an article which appeared in *The Globe and Mail* back in December, 1980 by Jeff Carruthers. It reads:

> CN could have access to two major sources of funds, which could be used for such a multibillion dollar acquisition debt which the Crown-owned corporation can and does raise on its own, and new funds from Ottawa, and a substantial pension fund—

From where is Mr. Carruthers getting this information? Other stories have appeard in the *Financial Times* about this takeover.

The Acting Speaker (Mr. Ethier): I regret to interrupt the hon. member but his time has expired.

Mr. Robert Bockstael (Parliamentary Secretary to Minister of Transport): Mr. Speaker, as usual I have to correct some of the misconceptions held by the hon. member for Winnipeg-Assiniboine (Mr. McKenzie). He complained that the CN pension fund has invested in oil and gas properties. What he fails to realize is that it is only through prudent

investments such as this one that the interests of pensioners are protected in the long run. The steady improvements in the fund's earnings, resulting from such investments, will allow CN to reduce its unfunded liability and increase its capacity to pay existing and future pensioners. To reduce investments and make shortsighted pension increases, as the hon. member suggested, it a sure way to pension bankruptcy. Independent actuaries will confirm this.

Instead, CN has been providing pension increases within its means. It has granted voluntary increases every year since 1971 and will do so again this year. So far this has cost the company over $200 million, money which comes not from the pension fund but from operating revenues. The increases may not have kept pace with inflation, but they have at least dampened its effect.

As to the Hall report, the hon. member should get his facts straight. Indeed Dr. Hall spoke of a heritage fund, but rather than formally recommend it, he made a point of saying that such issues are best dealt with through the collective bargaining process. In fact, the pension improvements mentioned previously are largely the result of the introduction of pensions as a bargaining issue. Recent progress has been made through union-management negotiation in the direction of the heritage fund concept.

I might conclude by saying that the hon. member, with his years of experience in Parliament, ought to know that it is not to the Minister of Transport that he should address this question. As a collective bargaining issue, it should go to the Minister of Labour (Mr. Regan), or as a broad pension issue, it should go to the Minister of National Health and Welfare (Miss Bégin) who hosted the recent national pension conference. The Minister of Transport (Mr. Pepin) is sympathetic to the needs of pensioners, but he does not have the prerogative, nor the responsibility, to negotiate their pension interest. The Minister of Transport does not have the privilege of involving himself in the collective bargaining between the unions, the pensioners and the railways.

• (2210)

The hon. member asked his question on April 3. I was here on April 9 to answer it, but he chose not to pursue it on that day. He cannot say that he has not had an answer, since tonight is the first opportunity to deliver it.

CANADIAN ARMED FORCES—REVIEW OF SALARY AND ALLOWANCES—COMPARABILITY WITH PUBLIC SERVICE

Mr. Howard Crosby (Halifax West): Mr. Speaker, on March 24, 1981, I questioned the President of the Treasury Board (Mr. Johnston) in the absence of the Acting Minister of National Defence with respect to two matters affecting the personnel of the Canadian Armed Forces. First, I mentioned the review of salaries and allowances then nearing completion. Second, I asked whether steps were being taken to ensure pay comparability between the Canadian forces and the federal public service.

I want to consider both the pay rates provided to members of the Canadian forces and the comparison of those pay rates to the salaries available in the public service and private sector. But such a review is only valuable if I first list some general matters relevant to those considerations. Let me begin by recognizing that the Canadian Armed Forces were established under the National Defence Act and are the responsibility of the government and the Parliament of Canada. They, of course, are under the direction of the chief of defence staff in relation to their activities.

The Canadian Armed Forces in 1980 consisted of about 80,000 regular members, with 20,000 in the primary reserve and an additional 19,000 reservists and cadets. They are supported by 33,000 civilian employees in the Department of National Defence. The regular force personnel are distributed across Canada, with the largest contingent stationed in the Halifax area. We are proud to be regarded as a military town in the city of Halifax because of the number of armed forces personnel who reside and work in the area.

I mention these statistics by way of reminder that the Canadian forces are really just Canadians in uniform. They are men and women who have volunteered in the defence of Canada. Their code of discipline is onerous by civilian standards. While there are benefits, the reality of military life in peacetime is that Canadian forces personnel must compete in a real world for most of the goods, facilities and services which they require. I believe it is important that we provide the members of our Canadian forces with just compensation, not only a living wage but a salary which allows them the status and life they ought to enjoy.

I would like to consider the increase in pay granted to the Canadian forces effective April 1, 1981 and the comparability of their pay in light of that standard. According to the announcement made by the Acting Minister of National Defence, the Canadian forces received a pay increase which on the average was 12 per cent. That seems relatively fair in the circumstances, but we must remember that there has been an increase in the consumer price index of 12.4 per cent. So even with that high rate of increase they are falling behind.

If you take specific cases you will note that a recruit in the Canadian forces receives approximately $8,200 and, when fully trained as a private, will receive approximately $14,000. If you compare that with the amount of money being paid to our policemen across Canada, you will find that it is much less than what an urban police officer earns, both as a recruit and when fully trained as a first class constable. I could mention the pay provided by the increase to a pilot at the higher level. It is listed as $37,620, which seems like a very fair rate of remuneration. However, you must consider that the rate applies to a major with at least two years seniority in his rank. If you compare that with the salaries available in the private sector, or even in some parts of the public service, it pales by comparison.

The point of all this is that if we do not pay the members of our armed forces adequate and fair compensation, they will simply go off to other activities. I happened to note in the

Ottawa *Citizen* of this very date, April 21, 1981, where Major General Claude Lafrance, a veteran of Korea and the last fighter pilot in the Canadian Armed Forces, has left his post to assume duties in the Department of the Secretary of State in the SX category, which I believe will provide him with remuneration in the range of $60,000 to $70,000 annually.

• (2215)

So that is one example of the failure of the pay scales to provide adequate remuneration even at those higher levels. What we have to consider is how the rates of pay provided for members of the Canadian Armed Forces compare with both the Public Service and the private sector. We could only hope that the minister would take this into account when he deals with the Treasury Board on the matter of armed forces salaries and that together they will provide a rate which allows persons to pursue a career in the Canadian Armed Forces in a manner which provides them with compensation equal or nearly equal to what they would earn in the private sector, and certainly equal to what they would earn in the public sector.

There are other problems which pertain to the Canadian Armed Forces and affect their morale just as much as the rate of pay. I have in mind the failure to properly equip, arm and provide facilities for the Canadian Armed Forces. In the air command we have moved finally to provide a new fighter plane, the CF-18 Hornet. In maritime command, we have advanced a destroyer-life extension program. There is a call for the development of the Canadian patrol frigate. In a mobile command, there is a program to replace the wheeled vehicles and to provide new artillery systems. I hope the government will pursue all of these programs along with an adequate wage policy because in the end, the defence of Canada is at the mercy of our armed forces personnel.

In peacetime, the plight of those members of the Canadian Armed Forces often presents real difficulty. In the last election campaign, at a time when the army of the Soviet Union was invading Afghanistan, at a time when the situation in the Middle East threatened world peace, all political parties were concerned with the plight of the Canadian Armed Forces. So I hope that with those two controversies put aside, we will continue to support our Canadian Armed Forces.

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): First of all, Mr. Speaker, I must point out that I am rather amused to find that the hon. member for Halifax West (Mr. Crosby) has asked for an increase in the presence of the hon. member for York-Peel (Mr. Stevens). As the hon. member for Halifax West has already mentioned, a pay increase for the forces was announced by the Minister of National Defence (Mr. Lamontagne) on April 1.

The increase averages 12 per cent on the over-all payroll over 12 months and comes to an average of 12.31 per cent for non-commissioned officers and 11.05 per cent for officers. This compares most favourably with the pay increase announced on November 2, 1979, by the former Conservative minister of national defence, and that increase has compounded to about 12.14 per cent over an 18-month period.

In various policy statements made during the 1960s, the Government of Canada adopted the concept of the "fair employer" with respect to the determination of rates of pay and terms and conditions of service for its employees. In order to give meaning to this concept for the military, the Treasury Board established a joint Treasury Board-Department of National Defence advisory group on military compensation in November, 1968, to advise on appropriate rates of pay. Recommendations emphasized that attention be directed to the areas of conditions of service and compensation to ensure that comparable benefits to those of the Public Service are given to the military.

Three factors are considered in establishing military pay rates: the economic increase; a benchmark for comparison with the public service; and the military factor, which comprises such elements as hours of work, particular career requirements, pensions, and so on.

In this recent pay raise, the economic factor was taken into full consideration. However, the military factor is still undergoing a more complete review which should be finished in the coming months and phased in at the next pay adjustment. This pay increase also took into full account the question of comparability with the public service which was raised by the hon. member in his question of March 24, and which forms a fundamental basis to the annual military pay review.

Comparability benchmarks have been developed where a specific military function could be identified as equivalent to other occupations. This involves over 70 job matches between military trades and Public Service occupations which are themselves routinely compared with their private sector equivalents.

So, in summary, Mr. Speaker, I can assure the hon. member that the government is paying its military personnel in a very equitable manner. However, I would add, on a personal note, that I believe that because of their dedication and professionalism, our military personnel deserve every red cent they get.

• (2220)

HEALTH—ADOPTION OF WORLD-WIDE CODE GOVERNING BABY FOOD MARKETING

Mr. Stanley Hudecki (Hamilton West): Mr. Speaker, on April 9, 1981, the question that I put before the Minister of National Health and Welfare (Miss Bégin) during the question period in the House of Commons, related to a marketing code which will be debated at the World Health Organization in May, 1981. The code is one that is recommended by the executive of the World Health Organization and concerns prohibition of improper marketing techniques of breast milk substitutes. The code deals with such techniques used by the infant formula industry as so-called educational advertising, distribution of free samples, using so-called milk nurses or mothercraft nurses or medical representatives as sales people.

These sales techniques have apparently been very effective over the years in promoting the use of infant formula instead

of breast feeding. This practice is carried on not only in the industrial nations but has been effectively practised in the Third World countries.

The practice of using breast milk substitutes in these poverty-stricken countries is fraught with dangers. One such hazard is the lack of sanitary facilities to prepare the formula. The water is frequently contaminated and the utensils used are improperly washed. This leads to high incidence of infection and diarrhea in infants.

Second, the nutritional value of skim milk and skim milk products is much lower than in breast milk. This nutritional value is further depleted by improper dilution of the milk powder used.

Another consideration is the spacing births. A mother who is lactating is less likely to conceive so that breast feeding helps to control the birth rate.

In recent years there has been a rediscovery of the merits of breast feeding with the realization that nature does indeed provide a perfect food for infants and that we should make better use of it. Human milk fat is almost completely absorbed, supplying the necessary energy in a newborn infant even if it is premature. It provides amino acids that are particularly suited to the needs of a newborn and especially of the pre-term infant whose liver is not functioning efficiently. There is a great deal of evidence that the newborn infant can acquire, from breast milk, immunologically protective mechanisms sparing it infections, allergic manifestations and gastroenteritis. Breast feeding has a psychological benefit. The skin to skin contact between mother and infant on breast feeding promotes maternal-infant bonding.

That many of the infants in the Third World are denied the benefits of breast feeding is brought out by some startling statistics that are available. In Chile, deaths were found to be three times as high for infants fed with bottles in the first three months of life as amongst those exclusively breast fed during the same period. A conservative estimate by a university of California researcher estimates some ten million cases of infectious diseases and malnutrition occur each year as a result of artificial feeding in the Third World.

A great deal of the blame for promotion of infant formula feeding is placed on the multinational companies' intense advertising practices in the Third World. The question of whether or not this code should be adopted as a World Health Organization regulation or a non-binding recommendation, was answered by the minister saying that Canada's stand would be that of supporting it as a recommendation.

I am asking for a clarification of this. Why should Canada not take a more positive stand and recommend that regulations rather than a recommendation be enforced?

● (2225)

Mrs. Ursula Appolloni (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I heartily commend the hon. member for Hamilton West (Mr. Hudecki), for raising this important and vital subject. I can assure him that the Canadian delegation to the World Health Assembly in May will indeed support the adoption of a code on the marketing of breastmilk substitutes.

The hon. member may be aware that the executive board of the World Health Organization, at its meeting in January, decided to recommend that the assembly adopt the proposed code in the form of a recommendation, that is, as a measure which national governments will voluntarily agree to implement on their territory, in the hope that abuses can be corrected through the concerted voluntary action of member states. The general view expressed by the provincial officials in the consultations which the department has had with them is to the effect that a code, adopted as a recommendation, stands a better chance of immediate implementation. Such consultations with the provinces will continue until the question is brought to a vote on the floor of the World Health Assembly and, irrespective of the decision taken, will need to be pursued for a few months, since implementation of the code in Canada will require the co-operation of both levels of government.

The code is proposed as a universal measure intended for developed and developing countries alike. Its early and successful implementation will therefore depend not only upon its receiving the support of the largest number of member states, but also on the extent to which it can be adapted to the specific socio-economic, political and cultural situations operative in each country, including Canada.

Ideally, self-regulation by the industry would be the solution to the problems which the marketing of breastmilk substitutes causes in the developing world. Events over the last few years have established that such an approach is almost Utopian. The World Health Organization therefore proposes that a code governing the production, storage and distribution, as well as the advertising of infant feeding products, be promulgated to protect the health and well-being of all infants in the world.

The resolution before the World Health Assembly also proposes that the implementation of the code be monitored over a two-year period and that the measures required to improve its effectiveness then be reviewed.

As the hon. member knows, the department has been active for years in the promotion of breastfeeding. In the weeks and months ahead, the decision to be made in respect of the implementation of the code in Canada will therefore receive the department's most careful consideration.

The Acting Speaker (Mr. Ethier): Order, please.

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at two o'clock p.m.

At 10:28 p.m. the House adjourned, without question put, pursuant to Standing Order.